

HOUSE No. 3675

The Commonwealth of Massachusetts

PRESENTED BY:

Michelle L. Ciccolo

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to create a net-zero transportation financing commission.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>1/19/2023</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>3/16/2023</i>

HOUSE No. 3675

By Representative Ciccolo of Lexington, a petition (accompanied by bill, House, No. 3675) of Michelle L. Ciccolo and Christine P. Barber for legislation to establish a special commission on transportation finance for achieving net-zero statewide greenhouse gas emissions by the year 2050. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to create a net-zero transportation financing commission.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. (a) The general court hereby finds and declares that:

2 (i) The commonwealth is committed to a statewide emissions limit that achieves net-
3 zero statewide greenhouse gas emissions by the year 2050.

4 (ii) The commonwealth’s transportation sector is both the largest and the fastest
5 growing emitter of greenhouse gases.

6 (iii) To meet the goal of net-zero by 2050 a large proportion of the greenhouse gas
7 emission reductions must come from the transportation sector. This includes:

8 (1) accelerating conversion of cars and light duty trucks to electricity or other zero
9 emission technologies;

10 (2) financing, retrofitting, siting and designing transportation infrastructure to reduce
11 emissions and to make it resilient to a changing climate.

12 (3) developing strategies and market incentives to expand the use of transit and reduce
13 single occupancy vehicles

14 (4) a recognition that Massachusetts is a demographically and geographically diverse
15 state, and transportation challenges and solutions vary within and among populations and
16 regions.

17 (iv) The commonwealth also has significant transportation assets that will need capital
18 upgrades in order to be climate resilient and remain functional within the context of rising
19 waters, and increasing severity of weather.

20 (v) The commonwealth is committed to providing safe and reliable transit facilities
21 and recognizes the use of one-time Federal money in the operations of the MBTA and the RTAs
22 is finite and a permanent operating solution will be needed on or before June 30, 2023.

23 The financing of capital and operating costs of the commonwealth's transportation sector
24 must align with the commonwealth's 2050 guidelines for net-zero and consider the need to
25 modernize our facilities to adapt to climate change. To that end, the general court shall establish
26 a special commission to study and review transportation financing of net zero emissions by 2050
27 as provided in this section.

28 (b) There is hereby established a special commission on transportation finance for "net-
29 zero by 2050" to investigate, study, and make recommendations on the development and
30 deployment of comprehensive and regionally equitable public transportation pricing, roadway

31 pricing, and congestion pricing to further the climate goals of the Commonwealth. The
32 commission shall be composed of the following members: 5 members who shall not be
33 employees of the executive branch and who shall reside in different geographic regions of the
34 commonwealth, 1 of whom shall be a representative of the Construction Industries of
35 Massachusetts, to be appointed by the governor to serve terms of 2 years; 3 members, who shall
36 not be members of the general court and who shall reside in different geographic regions of the
37 commonwealth, to be appointed by the president of the senate to serve a term of 2 years; and 3
38 members, who shall not be members of the general court and who shall reside in different
39 geographic regions of the commonwealth, to be appointed by the speaker of the house of
40 representatives to serve a term of 2 years; a representative of the Massachusetts Taxpayers
41 Foundation; a representative of the Massachusetts Business Roundtable; a representative of the
42 Massachusetts Municipal Association; a representative of the Regional Transit Authorities as
43 chosen by the secretary of transportation; a representative of the Regional Planning Agencies as
44 chosen by MARPA; and a representative of the MBTA Advisory Board. Each of the members of
45 the commission shall be an expert with experience in the fields of law or public policy,
46 transportation planning, or design and construction of transportation projects. One of the
47 members appointed by the governor, 1 of the members appointed by the president of the senate,
48 and 1 of the members appointed by the speaker of the house of representatives shall be
49 representatives of the Massachusetts business community. One of the members appointed by the
50 governor, 1 of the members appointed by the president of the senate, and 1 of the members
51 appointed by the speaker of the house of representatives shall be representatives of
52 environmental organizations, planning organizations, transportation consumer organizations or
53 other public interest organizations. One of the members appointed by the governor shall be an

54 expert in the field of management consulting or organizational change. One of the members
55 appointed by the governor shall be an expert in the field of public finance. One of the members
56 shall be appointed by the governor to serve as chairperson of the commission. The members of
57 the commission shall be appointed no later than two months from the passage of this act.

58 (c) The commission shall:

59 (1) endeavor to understand the current transportation financial landscape, by identifying
60 and providing for current transportation funding forecasts, including but not limited to: (i)
61 providing estimates of annual operation and maintenance costs for roadways; (ii) providing
62 estimates of annual revenue with consideration of declining motor vehicle fuel excise revenue
63 due to vehicle electrification; (iii) providing traffic forecasts, including forecasts of traffic
64 diversion impacts; (iv) providing year to year estimates of annual operation and maintenance
65 costs of the MBTA and Regional Transit Authorities; and (v) providing estimates of annual
66 revenue, and the methodology employed for such estimates, including an analysis of revenue
67 from the “fair share” amendment for the repair and maintenance of roads, bridges and public
68 transportation.

69 (2) provide specific operating and capital funding options for the transportation sector to
70 align with the commonwealth’s year 2050 requirements for net-zero greenhouse gas emissions
71 and provide for transportation climate resiliency. Such requirements shall also include
72 identifying and providing for sources of funding for such costs for meeting the 2025, 2030, 2035,
73 2040, 2045 and 2050 statewide greenhouse gas emissions limits, including but not limited to: (i)
74 identifying and analyzing physical, technological, legal and other issues or requirements related
75 to roadway pricing in the commonwealth; (ii) propose detailed specifications and regionally-

76 equitable locations for toll gantries and other equipment necessary to assess and collect tolls; (iii)
77 review roadway pricing scenarios under the federal Value Pricing Pilot Program; (iv) propose
78 equitable increase in transportation network company fees; including increased ride share fees
79 and excise taxes on out-of-state operators; (v) propose any other revenue sources and strategies
80 that may be needed to meet the commonwealth's 2050 emissions mandates; (vi) provide a
81 regional and social equity analysis with specific recommendations related to mitigating adverse
82 impacts for low income residents; (vii) identify all local, state and federal approvals necessary to
83 deploy new tolls and other roadway pricing mechanisms on relevant roadways; and (viii) take
84 into consideration roadway and congestion pricing programs in other jurisdictions throughout the
85 United States and the world.

86 (3) identify costs to ensure a reliable, safe, and resilient public transportation system that
87 aligns with the commonwealth's year 2050 requirements for net-zero greenhouse gas emissions.
88 Such requirements shall also include identifying and providing for sources of funding for such
89 costs for meeting the 2025, 2030, 2035, 2040, 2045 and 2050 statewide greenhouse gas
90 emissions limits, including but not limited to; (i) study commute and demand patterns for public
91 transit entities; (ii) study economic development and housing patterns and projections and the
92 impact each has on public transit demand; (iii) review the commonwealth's laws regarding
93 emissions reductions within the transportation sector; (iv) determine fare structures for all modes
94 of transit of the Massachusetts Bay Transportation Authority and regional transit authorities that
95 account for commute patterns and demand, economic development and housing patterns and
96 emissions reduction requirements; (v) examine the feasibility of means tested fares (vi) provide
97 estimates of costs to implement the adaptation needs identified in the vulnerability assessment;
98 (vii) provide estimates of costs of annual revenue; (viii) provide ridership forecasts; (ix) provide

99 a regional and social equity analysis with specific recommendations related to mitigating adverse
100 impacts; (x) identify all local, state and federal approvals necessary to deploy new fare structures
101 at Regional Transit Authorities and the Massachusetts Bay Transportation Authority; and (xi)
102 provide potential impacts on vehicular emissions reduction;

103 (4) analyze the efficacy and financial sufficiency of the commonwealth’s current “chapter
104 90 program” in meeting the goal of net zero by 2050 and climate resiliency; provided, that the
105 commission shall include in its review the sufficiency of chapter 90 program’s current funding
106 formula based on local road mileage, population and employment and alternatives thereto,
107 including the additional or alternative factor of a municipalities’ equalized value in the formula;

108 (5) consult and collaborate with all of the commonwealth’s regional transportation
109 agencies, regional planning agencies, regional economic development organizations, the
110 Massachusetts Municipal Association, the commonwealth’s gateway cities, and the city of
111 Boston to address geographical transportation financing challenges and solutions that vary within
112 and among the commonwealth’s regions; and

113 (6) consult and collaborate with community-based organizations and communities of
114 color and diversity regarding social equity issues impacting transportation sector financing
115 including, but not limited to, social equity issues for communities underserved by the current
116 transportation financing system and most directly impacted by congestion and greenhouse gas
117 emissions. The commission shall, on an ongoing basis, evaluate its efforts to provide for such
118 consultation and collaboration.

119 (e) The commission may also: (i) propose any other revenue sources and strategies that
120 may be needed to meet the commonwealth’s 2050 emissions mandates; and (ii) provide year-to-

121 year direct measurements and estimates of annual operation and maintenance costs; and (iii)
122 propose methods of distributing methods of raised revenue that are in line with the program's
123 goals.

124 (f) The commission may investigate, study, and make recommendations on additional
125 mobility methods as necessary.

126 (d) The commission shall develop an interim initial report with recommendations on
127 MBTA and RTA financing within nine months of the passage of this act.

128 (e) The commission shall develop a final report detailing its findings, including a draft of
129 any legislation required to implement its recommendations to the governor, the secretary of
130 transportation, the clerks of the house of representatives and the senate, the house and senate
131 committees on ways and means and the joint committee on transportation within 14 months from
132 the passage of this act.

133 (f) For the administration of the commission, and without further appropriation, the
134 secretary of the Massachusetts Department of Transportation shall expend from the
135 Massachusetts Transportation Trust Fund, established in section 4 of chapter 6C of the General
136 Laws, the amount of \$200,000; provided that, the commission shall have a budget of \$100,000
137 for the calendar years 2023 and 2024, shall have access to the resources and staff of the
138 employees of the Massachusetts Department of Transportation and the MBTA and may employ
139 such additional staff or consultants as it may deem necessary.

140 (g) This section shall take effect immediately upon its passage.