

# **HOUSE . . . . . No. 3763**

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, November 14, 2013.

The committee on Transportation to whom was referred the message from His Excellency the Governor recommending legislation relative to financing improvements to the Commonwealth's transportation system (House, No. 3327), reports, in part, recommending that the accompanying bill (House, No. 3763) ought to pass.

For the committee,

WILLIAM M. STRAUS.

**HOUSE . . . . . No. 3763**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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An Act financing improvements to the Commonwealth’s transportation system.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to forthwith finance improvements to the commonwealth’s transportation system, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*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. To provide for a program of transportation development and improvements,  
2 the sums set forth in sections 2 to 2G, inclusive, for the several purposes and subject to the  
3 conditions specified in this act, are hereby made available, subject to the laws regulating the  
4 disbursement of public funds; provided, that the amounts specified in an item or for a particular  
5 project may be adjusted in order to facilitate projects authorized in this act. The sums  
6 appropriated in this act shall be in addition to any amounts previously appropriated and made  
7 available for these purposes.

8           SECTION 2.

9                           MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

10   *Highway Division*

11           6121-1314 For projects on the interstate and non-interstate federal highway system;  
12 provided, that funds may be expended for the costs of these projects including, but not limited to,  
13 the nonparticipating portions of these projects and the costs of engineering and other services  
14 essential to these projects; provided further, that notwithstanding this act or any other general or  
15 special law to the contrary, the department shall not enter into any obligations for projects which  
16 are eligible to receive federal funds under this act unless state matching funds exist which have  
17 been specifically authorized and are sufficient to fully fund the corresponding state portion of the

18 federal commitment to fund these obligations; and provided further, that the department  
19 shall only enter into obligations for projects under this act based upon a prior or anticipated  
20 future commitment of federal funds and the availability of corresponding state funding  
21 authorized and appropriated for this use by the general court for the class and category of project  
22 for which this obligation applies .....  
23 \$1,900,000,000

24 SECTION 2A.

25 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

26 *Highway Division*

27 6121-1317 For the design, construction and repair of, or improvements to, non-federally-  
28 aided roadway and bridge projects and for the nonparticipating portion of federally-aided  
29 projects; provided, that the department may use these funds for the purchase and rehabilitation of  
30 facilities, heavy equipment and other maintenance equipment; provided further, that not less than  
31 \$429,755,000 shall be expended for the design, construction and repair of, or improvements to  
32 pedestrian, bicycle and multi-use pathways; and provided further, that the amounts specified in  
33 this item or for a particular project may be adjusted in order to facilitate projects relating to the  
34 design, construction, repair or improvement to non-federally-aided roadway projects; provided  
35 that not less than \$1,200,000 be expended for improvements to the intersection of Sea Street and  
36 Quincy Shore Drive in city of Quincy; provided further, that not less than \$4,500,000 shall be  
37 expended to replace Sherman’s Bridge connecting the Town of Sudbury and the town of  
38 Wayland; provided further, that not less than \$25,000,000 shall be expended for upgrades to  
39 Ruggles MBTA Station in the city of Boston; provided further, that not less than \$30,000,000 be  
40 expended for Dedham Street Corridor Improvements, including the I-95 NB ramp onto Dedham  
41 Street in the town of Canton; provided further, that not less than \$17,000,000 shall be expended  
42 for improvements on the Needham Street and Highland Avenue corridor in the town of Needham  
43 and the city of Newton; provided further, that not less than \$50,000 shall be expended for an  
44 engineering study to examine the feasibility of reconstructing the intersection of I-95 and Route  
45 3 in the town of Burlington; provided further, that not less than \$3,500,000 shall be expended for  
46 infrastructure and road improvements at the intersection of Interstate 95, South Main Street, and  
47 Old Post Road in the town of Sharon; provided further, that a cleanup plan be in place by June  
48 30, 2014 for the back side of the Riverside MBTA Station and to work with DCR to provide for  
49 recreational connections to the Charles River through MBTA property to DCR property and  
50 including the entrance to the rail trail to Newton Lower Falls located in the northwest corner of  
51 the Riverside MBTA station; provided further, that not less than \$5,600,000 shall be expended  
52 for the design and reconstruction of Haydenville Road and Mountain Street in the towns of  
53 Whately and Williamsburg; provided further, that not less than \$2,358,000 shall be expended for  
54 the construction of the new Marion Street Bridge in the town of Natick; provided further, that not  
55 less than \$1,500,000 be expended to construct a connector road system and bike path system

56 connecting Edgartown-Vineyard Haven Road to State Road on Martha's Vineyard; provided  
57 further, that not less than \$500,000 be expended for Padanarm bridge repair and reconstruction in  
58 the town of Dartmouth; provided further, that not less than \$750,000 shall be expended for  
59 construction of the Gardner Street Sound Barrier in the town of Rockland; provided further, that  
60 not less than \$205,273 shall be expended to repair a roadway shoulder failure across from 325  
61 Worcester Street in the town of West Boylston; provided further, that not less than \$2,500,000  
62 shall be expended for the planning, design, construction, and any other associated costs for  
63 transportation improvements at the intersection of Route 30 (South Avenue) and Wellesley Street  
64 in the town of Weston; provided further, that repairs be made to address the drainage problem  
65 (culvert needed) caused by Interstate 195 construction on property owned by the town of Marion,  
66 east of Station 548+32 (east side), on MassDOT layout 5865, sheet 19; provided further, that not  
67 less than \$30,000,000 shall be expended for the repair of the Wamsutta Street Railroad Bridge in  
68 the city of New Bedford; provided further, that not less than \$1,000,000 be expended for  
69 improvements to Tatnuck Square, including traffic signals, traffic mitigation, and lighting in the  
70 city of Worcester; provided further, that not less than \$1,000,000 be expended for street paving  
71 on North Main Street from Royal Crest Drive to Pleasant Street in the town of Randolph;  
72 provided further, that not less than \$500,000 be expended for the planning, design, and  
73 permitting for the Route 79 Davol Street Boulevard Project in the city of Fall River; provided  
74 further, that not more than \$175,000 be expended to upgrade and create a scenic pedestrian  
75 riverwalk and a bicycle lane along Riverside Avenue from the Buffington Street intersection to  
76 the South Street intersection in the town of Somerset; provided further, that not less than  
77 \$1,000,000 be expended for a sound barrier along Fenno Street and Spring Avenue/Route 1 in  
78 the city of Revere; provided further, that not less than \$1,000,000 be expended for a sound  
79 barrier along Sargent Street and Jefferson Drive/Route 1 in the city of Revere; provided further,  
80 that \$220,000 shall be expended for the dredging of Lynn Harbor; provided further, that  
81 \$900,000 shall be expended for the replacement of 4200 linear feet of 8" iron water main with  
82 12" PVC pipe, and road improvements in Marblehead; provided further, that \$4,400,000 shall be  
83 expended for the replacement of 3500 linear feet of drain pipe on Paradise Road between  
84 Franklin Avenue and Stacy's Brook in Swampscott; provided further, that \$4,000,000 shall be  
85 expended towards the design of the Malden-Revere-Saugus Reconstruction and Widening  
86 Project on Route 1, from Route 60 to Route 99 and shall include a feasibility study of connecting  
87 the city of Lynn to Route 1 in Revere; provided further, that \$500,000 shall be expended for a  
88 study to examine the cost and feasibility of using current commuter rail infrastructure for the  
89 Massachusetts Bay Transit Authority's Blue Line connecting in revere and continuing to run  
90 along the tracks into the Lynn Station; provided further, that \$1,000,000 shall be expended for  
91 the Mt. Vernon Street Viaduct repairs in the city of Lynn; provided further, that \$1,515,497 shall  
92 be expended for the Roosevelt Avenue improvement plan in the city of Springfield; provided  
93 further, that \$4,494,000 shall be expended for the reconstruction of Route 21 from North Street  
94 to Beachside Drive in the town of Ludlow; provided further, that \$400,000 shall be expended for  
95 the reconstruction of ADA accessible sidewalks in the downtown area of the town of Millbury;

96 provided further, that \$625,000 shall be expended for the design of the commercial gateway from  
 97 Snow Road and Carroll Road to the historic downtown in the town of Grafton; provided further,  
 98 that \$3,000,000 shall be expended for the sewer expansion project along Route 20, between  
 99 Massasoit Road and Sunderland Road, in the city of Worcester; provided further, that not less  
 100 than \$5,000,000 shall be expended for improvements and maintenance of the VFW Parkway in  
 101 West Roxbury; provided further that not less than \$200,000 shall be expended for feasibility and  
 102 cost analysis study for maintenance and improvements to the roadways from the VFW in the  
 103 West Roxbury section of Boston to the Marine Rotary in the town of Dedham; provided further,  
 104 that \$1,650,000 shall be expended for signalization and intersection improvements on Route 27  
 105 at the intersection of South Ave and Franklin Street in the town of Whitman; provided further,  
 106 that \$4,950,000 shall be expended for the design and reconstruction of Route 106 from Whitman  
 107 Street to Halifax Town Line, in the town of East Bridgewater; provided further, that not less than  
 108 \$13,000,000 shall be expended for the Middleborough rotary improvements at Route 44, Route  
 109 28 and Route 18, in the town of Middleborough; and provided further, that not less than  
 110 \$6,925,000 shall be expended for safety, drainage and traffic flow improvements on Route 3A,  
 111 Summer Street, and Rockland Street in the towns of Hingham and Hull, including consideration  
 112 of pedestrian and bicycle traffic.  
 113 .....\$2,811,872,770

114 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENT

115 *Department of Conservation and Recreation*

116 2890-7020 For the design, construction, reconstruction, repair, improvement, or  
 117 rehabilitation of department of conservation and recreation parkways, boulevards, and related  
 118 appurtenances and equipment including, but not limited to, the costs of engineering and other  
 119 services for those projects rendered by department of conservation and recreation consultants;  
 120 provided, that all work funded by this item shall be carried out according to standards developed  
 121 by the department of conservation and recreation pursuant to historic parkways preservation  
 122 treatment guidelines to protect the scenic and historic integrity of the bridges and parkways  
 123 under its  
 124 control.....\$125,000,000

125 SECTION 2B.

126 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

127 *Rail and Transit Division*

128 6622-1305 For the purposes of chapter 161B of the General Laws, including the purchase  
 129 and rehabilitation of rolling stock, related assets and support equipment necessary to safely serve  
 130 transit passengers, construction and rehabilitation of regional transit authority operations and  
 131 passenger facilities, and purchase of related appurtenances and tools; provided that not less than

132 \$100,000,000 shall be made available for the purpose of planning, engineering, design and  
133 construction of regional transit authority transportation facilities

134 .....  
135 \$350,000,000

136 6622-1382 For the purposes of implementing the mobility assistance program under  
137 section 13 of chapter 637 of the acts of 1983 and regional intercity bus and intermodal service;  
138 provided, that funds may also be used for transportation planning, design, permitting, acquisition  
139 of interests in land and engineering for bus and other transit projects  
140 .....\$24,000,000

141 6622-1380 For the purpose of implementing rail improvements under chapter 161C of the  
142 General Laws; provided, that funds may also be used for transportation planning, design,  
143 permitting, acquisition of interests in land and engineering for rail projects, including the  
144 industrial rail access program.....\$80,000,000

145 SECTION 2C.

146 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

147 *Massachusetts Bay Transportation Authority*

148 6621-1308 For the purpose of implementing rail improvements under chapter 161C of the  
149 General Laws; provided, that funds may be used for transportation planning, design, permitting  
150 and engineering, right-of-way acquisition, acquisition of interests in land, vehicle procurement,  
151 construction, construction of stations, signals and electrical systems, and for heavy rail, light rail  
152 and bus projects which projects shall include the Red Line, Orange Line, Green Line, and  
153 system- wide bus service; and provided further, that the department may use these funds for the  
154 purchase and rehabilitation of heavy equipment and other maintenance equipment  
155 .....\$2,500,000,000

156 SECTION 2D.

157 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

158 *Aeronautics Division*

159 6820-1301 For the implementation of the airport improvement program under chapter 6C  
160 of the General Laws; and provided further that \$25,000,000 be expended for upgrades at the  
161 New Bedford Airport .....\$  
162 89,000,000

163 SECTION 2E.

164 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

165 *Registry of Motor Vehicles Division*

166 6420-1317 For the implementation of the registry of motor vehicles modernization and  
167 improvement program under chapter 6C of the General Law.....\$63,000,000

168 SECTION 2F.

169 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

170 *Rail and Transit Division*

171 6622-1381 For the purpose of implementing South Coast Rail improvements; provided,  
172 that funds may be used for transportation planning, design, permitting and engineering,  
173 acquisition of interests in land, vehicle procurement, construction, construction of stations, and  
174 right-of-way  
175 acquisition.....\$2,200,000,000

176 6622-1382 For the purpose of implementing the Green Line Extension improvements;  
177 provided, that funds may be used for transportation planning, design, permitting and engineering,  
178 acquisition of interests in land, vehicle procurement, construction, construction of stations, and  
179 right-of-way acquisition.....\$1,327,517,000

180 6622-1383 For the purpose of implementing South Station improvements; provided, that  
181 funds may be used for transportation planning, design, permitting and engineering, acquisition of  
182 interests in land, vehicle procurement, construction, construction of stations, and right-of-way  
183 acquisition.....\$300,000,000

184 6622-1384 For the purpose of implementing rail improvements under chapter 161C of the  
185 General Laws; provided, that funds may be used for transportation planning, design, permitting  
186 and engineering, acquisition of interests in land, vehicle procurement, construction, construction  
187 of stations and right-of-way acquisition for rail projects, including Springfield to Worcester  
188 service, Boston to Cape Cod service and Pittsfield to New York City service  
189 .....\$ 175,000,000

190 SECTION 2G.

191 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

192 *Office of the Secretary*

193 6720-1307 For the acquisition of information technology and related expenses including,  
194 but not limited to, renovation of the operations center and intelligent transportation systems and

195 the development of an asset management system required under section 6 of chapter 6C of the  
196 General Laws.....\$146,500,000

197 SECTION 3. To meet the expenditures necessary in carrying out section 2, 2A, 2B, 2C,  
198 2D, 2E, 2F, the state treasurer shall, upon request of the governor, issue and sell bonds of the  
199 commonwealth in an amount to be specified by the governor from time to time but not  
200 exceeding, in the aggregate, \$8,287,389,770. All bonds issued by the commonwealth under this  
201 section shall be designated on their face, Commonwealth Transportation Improvement Act of  
202 2013, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor  
203 may recommend to the general court under Section 3 of Article LXII of the Amendments to the  
204 Constitution. All bonds shall be payable not later than June 30, 2053. All interest and payments  
205 on account of principal on these obligations shall be payable from the General Fund or the  
206 Commonwealth Transportation Fund. Unless the governor makes a request under section 20 of  
207 chapter 29 of the General Laws, bonds and interest thereon issued under this section shall be  
208 general obligations of the commonwealth.

209 SECTION 4. To meet the expenditures necessary in carrying out section 2, 2A, 2B, 2C,  
210 2D, 2E, 2F, 2G, the state treasurer shall, upon request of the governor, issue and sell bonds of the  
211 commonwealth in an amount to be specified by the governor from time to time but not  
212 exceeding, in the aggregate, \$2,100,000,000. Bonds issued by the state treasurer under this  
213 section shall be issued as special obligation bonds under section 20 of chapter 29 of the General  
214 Laws. All bonds issued by the commonwealth under this section shall be designated on their  
215 face, Special Obligation Commonwealth Transportation Improvement Act of 2013, and shall be  
216 issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to  
217 the general court under Section 3 of Article LXII of the Amendments to the Constitution. All  
218 bonds shall be payable not later than June 30, 2053. All interest and payments on account of  
219 principal on these obligations shall be payable from the Commonwealth Transportation Fund  
220 including revenues credited to the Commonwealth Transportation Fund under Chapter 46 of the  
221 Acts of 2013 and shall be payable solely in accordance with said section 20 of said chapter 29.  
222 Notwithstanding any general or special law to the contrary, bonds or notes issued under this  
223 section shall not be included in the computation of outstanding bonds for purposes of the limit  
224 imposed by the second paragraph of section 60A of chapter 29 of the General Laws.

225 SECTION 5. To meet the expenditures necessary in carrying out section 2G, the state  
226 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an  
227 amount to be specified by the governor from time to time but not exceeding, in the aggregate,  
228 \$146,500,000. All bonds issued by the commonwealth under this section shall be designated on  
229 their face, Commonwealth Transportation Improvement Act of 2013, and shall be issued for a  
230 maximum term of years, not exceeding 20 years, as the governor may recommend to the general  
231 court under Section 3 of Article LXII of the Amendments to the Constitution. All these bonds  
232 shall be payable not later than June 30, 2043. All interest and payments on account of principal  
233 on these obligations shall be payable from the General Fund or Commonwealth Transportation



234 Fund. Unless the governor makes a request under section 20 of chapter 29 of the General Laws,  
235 bonds and interest thereon issued under this section shall be general obligations of the  
236 commonwealth.

237 SECTION 6. Notwithstanding any general or special law to the contrary, in carrying out  
238 sections 2 to 2G, inclusive, and all other provisions of this act, the Massachusetts Department of  
239 Transportation may enter into contracts, agreements, or transactions that may be appropriate with  
240 other federal, state, local or regional public agencies or authorities. The contracts, agreements, or  
241 transactions may relate to such matters as the department shall determine including, without  
242 limitation, the research, design, layout, construction, reconstruction or management of  
243 construction of all or a portion of these projects. In relation to any such contracts, agreements, or  
244 transactions the department may advance monies to these agencies or authorities, without prior  
245 expenditure by the agencies or authorities, and the agencies and authorities may accept monies  
246 necessary to carry out these agreements, but the department shall certify to the comptroller the  
247 amounts so advanced, and these agreements shall contain provisions satisfactory to the  
248 department for the accounting of monies expended by any other agency or authority. All monies  
249 not expended under these agreements shall be credited to the account of the department from  
250 which they were advanced.

251 SECTION 7. (a) Notwithstanding any other general or special law to the contrary, the  
252 Massachusetts Department of Transportation shall expend the sums authorized in sections 2, and  
253 2A for the following purposes: projects for the laying out, construction, reconstruction,  
254 resurfacing, relocation or necessary or beneficial improvement of highways, bridges, bicycle  
255 paths or facilities, on- and off-street bicycle projects, sidewalks, telecommunications, parking  
256 facilities, auto-restricted zones, scenic easements, grade crossing eliminations and alterations of  
257 other crossings, traffic safety devices on state highways and on roads constructed under clause  
258 (b) of the second paragraph of section 4 of chapter 6C of the General Laws, highway or mass  
259 transportation studies, including, but not limited to, traffic, environmental or parking studies, the  
260 establishment of school zones under section 2 of chapter 85 of the General Laws, improvements

261 on routes not designated as state highways without assumption of maintenance  
262 responsibilities and projects to alleviate contamination of public and private water supplies  
263 caused by the department's storage and use of snow removal chemicals which are necessary for  
264 the purposes of highway safety and for the relocation of persons or businesses or for the  
265 replacement of dwellings or structures including, but not limited to, providing last resort housing  
266 under federal law and any functional replacement of structures in public ownership that may be  
267 necessary for the foregoing purposes and for relocation benefits to the extent necessary to satisfy  
268 the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies  
269 Act of 1970, 42 U.S.C. 4601 et seq., Pub. L. 97-646, 84 Stat. 1864 (1971), and to sell any  
270 structure the title to which has been acquired for highway purposes. Environmental studies  
271 conducted under this subsection may include an assessment of both existing and proposed  
272 highway rest stop facilities to determine the cost-effectiveness of sanitary facilities that use zero

273 pollution discharge technologies, including recycling greywater systems. When dwellings or  
274 other structures are removed in furtherance of any of these projects, the excavations or cellar  
275 holes remaining shall be filled in and brought to grade within 1 month after the removal. In  
276 planning projects funded by said section 2A, consideration shall be made, to the extent feasible,  
277 to accommodate and incorporate provisions to facilitate the use of bicycles and walking as a  
278 means of transportation. Nothing in this section shall be construed to give rise to enforceable  
279 legal rights in any party or a cause of action or an enforceable entitlement as to the projects  
280 described in this section.

281 (b) Funds authorized in section 2A shall, except as otherwise specifically provided in this  
282 act, be subject to the first paragraph of section 6 and sections 7 and 9 of chapter 718 of the acts  
283 of 1956, if applicable, and, notwithstanding any general or special law to the contrary, may be  
284 used for the purposes stated in this act in conjunction with funds of cities, towns and political  
285 subdivisions.

286 (c) The Massachusetts Department of Transportation may expend funds made available  
287 by this act to acquire from a person by lease, purchase, eminent domain under chapter 79 of the

288 General Laws or otherwise, land or rights in land for parking facilities adjacent to a  
289 public way to be operated by the department or under contract with an individual; expend funds  
290 made available by this act for the acquisition of van-type vehicles used for multi-passenger,  
291 commuter-driven carpools and high-occupancy vehicles including, but not limited to, water  
292 shuttles and water taxis; and, under all applicable state and federal laws and regulations, exercise  
293 all powers and do all things necessary and convenient to carry out the purposes of this act.

294 (d) In carrying out this section, the Massachusetts Department of Transportation may  
295 enter into contracts or agreements with cities to mitigate the effects of projects undertaken under  
296 this act and to undertake additional transportation measures within the city and may enter into  
297 contracts, agreements or transactions with other federal, state, local or regional public agencies,  
298 authorities, nonprofit organizations or political subdivisions that may be necessary to implement  
299 these contracts or agreements with cities. Cities and other state, local or regional public agencies,  
300 authorities, nonprofit organizations or political subdivisions may enter into these contracts,  
301 agreements or transactions with the department. In relation to these agreements, the department  
302 may advance to these agencies, organizations or authorities, without prior expenditure by the  
303 agencies, organizations or authorities, monies necessary to carry out these agreements, but the  
304 department shall certify to the comptroller the amount so advanced, and all monies not expended  
305 under these agreements shall be credited to the account of the department from which they were  
306 advanced. The department shall report to the house and senate committees on ways and means  
307 on any transfers completed under this subsection.

308 SECTION 8. Notwithstanding any other general or special law to the contrary, the  
309 Massachusetts Department of Transportation shall take all necessary actions to secure federal

310 highway or transportation assistance which is or may become available to the department  
311 including, but not limited to, actions authorized under or in compliance with Title 23 of the  
312 United States Code, the Surface Transportation Act of 1987, Pub. L. 100-17, the Intermodal  
313 Surface Transportation Efficiency Act of 1991, Pub. L. 102-240, the Transportation Equity Act

314 for the 21st Century, Pub. L. 105-178, the Safe, Accountable, Flexible, Efficient  
315 Transportation Equity Act: A Legacy for Users, Pub. L. 109-59, Implementing  
316 Recommendations of the 9/11 Commission Act of 2007, Pub. Law 110-53 and any successor  
317 acts or reauthorizations of those acts, and actions such as filing applications for federal  
318 assistance, supervising the expenditure of funds under federal grants or other assistance  
319 agreements and making any determinations and certifications necessary or appropriate to the  
320 foregoing. If a federal law, administrative regulation or practice requires an action relating to  
321 federal assistance to be taken by a department, agency or other instrumentality of the  
322 commonwealth other than the Massachusetts Department of Transportation, the other  
323 department, agency or instrumentality shall take such action.

324 SECTION 9. Notwithstanding any other general or special law to the contrary, all  
325 construction contracts funded in whole or in part by the funds authorized by this act shall include  
326 a price adjustment clause for each of the following: fuel, both diesel and gasoline, asphalt,  
327 concrete and steel. A base price for each material shall be set by the awarding authority or  
328 agency and included in the bid documents at the time a project is advertised. The awarding  
329 authority or agency shall also identify in the bid documents the price index to be used for each  
330 material or supply. The adjustment clause shall provide for a contract adjustment to be made on a  
331 monthly basis when the monthly cost change exceeds plus or minus 5 per cent.

332 SECTION 10. Notwithstanding any other general or special law to the contrary, section  
333 61 and sections 62A to 62I, inclusive, of chapter 30, chapter 91 and section 40 of chapter 131 of  
334 the General Laws shall not apply to bridge projects of the Massachusetts Department of  
335 Transportation and the Massachusetts Bay Transportation Authority for the repair,  
336 reconstruction, replacement or demolition of existing state highway, authority and municipally-  
337 owned bridges, including the immediate approaches necessary to connect the bridges to the  
338 existing adjacent highway and rail system, in which the design is substantially the functional  
339 equivalent of, and in similar alignment to, the structure to be reconstructed or replaced, but said  
340 section 61 and said sections 62A to 62I, inclusive, of said chapter 30 shall apply to the repair,  
341 reconstruction, replacement or demolition project where the project requires a mandatory  
342 environmental impact report under 301 CMR 11.00, and all work shall be subject to the  
343 requirements of the then current edition of the Massachusetts Department of Transportation's  
344 Stormwater Handbook as approved by the department of environmental protection under  
345 applicable law. Notice shall be published in the Environmental Monitor of any application to the  
346 department of environmental protection for a water quality certification, and the work shall be  
347 subject to performance standards prescribed by the department of environmental protection  
348 under section 401 of the Federal Clean Water Act if applicable to the project. Notwithstanding

349 any other provision of this section, said section 61 and said sections 62A to 62I, inclusive, of said  
350 chapter 30, said chapter 91 and said section 40 of said chapter 131 shall apply to any portions of  
351 the bridge and roadway approaches to the crossing of the Charles river for the Central  
352 Artery/Tunnel Project. If any state highway, authority or municipal bridge crosses over a railroad  
353 right-of-way or railroad tracks, the department or authority, as applicable, shall seek the opinion  
354 of a railroad company, railway company or its assigns operating on the track of a necessary  
355 clearance between the track and the bridge, but the department and the authority and their agents  
356 or contractors may enter upon any right-of-way, land or premises of a railroad company or  
357 railway company or its assigns for purposes that the department or authority may consider  
358 necessary or convenient to carry out this section. If a flagman is needed to carry out the section,  
359 the railroad company, Railway Company or its assigns shall provide the flagman, the cost which  
360 shall be borne by the bridge project except in the case of a bridge transferred under chapter 634  
361 of the acts of 1971. For the purposes of this section, "bridge" shall include any structure  
362 spanning and providing passage over water, railroad right-of-way, public or private way, other  
363 vehicular facility or other area. Any project exempted from any law under this section shall be  
364 subject to the public consultation process required by the then current version of the  
365 Massachusetts Department of Transportation's project development and design guidebook.

366 SECTION 11. Appropriations made in sections 2A, 2C, and 2F of this act shall be  
367 available for expenditure in the 10 fiscal years following June 30 of the calendar year in which  
368 the appropriation is made and any portion of such appropriation representing encumbrances  
369 outstanding on the records of the comptroller's bureau at the close of such tenth fiscal year may  
370 be applied to the payment thereof any time thereafter. The unencumbered balance shall revert to  
371 the commonwealth at the close of such tenth fiscal year.

372 SECTION 12. The secretary of administration and finance and secretary of transportation  
373 shall submit a report on the progress of any projects funded under this act and included in the  
374 department's five-year capital investment plan to the clerks of the senate and house of  
375 representatives, the chairs of the senate and house committees on ways and means, and the  
376 senate and house chairs of the joint committee on bonding, capital expenditures and state assets.  
377 The report shall include, but not be limited to: (1) the previous year planned spending, (2)  
378 previous year spending, (3) current year planned spending, (4) current year spending to date, (5)  
379 original estimated total project cost, (6) project description and location of the project. The report  
380 shall be submitted on June 30 and December 31 of each year for a period of 8 years after the  
381 effective date of this act.

382

383 SECTION 13. Notwithstanding any general or special law to the contrary, the  
384 unexpended balances of all capital accounts authorized in chapter 86 of the acts of 2008, chapter  
385 233 of the acts of 2008, chapter 303 of the acts of 2008, chapter 10 of the acts of 2011, chapter  
386 133 of the acts of 2012 and chapter 242 of the acts of 2012 which otherwise would revert on

387 June 30, 2013, but which are necessary to fund obligations during fiscal year 2014, are hereby  
388 re-authorized through June 30, 2014.

389 SECTION 14. (a) Section 2 of chapter 90 of the General Laws, as appearing in the 2012  
390 Official Edition, is hereby amended by deleting, in line 143, the words “, without charge,”.

391 (b) Said chapter 90, as so appearing, is hereby further amended by inserting after  
392 section 2I the following new section:-

393 Section 2J. Beginning July 1, 2014, upon registration or renewal, the registrar shall issue  
394 new number plates to every person whose motor vehicle is registered under this chapter. All  
395 number plates issued after July 1, 2014 shall be valid for a period of 8 years, following which,  
396 upon renewal, such plates shall be replaced. No fee shall be assessed for the issuance of new  
397 number plates, provided that the registrar may impose a charge in order to defray the costs  
398 incurred to issue such plates, provided further that any such charge shall not be imposed upon  
399 number plates that are required by general or special law to be issued without charge.

400 (c) The registrar may utilize a “rolling” replacement cycle with respect to those  
401 motor vehicles registered prior to July 1, 2014, or otherwise stagger issuance of new number  
402 plates, in order to implement subsection (b).

403 SECTION 15. The secretary of transportation and the secretary of energy and  
404 environmental affairs shall jointly submit a report regarding the capital and operating needs of  
405 the New Bedford State Pier to the senate and house chairs of the joint committee on  
406 transportation and the clerks of the senate and house of representatives, no later than April 1,  
407 2014. The report shall include, but not be limited to: (1) an analysis of the current state of repair  
408 of the state pier, including a description of all projects and expenditures needed to bring said Pier  
409 into a state of good repair and low-end and high-end estimates of the useful life of all physical  
410 components of said Pier and the estimated cost, as of the date of this Act, to replace same; (2) for  
411 the prior and current fiscal years, any and all operating expenses associated with said Pier,  
412 including without limitation payments to all vendors performing any work with respect to said  
413 Pier and the salaries of all state employees who have performed any work with respect to said  
414 Pier; (3) all persons and entities currently making use of said Pier pursuant to any written or  
415 unwritten lease, license, permit, invitation or other agreement; and (4) a recommendation as to  
416 the most efficient structure for ownership, management, operation, and oversight of said Pier,  
417 including without limitation a recommendation as to which state agency or agencies should own  
418 and/or operate said Pier and what actions, if any, should be undertaken with regard to whether  
419 future operation of said Pier should include input and/or participation by municipalities or other  
420 governmental instrumentalities abutting the Port of New Bedford.

421 SECTION 16. Section 101 of chapter 159 of the General Laws, as appearing in the 2012  
422 Official Edition, is hereby amended by striking out the words “\$50 for a first offense; \$100 for a  
423 second offense; or \$300 for a third or subsequent offense” in lines 33 and 34, and inserting in

424 place thereof the following words: - “\$100 for a first offense; \$200 for a second offense; or \$600  
425 for a third or subsequent offense”.

426 SECTION 17. There shall be a special commission to conduct a study of the metropolitan  
427 planning organizations. The commission shall consist of 15 members: 3 members of the senate, 1  
428 of whom shall be the senate chair of the joint committee on transportation and serve at co-chair,  
429 1 of whom shall be the senate chair of the joint committee on municipalities and regional  
430 government and 1 of whom shall be appointed by the minority leader of the senate; 3 members  
431 of the house of representatives, 1 of whom shall be the house chair of the joint committee on  
432 transportation and serve as co-chair, 1 of whom shall be the house chair of the the joint  
433 committee on municipalities and regional government and 1 of whom shall be appointed by the  
434 minority leader of the house; the chairman of board of the Massachusetts department of  
435 transportation; the secretary of administration and finance or designee; the general manager of  
436 the Massachusetts Bay Transportation Authority or her designee; 1 representative appointed by  
437 the governor from a list of 3 nominees submitted by the Massachusetts Association of Regional  
438 Transit Authorities; 1 representative appointed by the governor from a list of 3 nominees  
439 submitted by the Massachusetts Railroad Association; 1 person appointed by the governor who is  
440 an expert in transportation finance or transportation planning who is employed at a private or  
441 public Massachusetts institution for higher education; and 2 representatives appointed by the  
442 governor from a list of 5 nominees submitted by the Massachusetts Association of Regional  
443 Planning Agencies,. The study shall include, but not be limited to, an analysis of (1) the current  
444 metropolitan planning organizations’ process; (2) potential ways to simplify and streamline the  
445 administration and project selection process; (3) ways to better coordinate between regional  
446 metropolitan planning organizations; (4) the potential for the creation of sub-regions; and (5)  
447 best practices and models from other states’ regional planning organizations. The commission  
448 shall conduct its first meeting not more than 60 days after the effective date of the act and shall  
449 hold not less than 3 public hearings in distinct regions of the commonwealth. The commission  
450 shall consult with relevant agencies of the United States department of transportation. The  
451 commission shall report the results of its study, together with drafts of legislation, if any,  
452 necessary to carry its recommendations into effect, by filing the report with the clerks of the  
453 senate and house of representatives, who shall forward the report to the joint committee on  
454 transportation, the house and senate committees on bonding, capital expenditures and state  
455 assets, and the house and senate committees on ways and means no later than August 31, 2014.

456 SECTION 18. The registrar shall prepare and submit a report detailing the licensing of  
457 commercial and non-commercial motor vehicle inspection facilities pursuant to 540 CMR 4.08  
458 to the house and senate chairs of the joint committee on transportation and the clerks of the  
459 senate and house of representatives, no later than February 1, 2014. The report shall include, but  
460 not be limited to: (1) the number of licensed commercial and non-commercial facilities, (2) the  
461 number of applicants on waiting lists for approval to perform commercial or non-commercial  
462 motor vehicle inspections, (3) any applicable limits on the number of commercial or non-

463 commercial inspection licenses which may be issued and the reasons for such limits, and (4) the  
464 application process in general.

465 SECTION 19. Section 6 of Chapter 153 of the acts of 2010 is hereby amended by striking  
466 subsections (a), (b) and (c) and inserting in place thereof the following:

467 (a) Notwithstanding any general or special law to the contrary, the property acquired  
468 by the former metropolitan district commission pursuant to item 6005-9575 of section 2H of  
469 chapter 273 of the acts of 1994, together with all trees and structures thereon, if any, and  
470 appurtenant access, utility and other easements, collectively referred to in this section as the  
471 “DCR Parcel,” is hereby conveyed by operation of this act to the Massachusetts Bay  
472 Transportation Authority. The DCR Parcel is shown on the plan entitled “Plan of Land Between  
473 Reserved Channel and East First Street in the South Boston Designated Port Area,” dated March  
474 24, 2010, drawn by John A. Hammer III, PLS, on file with the Massachusetts Port Authority.  
475 The DCR Parcel includes the MBTA Use Area containing approximately 67,400 square feet. The  
476 exact boundaries of the DCR Parcel are set forth in section 106 of said chapter 273 of the Acts of  
477 1994.

478 (b) Notwithstanding any general or special law to the contrary, the Massachusetts  
479 Bay Transportation Authority is hereby authorized and directed to convey the portion of the  
480 DCR Parcel consisting of 569,517 square feet, more or less, as shown on the plan described in  
481 subsection (a) as the “Designated Port Area Parcel,” to the Massachusetts Port Authority for such  
482 consideration as is agreed upon by the Massachusetts Port Authority and the Massachusetts Bay  
483 Transportation Authority which shall be equal to the fair market value of the Designated Port  
484 Area Parcel, considering the condition of the parcel including the subsurface condition. The legal  
485 description of the Designated Port Area Parcel is as follows: Beginning at a point at the  
486 northeasterly corner of the parcel at the intersection of the westerly line of a street formerly  
487 known as O street and the southerly line of the Reserved Channel, Thence S88-23-28W a  
488 distance of 802.82 feet by said Reserved Channel, Thence S01-36-32E, a distance of 770.00 feet  
489 by land now or formerly of Exelon New Boston, LLC, Thence N88-23-28E, a distance of 470.00  
490 feet, Thence N37-45-36E, a distance of 51.74 feet, Thence N01-36-32W, a distance of 120.00  
491 feet, Thence N88-23-28E, a distance of 300.00 feet to said former O street, Thence N01-36-  
492 32W, a distance of 610.00 feet by said former O street to the point of the beginning, Together  
493 with the fee underlying said former O street where it abuts the Designated Port Area Parcel.

494 SECTION 20. The first sentence of subsection (d) of Section 6 of Chapter 153 of the acts  
495 of 2010 is hereby stricken and replaced with the following: “Notwithstanding any general or  
496 special law to the contrary, the Massachusetts Bay Transportation Authority is hereby authorized  
497 and directed to convey to the Massachusetts Port Authority the parcel of land consisting of  
498 159,309 square feet, more or less, shown on the plan described in subsection(a) as “Excess  
499 MBTA Parcel,” together with all trees and structures thereon, if any, and appurtenant access,  
500 utility or other easements, and the fee underlying O street where it abuts the Excess MBTA

501 Parcel, for such consideration as is agreed upon by the Massachusetts Port Authority and the  
502 Massachusetts Bay Transportation Authority which shall be equal to the fair market value of the  
503 Excess MBTA Parcel, considering the condition of the parcel including the subsurface  
504 condition.”

505 SECTION 21. The first sentence of subsection (i) of Section 6 of Chapter 153 of the acts  
506 of 2010 is hereby amended by inserting at the end of that sentence the following: “except as set  
507 forth in subsections (b) and (d) of this section.”