

HOUSE No. 4468

The Commonwealth of Massachusetts

PRESENTED BY:

Sarah K. Peake

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 establishing a federal transit funding maximization fund.

PETITION OF:

NAME:

Sarah K. Peake

DISTRICT/ADDRESS:

4th Barnstable

HOUSE No. 4468

By Ms. Peake of Provincetown, a petition (subject to Joint Rule 12) of Sarah K. Peake relative to the Cape Cod Regional Transit Authority and the Southeastern Regional Transit Authority. Transportation.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act establishing a federal transit funding maximization fund.

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. Notwithstanding the provisions of any general or special law to the
2 contrary, the Cape Cod Regional Transit Authority and the Southeastern Regional Transit
3 Authority are hereby authorized in fiscal year 2018 and thereafter to enter into contracts with
4 private transportation providers to identify and pursue projects to increase federal transit
5 urbanized area formula program funding that is in addition to the current funding from direct
6 transit authority transportation reporting to the Federal Transit Administration National Transit
7 Database. Incentive payments provided to private transportation providers for their reporting
8 efforts and for the enhancement of their transportation services shall be a net neutral expense to
9 the Commonwealth and shall be paid exclusively from the exchange of the additional federal
10 urbanized area formula program funding generated by the private transportation provider
11 reporting to the Federal Transit Administration National Transit Database, with State
12 appropriated transportation funding.

13 There shall be established on the books of the Commonwealth under the MassDOT
14 secretariat, an expendable trust fund known as the Federal Transit Funding Maximization Fund
15 for the purposes of providing funding to the Cape Cod Regional Transit Authority and the
16 Southeastern Regional Transit Authority for the compensation of private transportation providers
17 for reporting transportation data to the Federal Transit Administration National Transit Database,
18 which results in federal transit urbanized area formula program funding that is in addition to
19 formula funding from direct transit authority transportation reporting to the National Transit
20 Database. The transit authority, identified as the designated recipient by the Federal Transit
21 Administration for the urbanized area, is directly allocated the entire federal urbanized area
22 formula funding, of which, the additional federal urbanized area formula funding resulting from
23 the private transportation provider reporting shall be calculated by the transit authority based on
24 the prior federal fiscal year formula funding amounts published by the Federal Transit
25 Administration. The Cape Cod Regional Transit Authority and the Southeastern Regional
26 Transit Authority, in consultation with MassDOT, shall take into consideration direct and
27 indirect state, federal and other in-kind transit authority support provided to the private
28 transportation provider when calculating the percentage and corresponding dollar value for each
29 private transportation provider payment (“earned payment”) under this section, but in no case
30 shall it exceed 25% of the additional federal urbanized area formula funding resulting from the
31 private transportation provider reporting to the National Transit Database. Up to 25% of the
32 additional federal transit urbanized area formula funds generated from the private transportation
33 providers contractual participation in the Transit Funding Maximization Program shall be
34 transferred to the Governor, who shall subsequently reallocate all transferred urbanized area
35 formula funds to transit authorities in large or small urbanized areas within the State for eligible

36 purposes under the urbanized area program. The reallocation of federal transit urbanized area
37 formula funds by the Governor shall include a transfer to the Massachusetts Bay Transportation
38 Authority in an amount equal to the calculated private transportation provider earned payment,
39 with a corresponding reduction to the Commonwealth Transportation Fund, item 1595-6369
40 through 9C cuts or other means. Funds reallocated by the Governor to transit authorities in large
41 or small urbanized areas within the State shall be used by the transit authority to establish grants
42 through the Federal Transit Administration system, incur expenses and seek reimbursement in
43 compliance with all Federal Transit Administration regulations and guidelines. The Governor,
44 through the secretary of administration and finance, shall provide the comptroller with a certified
45 accounting of reallocated urbanized area formula funds, State transportation funding reductions,
46 and earned private transportation provider payments. The comptroller shall transfer to the
47 Federal Transit Funding Maximization Fund without further appropriation, sufficient funds to
48 provide for the full earned payment compensation of private transportation providers, after
49 verifying an equal reduction to the Commonwealth Transportation Fund, item 1595-6369 has
50 occurred. Within thirty days of deposit, MassDOT shall transfer funds, without further
51 appropriation, from the Federal Transit Funding Maximization Fund to the participating transit
52 authority for the purpose of processing private transportation provider earned payments in
53 compliance with this section. Such incentive payments to participating private transportation
54 providers shall be known as "provider participation payments" and shall be used by the private
55 transportation provider to offset the cost of reporting transportation data to the Federal Transit
56 Administration National Transit Database and to enhance transportation services. In order to be
57 eligible for provider participation payments, the private transportation provider must continue

58 reporting transportation data, which is accepted and approved by the Federal Transit
59 Administration National Transit Database.

60 The Cape Cod Regional Transit Authority and the Southeastern Regional Transit
61 Authority shall report, not later than March 31st of each year for the prior federal fiscal year
62 ending September 30th, to the secretary of administration and finance, the chairs of the house
63 and senate committees on ways and means, and the house and senate chairs of the joint
64 committee on transportation on the results and operations of the Federal Transit Funding
65 Maximization Program authorized by this section. Such information shall detail the following:
66 total federal transit urbanized area formula program funding resulting from private transportation
67 provider reporting; additional/new fiscal year federal transit urbanized area formula program
68 funding resulting from private transportation provider reporting; total federal transit urbanized
69 area formula program funding transferred by the transit authority to the Governor and subsequent
70 transfers by the Governor to transit authorities in large or small urbanized areas within the State;
71 funds transferred by the comptroller to the Federal Transit Funding Maximization Fund and
72 subsequent transfers to the transit authority by MassDOT for private provider earned payments;
73 and the percentage share and amount of provider participation earned payments paid to each such
74 provider by the transit authority.