

HOUSE No. 5186

Section 61 contained in the engrossed Bill relative to Massachusetts' transportation resources and climate (see House, No. 5151), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment G of House, No. 5187). August 10, 2022.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act providing for the establishment of a special commission to make recommendations on the implementation of roadway and congestion pricing.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the establishment of a special commission to make recommendations on the implementation of roadway and congestion pricing, 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 (a) For the purposes of this section, the term “public transportation” shall include the
2 Massachusetts Bay Transportation Authority and regional transportation authorities.

3 (b) There shall be a special commission on mobility pricing to investigate, study and
4 make recommendations on the development and deployment of comprehensive and regionally-
5 equitable public transportation pricing, roadway pricing and congestion pricing.

6 The commission shall consist of: the secretary of transportation, or a designee; the chief
7 executive officer of the Greater Boston Chamber of Commerce; and 14 members to be appointed
8 by the governor, 1 of whom shall be an expert in transportation planning and policy and who

9 shall not be an employee of the commonwealth or any political subdivision thereof, who shall
10 serve as chair, 1 of whom shall be an expert in tolling systems or toll authorities, 1 of whom shall
11 be an expert in transportation financing, 1 of whom shall be an expert in traffic congestion and
12 congestion pricing, 1 of whom shall be a representative of the Massachusetts Taxpayers
13 Foundation, Inc., 2 of whom shall be members of the Massachusetts Municipal Association, Inc.
14 who represent geographically-diverse areas of the commonwealth, 1 of whom shall be a
15 representative of the Massachusetts Bay Transportation Authority advisory board, 1 of whom
16 shall be a representative from the Massachusetts Association of Regional Transit Authorities,
17 Inc., 1 of whom shall be a representative of the 495/MetroWest Corridor Partnership, Inc., 1 of
18 whom shall be a representative of the 128 Business Council, 1 of whom shall be a representative
19 of the Worcester Regional Chamber of Commerce, and 2 of whom shall be employed by
20 organizations that represent low-income communities that have been historically underserved by
21 transit and acutely adversely affected by the public health impacts of traffic congestion;
22 provided, however, that the members representing low-income communities shall not be from
23 the same organization.

24 (c) For roadway and congestion pricing, the commission shall: (i) identify and analyze
25 physical, technological, legal and other issues or requirements related to roadway pricing in the
26 commonwealth; (ii) propose detailed specifications and regionally-equitable locations for toll
27 gantries and other equipment necessary to assess and collect tolls; (iii) advise the Massachusetts
28 Department of Transportation on roadway pricing scenarios under the federal Value Pricing Pilot
29 Program; (iv) provide estimates of annual operation and maintenance costs; (v) provide estimates
30 of annual revenue with consideration of declining motor vehicle fuel excise revenue due to
31 vehicle electrification; (vi) provide traffic forecasts, including forecasts of traffic diversion

32 impacts; (vii) provide a regional and social equity analysis with specific recommendations
33 related to mitigating adverse impacts; (viii) provide potential impacts on vehicular emissions
34 reduction; (ix) identify all local, state and federal approvals necessary to deploy new tolls and
35 other roadway pricing mechanisms on relevant roadways; and (x) take into consideration
36 roadway and congestion pricing programs in other jurisdictions throughout the United States and
37 the world.

38 (d) For public transportation pricing, the commission shall: (i) study commute and
39 demand patterns for public transit entities; (ii) study economic development and housing patterns
40 and projections and the impact each has on public transit demand; (iii) review the
41 commonwealth's laws regarding emissions reductions within the transportation sector; (iv)
42 determine fare structures for all modes of transit of the Massachusetts Bay Transportation
43 Authority and regional transit authorities that account for commute patterns and demand,
44 economic development and housing patterns and emissions reduction requirements; (v) examine
45 the feasibility of means tested fares; (vi) provide estimates of annual operation and maintenance
46 costs; (vii) provide estimates of annual revenue; (viii) provide ridership forecasts; (ix) provide a
47 regional and social equity analysis with specific recommendations related to mitigating adverse
48 impacts; (x) provide potential impacts on vehicular emissions reduction; (xi) identify all local,
49 state and federal approvals necessary to deploy new fare structures at regional transit authorities
50 and the Massachusetts Bay Transportation Authority; and (xii) take into consideration public
51 transportation pricing programs in other jurisdictions throughout the United States and the world.

52 (e) The commission may investigate, study and make recommendations on additional
53 mobility methods as necessary.

54 (f) Not later than July 1, 2023 the commission shall file a report of its findings and
55 recommendations, including legislative recommendations and not more than 5 scenarios for
56 mobility pricing plans, with the clerks of the senate and house of representatives, the senate and
57 house committees on ways and means and the joint committee on transportation. The report shall
58 include, but not be limited to, an analysis of mitigation measures to address social equity issues,
59 including, but not limited to, social equity issues for communities underserved by the current
60 transportation system.