

2019 -- H 5895

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LC002115  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- RHODE ISLAND PUBLIC  
TRANSIT AUTHORITY

Introduced By: Representatives Hull, Walsh, Williams, Kislak, and Ranglin-Vassell

Date Introduced: March 22, 2019

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 39-18-2 of the General Laws in Chapter 39-18 entitled "Rhode  
2 Island Public Transit Authority" is hereby amended to read as follows:

3 **39-18-2. Authority created -- Composition -- Terms -- Oath -- Officers -- Quorum --**  
4 **Compensation -- Conflicts of interest.**

5 (a) There is hereby created a body corporate and politic to be known as the "Rhode Island  
6 Public Transit Authority" (hereinafter "RIPTA").

7 (b) The authority shall consist of ~~eight (8)~~ nine (9) members, one of whom shall be the  
8 director of the department of transportation or their designee who shall serve as an ex officio  
9 member, and one of whom shall be the mayor of Providence or designee, who shall serve as an ex  
10 officio member with voting privileges, and ~~seven (7)~~ eight (8) of whom shall be appointed by the  
11 governor with the advice and consent of the senate, with at least one of the ~~seven (7)~~ eight (8)  
12 being a regular user of fixed-route RIPTA transportation and at least one of the ~~seven (7)~~ eight (8)  
13 being a person with a disability. The governor shall achieve a diverse membership in the board  
14 and shall give due consideration to recommendations for nominations from the RIPTA Riders  
15 Alliance, the National Federation of the Blind of Rhode Island, the Gray Panthers of Rhode  
16 Island, the Sierra Club of Rhode Island, the Rhode Island AFL-CIO, the RIPTA Transportation  
17 Advisory Committee, the Rhode Island business community, and the Rhode Island League of  
18 Cities and Towns. No one shall be eligible for appointment unless he or she is a resident of this

1 state.

2 (c) ~~Those members of the authority as of the effective date of this act [June 16, 2006]~~  
3 ~~who were appointed to the authority by members of the board of the general assembly shall cease~~  
4 ~~to be members of the authority on the effective date of this act [June 16, 2006], and the governor~~  
5 ~~shall thereupon nominate two (2) members, each of whom shall serve the balance of the~~  
6 ~~unexpired term of his or her predecessor. Those members of the authority as of the effective date~~  
7 ~~of this act [June 16, 2006] who were appointed to the authority by the governor shall continue to~~  
8 ~~serve the balance of their current terms. Thereafter, during~~ During the month of January in each  
9 year, the governor shall appoint members to succeed the departing members. The newly  
10 appointed members shall serve for a term of three (3) years, commencing on the day they are  
11 qualified. In the event of a vacancy occurring in the membership, the governor, with the advice  
12 and consent of the senate, shall appoint a member for the unexpired term. Any member of the  
13 authority shall be eligible for reappointment.

14 (d) Each member of the authority, before entering upon his or her duties, shall take an  
15 oath to administer the duties of his or her office faithfully and impartially, and the oath shall be  
16 filed in the office of the secretary of state.

17 (e) The authority shall elect one of its members as chairperson, and shall also elect a  
18 secretary and such other officers as it deems necessary.

19 (f) ~~Four (4)~~ Five (5) members of the authority shall constitute a quorum. The affirmative  
20 vote of a majority of the members present and voting shall be necessary for any action taken by  
21 the authority. No vacancy in the membership of the authority shall impair the right of a quorum to  
22 exercise all the rights and perform all the duties of the authority.

23 (g) The members of the authority shall receive no compensation, but shall be reimbursed  
24 for their actual expenses necessarily incurred in the performance of their duties.

25 (h) No member of the authority shall be in the employ of, or own any stock in, or be in  
26 any way directly or indirectly pecuniarily interested in any railroad corporation, bus, or street  
27 railway company; nor shall any member of the authority personally, or through a partner or agent,  
28 render any professional service or make or perform any business contract with or for any  
29 company; nor shall any member of the authority, directly or indirectly, receive a commission,  
30 bonus, discount, present, or reward from any company.

31 (i) Members of the authority shall be removable by the governor pursuant to the  
32 provisions of § 36-1-7 and for cause only, and removal solely for partisan or personal reasons  
33 unrelated to capacity or fitness for the office shall be unlawful.

34 (j) The authority shall conduct a training course for newly appointed and qualified

1 members within six (6) months of their qualification or designation. The course shall be  
2 developed by the general manager of the authority, be approved by the authority, and be  
3 conducted by the general manager of the authority. The authority may approve the use of any  
4 authority and/or staff members and/or individuals to assist with training. The training course shall  
5 include instruction in the following areas: the provisions of Chapter 46 of title 42, Chapter 14 of  
6 title 36, and Chapter 2 of title 38; and the authority's rules and regulations. The director of the  
7 department of administration shall be responsible for the enforcement of the provisions of this  
8 subsection.

9 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would increase the number of members of the transit authority from eight to nine  
2 and would make the mayor of Providence or designee an ex officio member with voting  
3 privileges.

4           This act would take effect upon passage.

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