

# **HOUSE . . . . . No. 3836**

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## **The Commonwealth of Massachusetts**

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HOUSE OF REPRESENTATIVES, January 8, 2014.

The committee on Bonding, Capital Expenditures and State Assets to whom was referred the Bill financing improvements to the Commonwealth's transportation system (House, No. 3763), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 3836)

[Bond Issue: General Obligation Bonds: \$9,438,389,770.00  
Special Obligation Bonds: \$3,100,000,000.00].

For the committee,

ANTONIO F.D. CABRAL.

**HOUSE . . . . . No. 3836**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Fourteen**  
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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. The sums appropriated in this act shall be in addition to any  
5 amounts previously appropriated and made available for these purposes.

6           SECTION 2.

7                           MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

8   *Highway Division*

9           6121-1314 For projects on the interstate and non-interstate federal highway system;  
10 provided, that funds may be expended for the costs of these projects including, but not limited to,

11 the nonparticipating portions of these projects and the costs of engineering and other services  
12 essential to these projects; provided further, that notwithstanding this act or any other general or  
13 special law to the contrary, the department shall not enter into any obligations for projects which  
14 are eligible to receive federal funds under this act unless state matching funds exist which have  
15 been specifically authorized and are sufficient to fully fund the corresponding state portion of the  
16 federal commitment to fund these obligations; and provided further, that the department  
17 shall only enter into obligations for projects under this act based upon a prior or anticipated  
18 future commitment of federal funds and the availability of corresponding state funding  
19 authorized and appropriated for this use by the general court for the class and category of project  
20 for which this obligation applies ..... \$1,900,000,000

21 SECTION 2A.

22 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

23 *Highway Division*

24 6121-1317 For the design, construction and repair of, or improvements to, non-federally-  
25 aided roadway and bridge projects and for the nonparticipating portion of federally-aided  
26 projects; provided, that the department may use these funds for the purchase and rehabilitation of  
27 facilities, heavy equipment and other maintenance equipment; provided further, that not less than  
28 \$377,255,000 shall be expended for the design, construction and repair of, or improvements to  
29 pedestrian, bicycle and multi-use pathways and provided further, that the amounts specified for  
30 such improvements to pedestrian, bicycle and multi-use pathway may be adjusted in order to  
31 facilitate projects relating to the design, construction, repair or improvement to non-federally-  
32 aided roadway projects; provided that not less than \$1,200,000 be expended for improvements to

33 the intersection of Sea Street and Quincy Shore Drive in city of Quincy; provided further, that  
34 not less than \$4,500,000 shall be expended to replace Sherman's Bridge connecting the Town of  
35 Sudbury and the town of Wayland; provided further, that not less than \$25,000,000 shall be  
36 expended for upgrades to Ruggles MBTA Station in the city of Boston; provided further, that not  
37 less than \$38,000,000 be expended for Dedham Street Corridor Improvements, including the I-  
38 95 NB ramp onto Dedham Street in the town of Canton; provided further, that not less than  
39 \$17,000,000 shall be expended for improvements on the Needham Street and Highland Avenue  
40 corridor in the town of Needham and the city of Newton; provided further, that not less than  
41 \$250,000 shall be expended to for traffic signals and roadway and sidewalk construction at the  
42 intersection of Allen Street and Rockdale Avenue in New Bedford; provided further, that not less  
43 than \$50,000 shall be expended for an engineering study to examine the feasibility of  
44 reconstructing the intersection of I-95 and Route 3 in the town of Burlington; provided further,  
45 that not less than \$3,500,000 shall be expended for infrastructure and road improvements at the  
46 intersection of Interstate 95, South Main Street, and Old Post Road in the town of Sharon;  
47 provided further, that a cleanup plan be in place by June 30, 2014 for the back side of the  
48 Riverside MBTA Station and to work with DCR to provide for recreational connections to the  
49 Charles River through MBTA property to DCR property and including the entrance to the rail  
50 trail to Newton Lower Falls located in the northwest corner of the Riverside MBTA station;  
51 provided further, that not less than \$5,600,000 shall be expended for the design and  
52 reconstruction of Haydenville Road and Mountain Street in the towns of Whately and  
53 Williamsburg; provided further, that not less than \$2,358,000 shall be expended for the  
54 construction of the new Marion Street Bridge in the town of Natick; provided further, than an  
55 amount not to exceed \$1,000,000 shall be expended for the purpose of studying the feasibility

56 and economic impact of constructing an additional exit ramp, roadway or slip ramp on route 3  
57 connecting state highway 139 located in the town of Marshfield between exits presently  
58 numbered twelve and eleven in the vicinity of Enterprise Drive; provided further, that not less  
59 than \$1,500,000 be expended to construct a connector road system and bike path system  
60 connecting Edgartown-Vineyard Haven Road to State Road on Martha's Vineyard; provided  
61 further, that not less than \$500,000 be expended for Padanaram Bridge repair and reconstruction  
62 in the town of Dartmouth; provided further, that not less than \$750,000 shall be expended for  
63 construction of the Gardner Street Sound Barrier in the town of Rockland; provided further, that  
64 not less than \$5,000,000 shall be expended on an analysis of transit capacity issues in Greater  
65 Boston, including recommendations and preliminary engineering for addressing these  
66 challenges; provided further, that not less than \$205,273 shall be expended to repair a roadway  
67 shoulder failure across from 325 Worcester Street in the town of West Boylston; provided  
68 further, that not less than \$2,500,000 shall be expended for the planning, design, construction,  
69 and any other associated costs for transportation improvements at the intersection of Route 30  
70 (South Avenue) and Wellesley Street in the town of Weston; provided further, that not less than  
71 \$2,000,000 shall be expended to reconstruct roadways, sidewalks, lights and traffic signals on  
72 Rivet Street between Route 18 and Goulart Square in New Bedford and County Street between  
73 Rivet Street and Cove Road in New Bedford; provided further, that repairs be made to address  
74 the drainage problem (culvert needed) caused by Interstate 195 construction on property owned  
75 by the town of Marion, east of Station 548+32 (east side), on MassDOT layout 5865, sheet 19;  
76 provided further, that not less than \$30,000,000 shall be expended for the repair of the Wamsutta  
77 Street Railroad Bridge in the city of New Bedford; provided further, that not less than  
78 \$1,000,000 be expended for improvements to Tatnuck Square, including traffic signals, traffic

79 mitigation, and lighting in the city of Worcester; provided further, that not less than \$1,000,000  
80 be expended for street paving on North Main Street from Royal Crest Drive to Pleasant Street in  
81 the town of Randolph; provided further, that not less than \$500,000 be expended for the  
82 planning, design, and permitting for the Route 79 Davol Street Boulevard Project in the city of  
83 Fall River; provided further, that not less than \$5,000,000 shall be expended to improve Route 18  
84 south of Walnut Street in New Bedford and intersecting streets, which shall include boulevard  
85 improvements to car and pedestrian access across the highway to the waterfront; provided  
86 further, that not more than \$175,000 be expended to upgrade and create a scenic pedestrian  
87 riverwalk and a bicycle lane along Riverside Avenue from the Buffington Street intersection to  
88 the South Street intersection in the town of Somerset; provided further, that not less than  
89 \$1,000,000 be expended for a sound barrier along Fenno Street and Spring Avenue/Route 1 in  
90 the city of Revere; provided further, that not less than \$2,500,000 shall be spent on the  
91 construction of a walkway on top of the hurricane barrier from West Rodney French Blvd. to  
92 Padanaram Ave. along Clark's Cove in New Bedford; provided further, that not less than  
93 \$1,000,000 be expended for a sound barrier along Sargent Street and Jefferson Drive/Route 1 in  
94 the city of Revere; provided further, that \$220,000 shall be expended for the dredging of Lynn  
95 Harbor; provided further, that \$900,000 shall be expended for the replacement of 4200 linear feet  
96 of 8" iron water main with 12" PVC pipe, and road improvements in Marblehead; provided  
97 further, that not less than \$5,00,000 shall be expended to create road and rail access to the New  
98 Bedford Marine Commerce Terminal along MacArthur Drive; provided further, that \$4,400,000  
99 shall be expended for the replacement of 3500 linear feet of drain pipe on Paradise Road between  
100 Franklin Avenue and Stacy's Brook in Swampscott; provided further, that \$4,000,000 shall be  
101 expended towards the design of the Malden-Revere-Saugus Reconstruction and Widening

102 Project on Route 1, from Route 60 to Route 99 and shall include a feasibility study of connecting  
103 the city of Lynn to Route 1 in Revere; provided further, that \$500,000 shall be expended for a  
104 study to examine the cost and feasibility of using current commuter rail infrastructure for the  
105 Massachusetts Bay Transit Authority's Blue Line connecting in revere and continuing to run  
106 along the tracks into the Lynn Station; provided further, that \$1,000,000 shall be expended for  
107 the Mt. Vernon Street Viaduct repairs in the city of Lynn; provided further, that \$1,515,497 shall  
108 be expended for the Roosevelt Avenue improvement plan in the city of Springfield; provided  
109 further, that \$4,494,000 shall be expended for the reconstruction of Route 21 from North Street  
110 to Beachside Drive in the town of Ludlow; provided further, that \$400,000 shall be expended for  
111 the reconstruction of ADA accessible sidewalks in the downtown area of the town of Millbury;  
112 provided further, that \$625,000 shall be expended for the design of the commercial gateway from  
113 Snow Road and Carroll Road to the historic downtown in the town of Grafton; provided further,  
114 that \$3,000,000 shall be expended for the sewer expansion project along Route 20, between  
115 Massasoit Road and Sunderland Road, in the city of Worcester; provided further, that not less  
116 than \$5,000,000 shall be expended for improvements and maintenance of the VFW Parkway in  
117 West Roxbury; provided further that not less than \$200,000 shall be expended for feasibility and  
118 cost analysis study for maintenance and improvements to the roadways from the VFW in the  
119 West Roxbury section of Boston to the Marine Rotary in the town of Dedham; provided further,  
120 that \$1,650,000 shall be expended for signalization and intersection improvements on Route 27  
121 at the intersection of South Ave and Franklin Street in the town of Whitman; provided further,  
122 that \$4,950,000 shall be expended for the design and reconstruction of Route 106 from Whitman  
123 Street to Halifax Town Line, in the town of East Bridgewater; provided further, that not less than  
124 \$13,000,000 shall be expended for the Middleborough rotary improvements at Route 44, Route

125 28 and Route 18, in the town of Middleborough; and provided further, that not less than  
126 \$6,925,000 shall be expended for safety, drainage and traffic flow improvements on Route 3A,  
127 Summer Street, and Rockland Street in the towns of Hingham and Hull, including consideration  
128 of pedestrian and bicycle traffic. ....\$2,761,872,770

129 6121-1318 For an active streets certification program as established pursuant to Chapter  
130 90-I of the General Laws, to be disbursed in the form of grants to certified municipalities for  
131 complete streets infrastructure and planning, provided that at least 33 per cent of such grants  
132 shall be issued to municipalities with a median household income below the commonwealth's  
133 average .....\$50,000,000.

134 6122-1224.. For the construction and reconstruction of town and county ways as  
135 described in clause (b) of the second paragraph of section 4 of chapter 6C of the General Laws;  
136 provided, however, that a city or town shall comply with the procedures established by the  
137 Massachusetts Department of Transportation; provided further, that a city or town may  
138 appropriate for these projects amounts not in excess of the amount provided to the city or town  
139 under this item, preliminary notice of which shall be provided by the department to the city or  
140 town not later than April 1 of each year; provided, further, that the appropriation shall be  
141 considered as an available fund upon approval of the commissioner of revenue under section 23  
142 of chapter 59 of the General Laws; and provided, further, that the commonwealth shall reimburse  
143 a city or town under this item, subject to the availability of funds as provided in section 9B of  
144 chapter 29 of the General Laws, within 30 days after receipt by the department of a request for  
145 reimbursement from the city or town, which request shall include certification by the city or  
146 town that actual expenses have been incurred on projects eligible for reimbursement under this  
147 item and that the work has been completed to the satisfaction of the city or town according to the



148 specifications of the project and in compliance with applicable laws and procedures established  
149 by the department.....\$300,000,000

150 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENT

151 *Department of Conservation and Recreation*

152 2890-7020 For the design, construction, reconstruction, repair, improvement, or  
153 rehabilitation of department of conservation and recreation parkways, boulevards, and related  
154 appurtenances and equipment including, but not limited to, the costs of engineering and other  
155 services for those projects rendered by department of conservation and recreation consultants;  
156 provided, that all work funded by this item shall be carried out according to standards developed  
157 by the department of conservation and recreation pursuant to historic parkways preservation  
158 treatment guidelines to protect the scenic and historic integrity of the bridges and parkways  
159 under its control.....\$125,000,000

160 SECTION 2B.

161 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

162 *Rail and Transit Division*

163 6622-1305 For the purposes of chapter 161B of the General Laws, including the purchase  
164 and rehabilitation of rolling stock, related assets and support equipment necessary to safely serve  
165 transit passengers, construction and rehabilitation of regional transit authority operations and  
166 passenger facilities, and purchase of related appurtenances and tools; provided that not less than  
167 \$100,000,000 shall be made available for the purpose of planning, engineering, design and  
168 construction of regional transit authority transportation facilities..... \$350,000,000

169           6622-1382 For the purposes of implementing the mobility assistance program under  
170 section 13 of chapter 637 of the acts of 1983 and regional intercity bus and intermodal service;  
171 provided, that funds may also be used for transportation planning, design, permitting, acquisition  
172 of interests in land and engineering for bus and other transit projects .....\$24,000,000

173           6622-1380 For the purpose of implementing rail improvements under chapter 161C of the  
174 General Laws; provided, that funds may also be used for transportation planning, design,  
175 permitting, acquisition of interests in land and engineering for rail projects, including the  
176 industrial rail access program.....\$80,000,000

177           SECTION 2C.

178                           MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

179   *Massachusetts Bay Transportation Authority*

180           6621-1308 For the purpose of implementing rail improvements under chapter 161C of the  
181 General Laws; provided, that funds may be used for transportation planning, design, permitting  
182 and engineering, right-of-way acquisition, acquisition of interests in land, vehicle procurement,  
183 construction, construction of stations, signals and electrical systems, and for heavy rail, light rail  
184 and bus projects which projects shall include the Red Line, Orange Line, Green Line, and  
185 system- wide bus service; and provided further, that the department may use these funds for the  
186 purchase and rehabilitation of heavy equipment and other maintenance equipment; provided that  
187 such rolling stock shall be assembled in Massachusetts and that preference will be given to  
188 assembly facilities located in municipalities with unemployment rates that exceed the state  
189 average.....\$2,500,000,000

190 SECTION 2D.

191 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

192 *Aeronautics Division*

193 6820-1301 For the implementation of the airport improvement program under chapter 6C  
194 of the General Laws; and provided further that \$25,000,000 be expended for upgrades at the  
195 New Bedford Airport .....\$ 89,000,000

196 SECTION 2E.

197 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

198 *Registry of Motor Vehicles Division*

199 6420-1317 For the implementation of the registry of motor vehicles modernization and  
200 improvement program under chapter 6C of the General Law.....\$63,000,000

201 SECTION 2F.

202 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

203 *Rail and Transit Division*

204 6622-1381 For the purpose of implementing South Coast Rail improvements; provided,  
205 that funds may be used for transportation planning, design, permitting and engineering,  
206 acquisition of interests in land, vehicle procurement, construction, construction of stations, and  
207 right-of-way acquisition; provided further, that prior to beginning project construction in the  
208 towns of Stoughton or Canton, the Massachusetts Department of Transportation shall complete:

209 (1) a study of options for mitigating the sound and other impacts of the project in the towns of  
210 Stoughton and Canton, including but not limited to double tracking or depressing the right of  
211 way below grade at key locations and the construction of sound barriers, (2) a study of projects  
212 in downtown Stoughton that could accompany the construction of the planned new rail station  
213 that would encourage the revitalization of the downtown, and (3) a study of improvements to or  
214 for the replacement of the Canton Junction Station pedestrian overpass in Canton, including  
215 upgrades to make the existing overpass comply with the provisions of the Americans with  
216 Disabilities Act of 1990, as amended, including the installation of elevators and escalators; and  
217 provided further that all of the rail stations receiving South Coast Rail service, whether new or  
218 existing, shall comply with the Americans with Disabilities Act of 1990, as  
219 amended.....\$2,200,000,000

220 6622-1382 For the purpose of implementing the Green Line Extension improvements;  
221 provided, that funds may be used for transportation planning, design, permitting and engineering,  
222 acquisition of interests in land, vehicle procurement, construction, construction of stations, and  
223 right-of-way acquisition; provided further, that no less than \$25,000,000 shall be expended on  
224 the design and engineering of transportation improvements in the South Boston  
225 Waterfront.....\$1,327,517,000

226 6622-1383 For the purpose of implementing South Station improvements; provided, that  
227 funds may be used for transportation planning, design, permitting and engineering, acquisition of  
228 interests in land, vehicle procurement, construction, construction of stations, and right-of-way  
229 acquisition.....\$300,000,000

230           6622-1384 For the purpose of implementing rail improvements under chapter 161C of the  
231 General Laws; provided, that funds may be used for transportation planning, design, permitting  
232 and engineering, acquisition of interests in land, vehicle procurement, construction, construction  
233 of stations and right-of-way acquisition for rail projects, including Springfield to Worcester  
234 service, Boston to Cape Cod service and Pittsfield to New York City service  
235 .....\$ 175,000,000

236           SECTION 2G.

237                           MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

238   *Office of the Secretary*

239           6720-1307 For the acquisition of information technology and related expenses including,  
240 but not limited to, renovation of the operations center and intelligent transportation systems and  
241 the development of an asset management system required under section 6 of chapter 6C of the  
242 General Laws.....\$146,500,000

243           SECTION 3. To meet the expenditures necessary in carrying out section 2, 2A, 2B, 2C,  
244 2D, 2E, 2F, the state treasurer shall, upon request of the governor, issue and sell bonds of the  
245 commonwealth in an amount to be specified by the governor from time to time but not  
246 exceeding, in the aggregate, \$9,291,889,770. All bonds issued by the commonwealth under this  
247 section shall be designated on their face, Commonwealth Transportation Improvement Act of  
248 2013, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor  
249 may recommend to the general court under Section 3 of Article LXII of the Amendments to the  
250 Constitution. All bonds shall be payable not later than June 30, 2053. All interest and payments  
251 on account of principal on these obligations shall be payable from the General Fund or the

252 Commonwealth Transportation Fund. Unless the governor makes a request under section 20 of  
253 chapter 29 of the General Laws, bonds and interest thereon issued under this section shall be  
254 general obligations of the commonwealth.

255 SECTION 4. To meet the expenditures necessary in carrying out section 2, 2A, 2B, 2C,  
256 2D, 2E, 2F, 2G, the state treasurer shall, upon request of the governor, issue and sell bonds of the  
257 commonwealth in an amount to be specified by the governor from time to time but not  
258 exceeding, in the aggregate, \$3,100,000,000. Bonds issued by the state treasurer under this  
259 section shall be issued as special obligation bonds under section 20 of chapter 29 of the General  
260 Laws. All bonds issued by the commonwealth under this section shall be designated on their  
261 face, Special Obligation Commonwealth Transportation Improvement Act of 2013, and shall be  
262 issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to  
263 the general court under Section 3 of Article LXII of the Amendments to the Constitution. All  
264 bonds shall be payable not later than June 30, 2053. All interest and payments on account of  
265 principal on these obligations shall be payable from the Commonwealth Transportation Fund  
266 including revenues credited to the Commonwealth Transportation Fund under Chapter 46 of the  
267 Acts of 2013 and shall be payable solely in accordance with said section 20 of said chapter 29.  
268 Notwithstanding any general or special law to the contrary, bonds or notes issued under this  
269 section shall not be included in the computation of outstanding bonds for purposes of the limit  
270 imposed by the second paragraph of section 60A of chapter 29 of the General Laws. As  
271 additional security for bonds of the commonwealth issued under section 20 of said chapter 29,  
272 the commonwealth, if so determined by the state treasurer with the concurrence of the secretary  
273 of administration and finance, is hereby authorized to pledge all or any portion of the receipts  
274 from the excises imposed by section 3 of chapter 64G of the General Laws and section 22 of

275 chapter 546 of the acts of 1969 upon the transfer of any room taxes, which are not otherwise  
276 pledged pursuant to any other applicable law, as “additional pledged receipts” to further secure  
277 such bonds. Additional pledged receipts shall be thereafter applied in each fiscal year, subject to  
278 the terms of the trust agreement pursuant to which such Special Obligation Commonwealth  
279 Transportation Improvement Act of 2013 bonds are issued, first, for purposes of paying debt  
280 service on such bonds or to the maintenance of the capital reserve fund for such bonds  
281 established pursuant to section 20 of said chapter 29 and second, as other provided by law.

282 SECTION 5. To meet the expenditures necessary in carrying out section 2G, the state  
283 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an  
284 amount to be specified by the governor from time to time but not exceeding, in the aggregate,  
285 \$146,500,000. All bonds issued by the commonwealth under this section shall be designated on  
286 their face, Commonwealth Transportation Improvement Act of 2013, and shall be issued for a  
287 maximum term of years, not exceeding 20 years, as the governor may recommend to the general  
288 court under Section 3 of Article LXII of the Amendments to the Constitution. All these bonds  
289 shall be payable not later than June 30, 2043. All interest and payments on account of principal  
290 on these obligations shall be payable from the General Fund or Commonwealth Transportation  
291 Fund. Unless the governor makes a request under section 20 of chapter 29 of the General Laws,  
292 bonds and interest thereon issued under this section shall be general obligations of the  
293 commonwealth.

294 SECTION 6. Notwithstanding any general or special law to the contrary, in carrying out  
295 sections 2 to 2G, inclusive, and all other provisions of this act, the Massachusetts Department of  
296 Transportation may enter into contracts, agreements, or transactions that may be appropriate with  
297 other federal, state, local or regional public agencies or authorities. The contracts, agreements, or

298 transactions may relate to such matters as the department shall determine including, without  
299 limitation, the research, design, layout, construction, reconstruction or management of  
300 construction of all or a portion of these projects. In relation to any such contracts, agreements, or  
301 transactions the department may advance monies to these agencies or authorities, without prior  
302 expenditure by the agencies or authorities, and the agencies and authorities may accept monies  
303 necessary to carry out these agreements, but the department shall certify to the comptroller the  
304 amounts so advanced, and these agreements shall contain provisions satisfactory to the  
305 department for the accounting of monies expended by any other agency or authority. All monies  
306 not expended under these agreements shall be credited to the account of the department from  
307 which they were advanced.

308           SECTION 7. (a) Notwithstanding any other general or special law to the contrary, the  
309 Massachusetts Department of Transportation shall expend the sums authorized in sections 2, and  
310 2A for the following purposes: projects for the laying out, construction, reconstruction,  
311 resurfacing, relocation or necessary or beneficial improvement of highways, bridges, bicycle  
312 paths or facilities, on- and off-street bicycle projects, sidewalks, telecommunications, parking  
313 facilities, auto-restricted zones, scenic easements, grade crossing eliminations and alterations of  
314 other crossings, traffic safety devices on state highways and on roads constructed under clause  
315 (b) of the second paragraph of section 4 of chapter 6C of the General Laws, highway or mass  
316 transportation studies, including, but not limited to, traffic, environmental or parking studies, the  
317 establishment of school zones under section 2 of chapter 85 of the General Laws, improvements  
318           on routes not designated as state highways without assumption of maintenance  
319 responsibilities and projects to alleviate contamination of public and private water supplies  
320 caused by the department's storage and use of snow removal chemicals which are necessary for



321 the purposes of highway safety and for the relocation of persons or businesses or for the  
322 replacement of dwellings or structures including, but not limited to, providing last resort housing  
323 under federal law and any functional replacement of structures in public ownership that may be  
324 necessary for the foregoing purposes and for relocation benefits to the extent necessary to satisfy  
325 the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies  
326 Act of 1970, 42 U.S.C. 4601 et seq., Pub. L. 97-646, 84 Stat. 1864 (1971), and to sell any  
327 structure the title to which has been acquired for highway purposes. Environmental studies  
328 conducted under this subsection may include an assessment of both existing and proposed  
329 highway rest stop facilities to determine the cost-effectiveness of sanitary facilities that use zero  
330 pollution discharge technologies, including recycling greywater systems. When dwellings or  
331 other structures are removed in furtherance of any of these projects, the excavations or cellar  
332 holes remaining shall be filled in and brought to grade within 1 month after the removal. In  
333 planning projects funded by said section 2A, consideration shall be made, to the extent feasible,  
334 to accommodate and incorporate provisions to facilitate the use of bicycles and walking as a  
335 means of transportation. Nothing in this section shall be construed to give rise to enforceable  
336 legal rights in any party or a cause of action or an enforceable entitlement as to the projects  
337 described in this section.

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

343 (c) The Massachusetts Department of Transportation may expend funds made available  
344 by this act to acquire from a person by lease, purchase, eminent domain under chapter 79 of the  
345 General Laws or otherwise, land or rights in land for parking facilities adjacent to a  
346 public way to be operated by the department or under contract with an individual; expend funds  
347 made available by this act for the acquisition of van-type vehicles used for multi-passenger,  
348 commuter-driven carpools and high-occupancy vehicles including, but not limited to, water  
349 shuttles and water taxis; and, under all applicable state and federal laws and regulations, exercise  
350 all powers and do all things necessary and convenient to carry out the purposes of this act.

351 (d) In carrying out this section, the Massachusetts Department of Transportation may  
352 enter into contracts or agreements with cities to mitigate the effects of projects undertaken under  
353 this act and to undertake additional transportation measures within the city and may enter into  
354 contracts, agreements or transactions with other federal, state, local or regional public agencies,  
355 authorities, nonprofit organizations or political subdivisions that may be necessary to implement  
356 these contracts or agreements with cities. Cities and other state, local or regional public agencies,  
357 authorities, nonprofit organizations or political subdivisions may enter into these contracts,  
358 agreements or transactions with the department. In relation to these agreements, the department  
359 may advance to these agencies, organizations or authorities, without prior expenditure by the  
360 agencies, organizations or authorities, monies necessary to carry out these agreements, but the  
361 department shall certify to the comptroller the amount so advanced, and all monies not expended  
362 under these agreements shall be credited to the account of the department from which they were  
363 advanced. The department shall report to the house and senate committees on ways and means  
364 on any transfers completed under this subsection.

365 SECTION 8. Notwithstanding any other general or special law to the contrary, the  
366 Massachusetts Department of Transportation shall take all necessary actions to secure federal  
367 highway or transportation assistance which is or may become available to the department  
368 including, but not limited to, actions authorized under or in compliance with Title 23 of the  
369 United States Code, the Surface Transportation Act of 1987, Pub. L. 100-17, the Intermodal  
370 Surface Transportation Efficiency Act of 1991, Pub. L. 102-240, the Transportation Equity Act  
371 for the 21st Century, Pub. L. 105-178, the Safe, Accountable, Flexible, Efficient  
372 Transportation Equity Act: A Legacy for Users, Pub. L. 109-59, Implementing  
373 Recommendations of the 9/11 Commission Act of 2007, Pub. Law 110-53 and any successor  
374 acts or reauthorizations of those acts, and actions such as filing applications for federal  
375 assistance, supervising the expenditure of funds under federal grants or other assistance  
376 agreements and making any determinations and certifications necessary or appropriate to the  
377 foregoing. If a federal law, administrative regulation or practice requires an action relating to  
378 federal assistance to be taken by a department, agency or other instrumentality of the  
379 commonwealth other than the Massachusetts Department of Transportation, the other  
380 department, agency or instrumentality shall take such action.

381 SECTION 9. Notwithstanding any other general or special law to the contrary, all  
382 construction contracts funded in whole or in part by the funds authorized by this act shall include  
383 a price adjustment clause for each of the following: fuel, both diesel and gasoline, asphalt,  
384 concrete and steel. A base price for each material shall be set by the awarding authority or  
385 agency and included in the bid documents at the time a project is advertised. The awarding  
386 authority or agency shall also identify in the bid documents the price index to be used for each

387 material or supply. The adjustment clause shall provide for a contract adjustment to be made on a  
388 monthly basis when the monthly cost change exceeds plus or minus 5 per cent.

389 SECTION 10. Notwithstanding any other general or special law to the contrary, section  
390 61 and sections 62A to 62I, inclusive, of chapter 30, chapter 91 and section 40 of chapter 131 of  
391 the General Laws shall not apply to bridge projects of the Massachusetts Department of  
392 Transportation and the Massachusetts Bay Transportation Authority for the repair,  
393 reconstruction, replacement or demolition of existing state highway, authority and municipally-  
394 owned bridges, including the immediate approaches necessary to connect the bridges to the  
395 existing adjacent highway and rail system, in which the design is substantially the functional  
396 equivalent of, and in similar alignment to, the structure to be reconstructed or replaced, but said  
397 section 61 and said sections 62A to 62I, inclusive, of said chapter 30 shall apply to the repair,  
398 reconstruction, replacement or demolition project where the project requires a mandatory  
399 environmental impact report under 301 CMR 11.00, and all work shall be subject to the  
400 requirements of the then current edition of the Massachusetts Department of Transportation's  
401 Stormwater Handbook as approved by the department of environmental protection under  
402 applicable law. Notice shall be published in the Environmental Monitor of any application to the  
403 department of environmental protection for a water quality certification, and the work shall be  
404 subject to performance standards prescribed by the department of environmental protection  
405 under section 401 of the Federal Clean Water Act if applicable to the project. Notwithstanding  
406 any other provision of this section, said section 61 and said sections 62A to 62I, inclusive, of said  
407 chapter 30, said chapter 91 and said section 40 of said chapter 131 shall apply to any portions of  
408 the bridge and roadway approaches to the crossing of the Charles river for the Central  
409 Artery/Tunnel Project. If any state highway, authority or municipal bridge crosses over a railroad

410 right-of-way or railroad tracks, the department or authority, as applicable, shall seek the opinion  
411 of a railroad company, railway company or its assigns operating on the track of a necessary  
412 clearance between the track and the bridge, but the department and the authority and their agents  
413 or contractors may enter upon any right-of-way, land or premises of a railroad company or  
414 railway company or its assigns for purposes that the department or authority may consider  
415 necessary or convenient to carry out this section. If a flagman is needed to carry out the section,  
416 the railroad company, Railway Company or its assigns shall provide the flagman, the cost which  
417 shall be borne by the bridge project except in the case of a bridge transferred under chapter 634  
418 of the acts of 1971. For the purposes of this section, "bridge" shall include any structure  
419 spanning and providing passage over water, railroad right-of-way, public or private way, other  
420 vehicular facility or other area. Any project exempted from any law under this section shall be  
421 subject to the public consultation process required by the then current version of the  
422 Massachusetts Department of Transportation's project development and design guidebook.

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

429         SECTION 12. The secretary of administration and finance and secretary of transportation  
430 shall submit a report on the progress of any projects funded under this act and included in the  
431 department's five-year capital investment plan to the clerks of the senate and house of  
432 representatives, the chairs of the senate and house committees on ways and means, and the chairs

433 of the senate and house committees on bonding, capital expenditures and state assets. The report  
434 shall include, but not be limited to: (1) the previous year planned spending, (2) previous year  
435 spending, (3) current year planned spending, (4) current year spending to date, (5) original  
436 estimated total project cost, (6) project description and location of the project. The report shall be  
437 submitted on June 30 and December 31 of each year for a period of 8 years after the effective  
438 date of this act.

439           SECTION 13. Notwithstanding any general or special law to the contrary, the  
440 unexpended balances of all capital accounts authorized in chapter 86 of the acts of 2008, chapter  
441 233 of the acts of 2008, chapter 303 of the acts of 2008, chapter 10 of the acts of 2011, chapter  
442 133 of the acts of 2012 and chapter 242 of the acts of 2012 which otherwise would revert on  
443 June 30, 2013, but which are necessary to fund obligations during fiscal year 2014, are hereby  
444 re-authorized through June 30, 2014.

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

447           (b) Said chapter 90, as so appearing, is hereby further amended by inserting after section  
448 2I the following new section:-

449           Section 2J. Beginning July 1, 2014, upon registration or renewal, the registrar shall issue  
450 new number plates to every person whose motor vehicle is registered under this chapter. All  
451 number plates issued after July 1, 2014 shall be valid for a period of 8 years, following which,  
452 upon renewal, such plates shall be replaced. No fee shall be assessed for the issuance of new  
453 number plates, provided that the registrar may impose a charge in order to defray the costs

454 incurred to issue such plates, provided further that any such charge shall not be imposed upon  
455 number plates that are required by general or special law to be issued without charge.

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

459 SECTION 15. The secretary of transportation and the secretary of energy and  
460 environmental affairs shall jointly submit a report regarding the capital and operating needs of  
461 the New Bedford State Pier to the senate and house chairs of the joint committee on  
462 transportation and the clerks of the senate and house of representatives, no later than April 1,  
463 2014. The report shall include, but not be limited to: (1) an analysis of the current state of repair  
464 of the state pier, including a description of all projects and expenditures needed to bring said Pier  
465 into a state of good repair and low-end and high-end estimates of the useful life of all physical  
466 components of said Pier and the estimated cost, as of the date of this Act, to replace same; (2) for  
467 the prior and current fiscal years, any and all operating expenses associated with said Pier,  
468 including without limitation payments to all vendors performing any work with respect to said  
469 Pier and the salaries of all state employees who have performed any work with respect to said  
470 Pier; (3) all persons and entities currently making use of said Pier pursuant to any written or  
471 unwritten lease, license, permit, invitation or other agreement; and (4) a recommendation as to  
472 the most efficient structure for ownership, management, operation, and oversight of said Pier,  
473 including without limitation a recommendation as to which state agency or agencies should own  
474 and/or operate said Pier and what actions, if any, should be undertaken with regard to whether  
475 future operation of said Pier should include input and/or participation by municipalities or other  
476 governmental instrumentalities abutting the Port of New Bedford.

477 SECTION 16. Section 101 of chapter 159 of the General Laws, as appearing in the 2012  
478 Official Edition, is hereby amended by striking out the words “\$50 for a first offense; \$100 for a  
479 second offense; or \$300 for a third or subsequent offense” in lines 33 and 34, and inserting in  
480 place thereof the following words: - “\$100 for a first offense; \$200 for a second offense; or \$600  
481 for a third or subsequent offense”.

482 SECTION 17. There shall be a special commission to conduct a study of the metropolitan  
483 planning organizations. The commission shall consist of 16 members: 3 members of the senate, 1  
484 of whom shall be the senate chair of the joint committee on transportation and serve as co-chair,  
485 1 of whom shall be the senate chair of the joint committee on municipalities and regional  
486 government and 1 of whom shall be appointed by the minority leader of the senate; 3 members  
487 of the house of representatives, 1 of whom shall be the house chair of the joint committee on  
488 transportation and serve as co-chair, 1 of whom shall be the house chair of the joint committee  
489 on municipalities and regional government and 1 of whom shall be appointed by the minority  
490 leader of the house; the chairman of board of the Massachusetts department of transportation; the  
491 secretary of administration and finance or designee; the general manager of the Massachusetts  
492 Bay Transportation Authority or her designee; 1 representative appointed by the governor from a  
493 list of 3 nominees submitted by the Massachusetts Association of Regional Transit Authorities; 1  
494 representative appointed by the governor from a list of 3 nominees submitted by the  
495 Massachusetts Railroad Association; 1 person appointed by the governor who is an expert in  
496 transportation finance or transportation planning who is employed at a private or public  
497 Massachusetts institution for higher education; 1 person appointed by the governor who is a  
498 representative of a business association; and 2 representatives appointed by the governor from a  
499 list of 5 nominees submitted by the Massachusetts Association of Regional Planning Agencies,.



500 The study shall include, but not be limited to, an analysis of (1) the current metropolitan planning  
501 organizations' process; (2) potential ways to simplify and streamline the administration and  
502 project selection process; (3) ways to better coordinate between regional metropolitan planning  
503 organizations; (4) the potential for the creation of sub-regions; and (5) best practices and models  
504 from other states' regional planning organizations. The commission shall conduct its first  
505 meeting not more than 60 days after the effective date of the act and shall hold not less than 3  
506 public hearings in distinct regions of the commonwealth. The commission shall consult with  
507 relevant agencies of the United States department of transportation. The commission shall report  
508 the results of its study, together with drafts of legislation, if any, necessary to carry its  
509 recommendations into effect, by filing the report with the clerks of the senate and house of  
510 representatives, who shall forward the report to the joint committee on transportation, the house  
511 and senate committees on bonding, capital expenditures and state assets, and the house and  
512 senate committees on ways and means no later than August 31, 2014.

513 SECTION 18. The registrar shall prepare and submit a report detailing the licensing of  
514 commercial and non-commercial motor vehicle inspection facilities pursuant to 540 CMR 4.08  
515 to the house and senate chairs of the joint committee on transportation and the clerks of the  
516 senate and house of representatives, no later than February 1, 2014. The report shall include, but  
517 not be limited to: (1) the number of licensed commercial and non-commercial facilities, (2) the  
518 number of applicants on waiting lists for approval to perform commercial or non-commercial  
519 motor vehicle inspections, (3) any applicable limits on the number of commercial or non-  
520 commercial inspection licenses which may be issued and the reasons for such limits, and (4) the  
521 application process in general.

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

524 (a) Notwithstanding any general or special law to the contrary, the property acquired by  
525 the former metropolitan district commission pursuant to item 6005-9575 of section 2H of chapter  
526 273 of the acts of 1994, together with all trees and structures thereon, if any, and appurtenant  
527 access, utility and other easements, collectively referred to in this section as the “DCR Parcel,” is  
528 hereby conveyed by operation of this act to the Massachusetts Bay Transportation Authority.  
529 The DCR Parcel is shown on the plan entitled “Plan of Land Between Reserved Channel and  
530 East First Street in the South Boston Designated Port Area,” dated March 24, 2010, drawn by  
531 John A. Hammer III, PLS, on file with the Massachusetts Port Authority. The DCR Parcel  
532 includes the MBTA Use Area containing approximately 67,400 square feet. The exact  
533 boundaries of the DCR Parcel are set forth in section 106 of said chapter 273 of the Acts of 1994.

534 (b) Notwithstanding any general or special law to the contrary, the Massachusetts Bay  
535 Transportation Authority is hereby authorized and directed to convey the portion of the DCR  
536 Parcel consisting of 569,517 square feet, more or less, as shown on the plan described in  
537 subsection (a) as the “Designated Port Area Parcel,” to the Massachusetts Port Authority for such  
538 consideration as is agreed upon by the Massachusetts Port Authority and the Massachusetts Bay  
539 Transportation Authority which shall be equal to the fair market value of the Designated Port  
540 Area Parcel, considering the condition of the parcel including the subsurface condition. The legal  
541 description of the Designated Port Area Parcel is as follows: Beginning at a point at the  
542 northeasterly corner of the parcel at the intersection of the westerly line of a street formerly  
543 known as O street and the southerly line of the Reserved Channel, Thence S88-23-28W a  
544 distance of 802.82 feet by said Reserved Channel, Thence S01-36-32E, a distance of 770.00 feet

545 by land now or formerly of Exelon New Boston, LLC, Thence N88-23-28E, a distance of 470.00  
546 feet, Thence N37-45-36E, a distance of 51.74 feet, Thence N01-36-32W, a distance of 120.00  
547 feet, Thence N88-23-28E, a distance of 300.00 feet to said former O street, Thence N01-36-  
548 32W, a distance of 610.00 feet by said former O street to the point of the beginning, Together  
549 with the fee underlying said former O street where it abuts the Designated Port Area Parcel.

550 SECTION 20. The first sentence of subsection (d) of Section 6 of Chapter 153 of the acts  
551 of 2010 is hereby stricken and replaced with the following: “Notwithstanding any general or  
552 special law to the contrary, the Massachusetts Bay Transportation Authority is hereby authorized  
553 and directed to convey to the Massachusetts Port Authority the parcel of land consisting of  
554 159,309 square feet, more or less, shown on the plan described in subsection(a) as “Excess  
555 MBTA Parcel,” together with all trees and structures thereon, if any, and appurtenant access,  
556 utility or other easements, and the fee underlying O street where it abuts the Excess MBTA  
557 Parcel, for such consideration as is agreed upon by the Massachusetts Port Authority and the  
558 Massachusetts Bay Transportation Authority which shall be equal to the fair market value of the  
559 Excess MBTA Parcel, considering the condition of the parcel including the subsurface  
560 condition.”

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

564 SECTION 22. Section 39G of chapter 30 of the General Laws, as appearing in the 2012  
565 Official Edition, is hereby amended by inserting after the word “retainage”, in lines 25, 26 and  
566 64, each time it appears, the following words:- , if held by the awarding authority,

567 SECTION 23. The General Laws as they appear in the 2012 Official Edition are hereby  
568 amended by adding the following chapter:-

569 Chapter 90-I

570 Section 1. For the purposes of this chapter the following words shall have the following  
571 meanings: -

572 “Department”, the department of transportation.

573 “Program”, the active streets certification program.

574 “Complete streets”, streets that provide accommodations for users of all transportation  
575 modes, including but not limited to, walking, cycling, public transportation, automobiles, and  
576 freight.

577 “Certified municipality”, a municipality that has been certified by the department as  
578 specified in Section 3 of this act.

579 Section 2. The department shall establish an active streets certification program. The  
580 purpose of the program shall be to encourage municipalities to regularly and routinely include  
581 complete streets design elements and infrastructure on locally funded roads.

582 Section 3. To be certified as an active streets community, a municipality shall: (1) file an  
583 application with the department in a form and manner to be prescribed by the department; (2)  
584 adopt a complete streets bylaw, ordinance, or administrative policy in a manner which shall be  
585 approved by the department including at least one public hearing; such policy shall, at a  
586 minimum, identify the body, individual, or entity responsible for carrying out such policies; (3)  
587 coordinate with the department to confirm the accuracy of the baseline inventory of pedestrian

588 and bicycle accommodations in order to prioritize projects based on the inventory; (4) identify  
589 procedures to follow when conducting municipal road repairs, upgrades, or expansion projects  
590 on public rights-of-way to incorporate complete streets elements; (5) confirm the existence of a  
591 review process for all private development proposals to ensure complete streets components are  
592 incorporated into new construction; and (6) set a municipal goal for an increased mode share for  
593 walking, cycling, and public transportation where applicable to be met within five years and  
594 develop a program to reach that goal; and (7) submit an annual progress report to the department.  
595 Municipalities may execute this section in the following manner: in a city having a Plan D or  
596 Plan E charter, by the manager; in any other city by the mayor; in a town, by vote of the board of  
597 selectmen. Certified municipalities shall be eligible to receive funding as specified in Section 6  
598 of this act.

599           Section 4. The department shall adopt rules, regulations or guidelines for the  
600 administration and enforcement of this chapter, including, but not limited to, establishing  
601 applicant selection criteria, funding priority, application forms and procedures, and other  
602 requirements.

603           Section 5. The Governor shall appoint an advisory committee to assist the department in  
604 developing the rules, regulations or guidelines for the program, including the development of a  
605 model complete streets bylaw or ordinance. The advisory committee shall be comprised of three  
606 individuals chosen by the Governor, two of whom shall be residents of Gateway Cities, three  
607 individuals who are members of three different Massachusetts Association of Regional Planning  
608 Agencies, and one individual from each of the following organizations: Metropolitan Area  
609 Planning Council, the Massachusetts Department of Public Health, the Massachusetts Municipal

610 Association, the Massachusetts Bicycle Coalition, WalkBoston, the Livable Streets Alliance and  
611 the Massachusetts Association of Chambers of Commerce Executives.

612           Section 6. The department shall annually, not later than April 1, submit a report detailing  
613 the program's progress during the previous calendar year to the clerks of the senate and the  
614 house of representatives, the joint committee on transportation, the joint committee on public  
615 health, the senate committee on ways and means, and the house committee on ways and means.