

**SENATE . . . . . No. 2350**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Jason M. Lewis*

*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 to explore alternative funding sources to ensure safe and reliable transportation.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/8/2021</i>

**SENATE . . . . . No. 2350**

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By Mr. Lewis, a petition (accompanied by bill, Senate, No. 2350) of Jason M. Lewis and James B. Eldridge for legislation explore alternative funding sources to ensure safe and reliable transportation. Transportation.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 2114 OF 2019-2020.]

**The Commonwealth of Massachusetts**

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

An Act to explore alternative funding sources to ensure safe and reliable transportation.

*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. This bill is intended to help address the need for the commonwealth to  
2 identify short- and long-term alternatives or supplements to the motor vehicle fuel tax, which is  
3 particularly important given the diminishing value of the motor vehicle fuel tax, declining  
4 supplies of conventional petroleum-based fuels, and increasing fuel-efficient vehicles. The  
5 commonwealth is uniquely positioned to become a leader in the advancement of technology and  
6 methods needed to develop and implement alternative ways to raise transportation revenue.

7           SECTION 2. TASK FORCE

8           (a) There shall be a vehicle mileage user fee task force to guide the development and  
9 evaluation of a pilot program to assess the potential for mileage-based revenue collection for

10 Massachusetts' roads and highways as an alternative to the current system of taxing highway use  
11 through motor vehicle fuel taxes.

12 (b) The task force shall consist of the following members: the secretary of transportation  
13 or the secretary's designee, who shall serve as chair; 1 member to be appointed by the governor,  
14 who shall be a registered civil engineer with at least 10 years' experience; 1 member to be  
15 appointed by the president of the senate, who shall be a representative of a transportation  
16 consumer organization or other public interest organization; 1 member to be appointed by the  
17 minority leader of the Senate, who shall be an expert in transportation data security, 1 member to  
18 be appointed by the speaker of the house of representatives, who shall be a member of a regional  
19 planning agency; 1 member to be appointed by the minority leader of the house of  
20 representatives, who shall be a member of a business association; 1 member to be appointed by  
21 the Senate Chair of the Joint Committee on Transportation, who shall be an expert in the field of  
22 transportation finance; 1 member to be appointed by the House Chair of the Joint Committee on  
23 Transportation, who shall be a representative of a privacy rights advocacy organization.

24 (c) The task force may request the department of transportation to perform such work as  
25 the task force deems necessary to carry out its duties and responsibilities.

26 (d) The task force shall gather public comment on issues and concerns related to the pilot  
27 program; make recommendations to the department of transportation on the design and on the  
28 criteria to be used to evaluate a pilot program to test alternative approaches; and evaluate any  
29 pilot program implemented by the department under this Act.

30 (e) The task force shall conduct at least 6 public hearings, 1 in each of the department's  
31 highway districts. The task force shall provide interested persons with an opportunity to submit

32 their views orally and in writing and the department may create and maintain a website to allow  
33 members of the public to submit comments electronically and to review comments submitted by  
34 others. The task force shall provide notice of each public hearing by publication in a newspaper  
35 of general circulation in the highway district in which the hearing is to be located in each of 2  
36 successive weeks, the first publication to be at least 14 days before the day of the hearing and, if  
37 feasible, by posting a notice in a conspicuous place in the cities or towns within the highway  
38 district for at least 14 consecutive days immediately prior to the day of the hearing.

39 SECTION 3. PILOT PROGRAM.

40 (a) The department of transportation shall develop, implement and oversee one or more  
41 statewide pilot programs to assess owners of motor vehicles a user fee that is based on the  
42 number of miles traveled on roads in this state by those motor vehicles.

43 (b) The pilot programs shall include at least 1,000 volunteers across the commonwealth  
44 who are representative of drivers of trucks, passenger, and commercial vehicles and throughout  
45 the commonwealth, who will have on-board vehicle-mileage-counting equipment added to their  
46 vehicles, administered in a manner the department of transportation deems appropriate.

47 (c) The pilot programs shall test the reliability, ease of use, cost and public acceptance of  
48 technology and methods for:

49 (1) counting the number of miles traveled by particular vehicles;

50 (2) reporting the number of miles traveled by particular vehicles; and

51 (3) collecting payments from participants in the pilot programs.

52 (d) The pilot programs shall also analyze and evaluate the ability of different  
53 technologies and methods to:

54 (1) protect the integrity of data collected and reported;

55 (2) ensure drivers' privacy; and

56 (3) vary pricing based on the time of driving, type of road, proximity to transit, vehicle  
57 fuel efficiency, participation in car-sharing or pooling or income of the driver.

58 (e) The pilot programs shall last at least one year.

59 (f) The department of transportation shall refund motor vehicle fuel taxes paid by  
60 participants in pilot programs under this Act or otherwise compensate participants in pilot  
61 programs under this Act to ensure that participants are not required to spend more on fees or  
62 taxes than if they had not participated in the program. Identifying information about participation  
63 in the pilot programs shall not be public and shall be exempt from disclosure under M.G.L. c. 66,  
64 s. 10.

65 (g) The Massachusetts Department of Transportation shall submit an application to the  
66 United States Department of Transportation for funding in federal fiscal year 2023 for the  
67 Surface Transportation System Funding Alternatives Program established in the Fixing  
68 America's Surface Transportation Act, or FAST Act to help fund the pilot program. If the  
69 application is not successful, the Massachusetts Department of Transportation shall thereafter  
70 apply in each federal fiscal year in which grants are made available for demonstration projects  
71 under this federal program or until the application results in funding for a vehicle miles traveled  
72 pilot program, whichever first occurs.

73           SECTION 4. REPORT. Notwithstanding any general or special law to the contrary, no  
74 later than three years from the passage of this Act, the department of transportation shall report  
75 to the general court the initial result of the pilot study, including the feasibility of permanently  
76 assessing a vehicle mileage user fee, an evaluation of the impacts of such a fee on the economy,  
77 the environment, and traffic congestion, a comparison to other potential alternatives or  
78 supplements to the gas tax, and its initial recommendations together with legislation necessary to  
79 carry its recommendations into effect by filing the same with the clerks of the senate and house  
80 of representatives, and to the joint committee on transportation.