

SENATE No. 2873

The Commonwealth of Massachusetts

—
**In the One Hundred and Ninety-Third General Court
(2023-2024)**
—

SENATE, July 18, 2024.

The committee on Revenue, to whom was referred the petitions (accompanied by bill, Senate, No. 1781) of Julian Cyr for legislation relative to embarkation fees; and (accompanied by bill, House, No. 2768) of Kip A. Diggs relative to the imposition of embarkation fees from ferry services operated within the Hyannis Fire District, report the accompanying bill (Senate, No. 2873).

For the committee,
Susan L. Moran

SENATE No. 2873

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An Act relative to embarkation fees.

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 129 of Chapter 46 of the acts of 2003, as amended by Section 11 of Chapter 55 of
2 the acts of 2003, is hereby amended by striking out the section in its entirety and inserting in
3 place thereof the following section:-

4 Section 129. (a) Notwithstanding any general or special law to the contrary, any city or
5 town within the counties of Barnstable, Nantucket, Dukes and Bristol shall impose an
6 embarkation fee upon all passenger ferry trips, excluding those ferry boats that are licensed to
7 transport not more than 100 passengers, originating from a port located within such city or town,
8 at a rate of \$2.00 per passenger per departing trip.

9 (b) The operator of the ferry service shall pay revenues from the embarkation fee
10 imposed under this section to the commissioner of revenue on a quarterly basis. The operator
11 shall record the number of passengers subject to the embarkation fee departing from each port
12 and forward said records to the commissioner of revenue at the time of payment of the

13 embarkation fee for the purpose of crediting the embarkation fee revenues in accordance with
14 this section.

15 The commissioner shall credit the embarkation fee revenues as follows:

16 25 per cent to a fire district that provides fire or public safety services to a port within a
17 city or town that provides ferry service;

18 12.5 per cent to a city or town which does not provide ferry service but shares a harbor or
19 port with a city or town in which a port is located; and

20 62.5 per cent to a city or town which contains a port and provides ferry service.

21 (c) All sums received by the commissioner under this section as embarkation fees,
22 penalties or forfeitures, interest, costs of suit and fines shall be distributed, credited and paid by
23 the state treasurer at least quarterly upon certification of the commissioner to each city, town, or
24 fire district.

25 (d) Any city, town or fire district which is credited revenues pursuant to this section shall
26 deposit such funds in a special fund which shall be appropriated solely for operations to mitigate
27 the impacts of ferry service on the city, town or fire district including, but not limited to, harbor
28 services, public safety services, emergency services or infrastructure improvements within and
29 around the harbor of such city, town or fire district.

30 (e) A passenger with valid commuter fare, student fare, commuter excursion fare or
31 school-related fare for ferry services shall be exempt from the embarkation fee. For the purposes
32 of this section, "commuter fare" shall mean any fare paid for through the purchase of a book of
33 multiple tickets or through the Steamship Authority's Islands Preferred Excursion Program.