

2016 -- S 2373

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LC004446
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

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

Introduced By: Senators Pichardo, Metts, Miller, Crowley, and Jabour

Date Introduced: February 10, 2016

Referred To: Senate 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. --** (a) There is hereby created a body corporate and
5 politic to be known as the "Rhode Island Public Transit Authority" (hereinafter "RIPTA").

6 (b) The authority shall consist of eight (8) members, one of whom shall be the director of
7 the department of transportation or their designee who shall serve as an ex officio member, and
8 seven (7) of whom shall be appointed by the governor with the advice and consent of the senate;
9 with at least one of the seven (7) being a regular user of fixed-route RIPTA transportation and at
10 least one of the seven (7) being a person with a disability ~~and one of whom shall be the director of~~
11 ~~the department of transportation or his or her designee who shall serve as an ex officio member.~~

12 The governor shall achieve a diverse membership in the board and shall give due consideration to
13 recommendations for nominations from the RIPTA Riders Alliance, the National Federation of
14 the Blind of Rhode Island, the Gray Panthers of Rhode Island, the Sierra Club of Rhode Island,
15 the Rhode Island AFL-CIO, the RIPTA Transportation Advisory Committee, and the Rhode
16 Island business community and the Rhode Island League of Cities and Towns. No one shall be
17 eligible for appointment unless he or she is a resident of this state.

18 (c) Those members of the authority as of the effective date of this act [June 16,

1 2006]who were appointed to the authority by members of the board of the general assembly shall
2 cease to be members of the authority on the effective date of this act [June 16, 2006] and the
3 governor shall thereupon nominate two (2) members, each of whom shall serve the balance of the
4 unexpired term of his or her predecessor. Those members of the authority as of the effective date
5 of this act [June 16, 2006]who were appointed to the authority by the governor shall continue to
6 serve the balance of their current terms. Thereafter, during the month of January in each year, the
7 governor shall appoint members to succeed the departing members. The newly appointed
8 members shall serve for a term of three (3) years commencing on the day they are qualified. In
9 the event of a vacancy occurring in the membership, the governor, with the advice and consent of
10 the senate, shall appoint a member for the unexpired term. Any member of the authority shall be
11 eligible for reappointment.

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

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

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

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

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

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

32 (j) The authority shall conduct a training course for newly appointed and qualified
33 members within six (6) months of their qualification or designation. The course shall be
34 developed by the general manager of the authority, be approved by the authority, and be

1 conducted by the general manager of the authority. The authority may approve the use of any
2 authority and/or staff members and/or individuals to assist with training. The training course shall
3 include instruction in the following areas: the provisions of chapters 42-46, 36-14, and 38-2; and
4 the authority's rules and regulations. The director of the department of administration shall be
5 responsible for the enforcement of the provisions of this subsection.

6 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 provide that the governor's appointments to the RIPTA authority shall
- 2 include a regular user of fixed-route RIPTA transportation and also a disabled person.
- 3 This act would take effect upon passage.

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