

SENATE No. 1511

By Mr. Burke, a petition (accompanied by bill, Senate, No. 1511) of Edward L. Burke and Ann C. Gannett for legislation to enable the Commonwealth and cities and towns with the Massachusetts Bay Transportation Authority to contract for the maintenance of local service by private bus companies. Transportation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Five.

AN ACT ENABLING THE COMMONWEALTH AND CITIES AND TOWNS WITHIN THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TO CONTRACT FOR THE MAINTENANCE OF LOCAL SERVICE BY PRIVATE BUS COMPANIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

3 acts of 1972, and inserting in place thereof the following new 4 sections: —

5 *Section 11B.* Notwithstanding the provisions of chapter 161A
6 to the contrary, any city or town may, for the purpose of pro-
7 viding public transportation facilities or services or avoiding
8 a reduction in or discontinuance of such transportation facili-
9 ties or services, or in order to secure grants from the appropri-
10 ate federal agencies to achieve the aforesaid purposes, enter
11 into agreements to contribute to the costs of such facilities
12 and services with any person lawfully authorized to operate
13 any motor bus on any public way therein for the carrying of
14 passengers for hire. The contribution to the costs of services
15 may include the purchase, sale or leasing of transportation
16 equipment by said city or town.

17 *Section 11C.* Any city or town which is one of the “fourteen
18 cities and towns” or one of the “sixty-four cities and towns”
19 as defined in section one of chapter 161A, as amended by
20 chapter 87 of the acts of 1967, is hereby authorized to contract
21 with a private bus company or companies for any sum not
22 exceeding \$200,000 annually for the express purpose of con-
23 tinued local bus service. The secretary of administration and

24 finance may contract with any such city or town providing
25 for a reimbursement of an amount not exceeding fifty per
26 cent of any expenditure made by a city or town under the
27 provisions of this section. Contract assistance provided by the
28 commonwealth under this section shall be subject to the fol-
29 lowing conditions:

30 a) The commonwealth shall not pay more than one-third of
31 the gross annual cost of service on any route;

32 b) There shall be a local effort to increase ridership and
33 market the bus service. There shall be a specific municipal
34 appropriation to subsidize bus service which need not be re-
35 stricted to the municipality providing the local contribution;

36 c) No reimbursement may be used to subsidize charter or
37 school bus service;

38 d) No reimbursement may be used to subsidize a bus route
39 which is competitive with an active route, providing reasonable
40 service frequencies, of another bus operator or of the Massa-
41 chusetts Bay Transportation Authority;

42 e) No city or town shall be reimbursed for a contract with
43 a carrier if its administrative and supervisory personnel ex-
44 ceeds ten per cent of its operating personnel;

45 f) The Department of Public Utilities shall certify that these
46 standards are met for each route for which reimbursement is
47 being made;

48 g) In case a carrier may go out of business, its operations
49 may be subsidized for a period not exceeding three months to
50 provide a suitable time for meeting these standards and pos-
51 sibly restructuring the service to meet these standards.

52 Nothing in this section shall be construed to exempt any
53 city or town from assessments for local service of the Massa-
54 chusetts Bay Transportation Authority under sections nine,
55 ten, and eleven of chapter 161A.

56 On or before April 15 of each year, the secretary of admin-
57 istration and finance shall determine the amount payable for
58 the preceding fiscal year under this act to certain cities and
59 towns by the commonwealth, and shall certify the same to the
60 state tax commission and the state treasurer. The state treas-
61 urer shall pay such amount from that portion of the excise on
62 cigarettes authorized by paragraph (b) of section 28 of chap-
63 ter 64C of the General Laws.