

HOUSE No. 2615

By Mr. Marshall of Quincy, petition of Clifford H. Marshall, Walter J. Hannon and Arthur H. Tobin for legislation to provide for changes in the Massachusetts Bay Transportation Authority assessment for local services. Transportation.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR CHANGES IN THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY ASSESSMENT FOR LOCAL SERVICES.

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 5(f) of Chapter 161A of the General Laws is hereby
2 amended by adding to that sentence the following sentence: —
3 Any change in local service, substantial or minor, may be made
4 by the cities and towns in their annual contractual arrange-
5 ment with the authority for local service routes as provided
6 in sections 5(i), 9 and 15, and shall not be subject to the ap-
7 proval of the Advisory Board.

8 Section 5(i) of Chapter 161A of the General Laws is hereby
9 amended by adding after the word "authority" in the first
10 sentence the following words: — for express service.

11 Section 5(i) of Chapter 161A of the General Laws is hereby
12 amended by adding after the first sentence the following sen-
13 tence: — The fixed costs, hourly costs and costs per mile, and
14 the fares, for each type of local-service vehicle shall be agreed
15 upon by negotiation between a committee of five selected
16 from the Advisory Board, and the authority, as provided in
17 section 9; the fixed costs shall be for contract periods of three
18 years.

19 Section 5(i) of Chapter 161A of the General Laws is hereby
20 amended by inserting after the word "authority" in the third
21 sentence the following: — for express service.

22 Section 5(k) of Chapter 161A of the General Laws is hereby

23 amended by striking out the word "authority" in line 11 and
24 inserting in place thereof the following: — an individual city
25 or town, or group of cities and towns under contract with the
26 authority.

27 Chapter 161A of the General Laws is hereby amended by
28 striking out sections 9, 10 and 11 and inserting in place thereof
29 the following section: —

30 *Section 9.* In any year commencing with the calendar year
31 nineteen hundred and seventy-one, if the commonwealth shall
32 be called upon to pay any amount on account of the net cost of
33 local service provided in the seventy-nine cities and towns for
34 the previous calendar year, as arranged contractually for each
35 city and town by agreement between the cities and towns and
36 the authority, whether provided by ownership, lease, contract
37 or otherwise, fifty percent of the net cost of service shall be
38 assessed upon such cities and towns in the proportion which
39 the net loss attributable to all routes of such service in each
40 such city or town bears to the net loss attributable to all
41 such routes in all such cities and towns.

42 Fifty percent of the net cost of local service shall be paid by
43 the commonwealth from the general fund as provided in
44 section 12A.

45 The loss attributable to each such route in each such city
46 or town shall be determined by the authority in accordance
47 with sound accounting practices on the basis of the difference
48 between the revenues received from riders boarding within
49 that city or town, and the gross cost of providing such route
50 therein.

51 The route gross cost shall be the maximum number of
52 buses assigned to routes within the city or town during any
53 peak, weekday rush hour period, multiplied by the annual
54 fixed bus cost, plus the total miles per year multiplied by the
55 annual fixed cost per mile, plus the estimated average revenue
56 hours per year within the city or town multiplied by the an-
57 nual fixed cost per hour.

58 Such fixed cost (per vehicle, per hour and per mile, for all
59 general types of vehicle in local service by the authority) and

60 fares for local service shall be agreed upon by negotiation
61 between, on the one hand, representatives of the authority, and
62 on the other hand, a committee of five representatives elected
63 from the membership of the Advisory Board. Their election
64 shall be conducted by single votes of the cities and towns, and
65 not by a weighted vote. The five members shall represent the
66 following areas: one member from Boston; one from the other
67 thirteen of the original fourteen cities and towns; one mem-
68 ber representing those towns outside the original fourteen
69 cities and towns but inside the authority's district, and
70 bordered on the west by Burlington, Woburn, Winchester;
71 one member representing those towns outside the original
72 fourteen cities and towns but inside the authority's district,
73 and bordered on the north by Bedford and Lexington and on
74 the south by Natick and Wellesley; and one member repre-
75 senting those towns outside the original fourteen cities and
76 towns but inside the authority's district, and bordered on the
77 north by Needham, Dover, Medfield and Millis. The negotiated
78 fixed costs and fares shall be in effect for contract periods of
79 three years.

80 Section 12 of Chapter 161A of the General Laws is hereby
81 amended by striking the third sentence in paragraph five and
82 inserting in place thereof the following sentence: — Any net
83 saving from local service in the seventy-nine cities and towns
84 shall be applied annually on an equal basis, fifty percent to
85 the employees of the authority proportional to their earnings
86 that quarter, and fifty percent to the communities proportion-
87 ally among those cities and towns which pay for each particu-
88 lar service or route.

89 Section 12 of Chapter 161A of the General Laws is hereby
90 further amended by adding thereafter the following section: —
91 *Section 12A.* Notwithstanding the provisions of the preced-
92 ing section or any other general or special act to the contrary,
93 one half of the net cost of service as reported to the state
94 treasurer under said preceding section shall be paid by the
95 commonwealth.

96 Section 15 of Chapter 161A of the General Laws is hereby
97 further amended by adding thereafter the following section:—

98 *Section 15A.* If any city or town within the authority is
99 assessed in accordance with section nine, the said city or
100 town, through its mayor, city manager in the case of a Plan
101 D or E city, or Board of Selectmen, shall annually contract
102 with the authority for its desired level of local service. The
103 city or town may indicate the route, the number and fre-
104 quency of buses, and other particulars of local service, based
105 on a statement supplied by the authority to the city or town
106 indicating a breakdown of the total costs and revenues by
107 routes, by bus costs and by mileage and hour costs. This state-
108 ment must be supplied to the city or town at least annually.

109 In the case of a local service route which affects more than
110 one city or town, the contract shall be an agreement between
111 all the cities or towns affected and the authority. A city or
112 town affected by such a route but not desiring service may
113 have the option to request that such service pass through said
114 city or town without discharging or picking up passengers, in
115 which case the city or town shall not be assessed for the serv-
116 ice, and shall not be credited for any revenue from the route.

117 The contract for local service between the city or town and
118 the authority shall be based on the fixed costs and fares an-
119 nually negotiated between a committee of the advisory board
120 and the authority as provided in sections 5(i) and 9.