

By Mr. Cohen of Newton, petition of David B. Cohen and other members of the General Court for legislation to increase the authority of the Advisory Board of the Massachusetts Bay Transportation Authority over proposed changes in local and express service. Transportation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT TO INCREASE THE AUTHORITY OF THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY ADVISORY BOARD OVER PROPOSED CHANGES IN LOCAL AND EXPRESS SERVICE.

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. Section 5 of chapter 161A of the General Laws is
2 hereby amended by striking out subsection f, as appearing in
3 section 18 of the acts of 1964, and subsection f¹/₂, as inserted by
4 chapter 207 of the acts of 1977, and inserting in place thereof the
5 following subsections: —

6 *Subsection f.* The authority shall give the sixty days notice of
7 any proposed changes in local or express service to the advisory
8 board, elected officials of the areas affected by the changes, and, at
9 the authority's discretion, any other public and private groups,
10 organizations and persons who are affected by the changes. Within
11 thirty days of that notice, the authority shall conduct a public
12 meeting on significant changes in local or express service. For
13 purposes of this subsection, significant changes in service shall be
14 defined as a twenty-five per cent or greater decrease in headways, a
15 ten per cent or greater decrease in total daily trips, discontinuation
16 of off-peak, weekend or evening service on a route, or changes in
17 the route. The authority shall provide written notice (of the meet-
18 ing) ten days prior to the meeting to elected officials from the
19 affected area, the advisory board members, and, at the authority's
20 discretion, any other public and private groups, organizations and
21 persons who are affected by the significant change or who have

22 provided the authority with reasonable notice of their desire to
23 participate in the public meeting. The authority shall be represent-
24 ed at this meeting by the chief executive officer or his designee, a
25 representative of the service planning section of the authority who
26 is familiar with the affected route, and a representative of the
27 community affairs section.

28 The public meeting shall be conducted in the evening hours in a
29 location nearby or in the area serviced by the route for which
30 significant changes have been proposed. The authority shall pre-
31 sent the reasons for the significant changes, shall describe any public
32 transportation alternative services available to users of the affected
33 route, and shall discuss the effect of the change on energy conserva-
34 tion, and the economic, environmental, and social impact of the
35 change in the service. Persons in attendance at the public meeting
36 shall be provided with the opportunity to demonstrate their need
37 for the service which has been changed and to make suggestions for
38 restoration of service or for alternatives.

39 Within the sixty day period of notice under this subsection, the
40 advisory board shall have the authority by a majority vote to
41 disapprove in whole or in part any such change in local or express
42 service. Within 30 days after the public meeting the authority shall
43 provide written notification to all persons who received written
44 notice of the meeting, the results of the authority's reconsideration
45 of the significant service change.

46 *Subsection f*^{1/2}. The authority shall conduct a public meeting on
47 proposed changes in local or express service which are not signifi-
48 cant changes in service as defined by subsection (f) upon the petition
49 bearing the names and numbers of the affected route and the
50 signatures and addresses of twenty-five or more persons who reside
51 one-half mile or less from any point on the route for which changes
52 are proposed. The petition shall be filed with the chief executive
53 officer of the authority within thirty days after the advisory board
54 is notified of the change as required under subsection (f). The public
55 meeting shall be scheduled within thirty days of the receipt of the
56 petition by chief executive officer. The authority shall provide
57 written notice of the meeting ten days prior to the meeting to
58 elected officials from the affected area, the advisory board
59 members of the affected municipalities, the signatories of the peti-
60 tion, and, at the authority's discretion, any other public and private
61 groups, organizations, and persons who are affected by the change

62 or who have provided the authority with reasonable notice of their
63 desire to participate in the public meeting. The authority shall be
64 represented at this meeting by the chief executive officer or his
65 designee, a representative of the service planning section of the
66 authority who is familiar with the affected route, and a representa-
67 tive of the community affairs section.

68 The public meeting shall be conducted in the evening hours in a
69 location nearby or in the area serviced by the route for which
70 changes have been proposed. The authority shall present the rea-
71 sons for the change and shall describe any public transportation
72 alternatives available to users of the affected route. Persons in
73 attendance at the public meeting shall be provided with the oppor-
74 tunity to demonstrate their need for the service which has been
75 changed and to make suggestions for restoration for service or for
76 alternatives. Within one month after the public meeting, the au-
77 thority shall provide written notification to all persons who re-
78 ceived written notice of the meeting the results of the authority's
79 reconsideration of the service change.

1 SECTION 2. Subsection i of section three of chapter 161A of
2 the General Laws, is hereby further amended by striking out the
3 second sentence and inserting in place thereof the following: — Ex-
4 cept as otherwise provided in this chapter and subject to the
5 provisions of subsections (f) and (f $\frac{1}{2}$) of section 5 of this chapter, the
6 directors of the authority shall determine the character and extent
7 of the services and facilities to be furnished, and in these respects
8 their authority shall be exclusive and shall not be subject to the
9 approval, control or direction of any state, municipal, or other
10 department, board or commission.

