



Climate Change Statutes

STATE OF MASSACHUSETTS

This project was undertaken in partnership with the USDA Office of the Chief Economist, The Office of Energy Policy and New Uses. For information on the full project, visit [Climate Change Statutes](#).

Current through the 2010 Legislative Session of the Massachusetts General Assembly.

§ 10. Office of Transportation Planning

There shall be within the department an office of transportation planning which shall oversee and administer the planning responsibilities of the office of planning and programming, and which shall be under the supervision and control of the secretary. The secretary shall appoint an executive director who shall be skilled and experienced in the field of transportation planning and shall not be subject to chapter 31 or to section 9A of chapter 30. Said director may be removed for cause by the secretary. Said office shall serve as the principal source of transportation planning for state-level transportation projects, and shall develop the commonwealth's transportation-related programs as more particularly set forth in this section. In addition, the office of planning and programming shall work in coordination with regional planning agencies in the commonwealth, which shall serve as the principal source of transportation planning for local and regional transportation projects. Said office shall conduct research, surveys, demonstration projects and studies in cooperation with the federal government, said regional planning agencies, regional transit authorities, municipalities, other governmental agencies, and appropriate private organizations in order to support local and regional planning, deliver transportation programs, and execute demonstration projects.

Said office of transportation planning shall be responsible for the preparation of a comprehensive and coordinated intermodal transportation plan for the commonwealth. Said plan shall include planning to improve and maintain facilities and equipment for all modes of transportation in the Commonwealth, including highways and roads, passenger rail and other public transportation, freight rail, aviation, shipping, pedestrian facilities, bicycle facilities, and water transportation. Said plan shall ensure an equitable allocation of investments in transportation across the regions of the commonwealth. Said plan shall include any program for the disposition of capital assets. Said plan shall include transportation improvement projects for the office of planning and programming and all of its constituent divisions and authorities that own or operate transportation facilities, including the Massachusetts Bay Transportation Authority, the regional transit authorities, and the Massachusetts Port Authority. Said plan shall be developed in consultation with said divisions and authorities, the commonwealth development coordinating council, the executive office for administration and finance, the metropolitan planning organizations, the regional planning agencies, and the transportation finance commission. Said plan shall be prepared in coordination with comprehensive urban development plans and in cooperation with said other agencies so far as practicable. Said plan shall include an analysis of the operation of each regional transit authority, with the purpose of identifying ways in which each regional transit authority can improve efficiency of existing service, and provide new or expanded services to the communities. The analysis shall include an examination of the ridership per vehicle in each regional transit authority to determine the feasibility of converting fleets from large buses to smaller, more energy-efficient vehicles. The analysis shall identify the potential reduction in operating costs that such a conversion could provide for each regional transit authority, and shall outline the ways in which costs savings attained by this conversion could then be applied to improve service by expanding service areas and increasing hours of service.

The office of transportation planning shall be responsible for planning and programs that promote sustainable transportation, and that will: (i) maintain and expand transportation options that maximize mobility, reduce congestion, conserve fuel, and improve air quality; (ii) prioritize alternative modes including rail, bus, boat, rapid and surface transit, shared-vehicle and shared-ride services, bicycling, and walking; and (iii) invest strategically in existing and new passenger and freight transportation infrastructure that supports sound economic development consistent with established smart growth objectives. The office of transportation planning shall be responsible for bicycle and pedestrian planning, water transportation planning, and the management of transportation programs promoting congestion mitigation and air quality improvements, travel options, safe routes to school, alternative fuels, and other planning initiatives and programs that promote sustainable transportation working in coordination with the regional planning agencies and the metropolitan planning organization.

The office of transportation planning shall be responsible for research and planning in support of the implementation of chapter 21N. The office shall undertake planning and research tasks and coordinate with the executive office of energy and environmental affairs on issues related to historic, current, and projected future transportation-generated emissions of carbon dioxide and other greenhouse gases and technology, policy, and legal issues related to developing and implementing market-based compliance mechanisms for transportation-generated greenhouse gases. Such planning shall include comprehensive climate change adaptation planning to ensure that the commonwealth's transportation infrastructure is designed to tolerate increased environmental stress due to climate change, including, but not limited to increased temperatures, increased stormwater runoff, and extreme weather events.

The office of transportation planning shall conduct plans and work with the divisions, municipalities, other public agencies, private organizations, and other parties as appropriate in order to ensure the implementation of measures that facilitate equitable bicycle and pedestrian access in the planning and development of all transportation facilities. Consistent with the most current edition of the MassHighway Project Development and Design Guide, or its successor, the office of planning and programming shall in the design, construction, and maintenance of transportation facilities for all new construction and reconstruction projects, including resurfacing, restoring and rehabilitation improvement projects, ensure safe and contiguous routes for all users, including individuals of all ages and abilities, pedestrians, bicyclists, transit vehicles and riders, and motorists.

The office of transportation planning shall work with other commonwealth agencies to identify measures that agencies can take to facilitate fuel conservation, travel demand management for agency employees, and sustainable transportation, to develop programs that consolidate and promote these measures in a user-friendly manner, and to provide programmatic support to help other commonwealth agencies implement these measures. The office of transportation planning shall utilize life-cycle cost modeling for all projects. Life-cycle costs shall mean all relevant costs of a transportation asset's lifespan including, but not limited to, planning, study, design, purchase or lease, operation, maintenance, repair, replacement and disposal. The office shall utilize life-cycle cost modeling during the project planning and selection processes for all of its divisions, agencies, and authorities, as defined herein. Life-cycle cost information shall be presented as part of the public disclosure process in all project planning documents in equal proportion to initial delivery cost estimates. Project planning shall include the identification of funding to minimize life-cycle costs throughout the life of each asset.

The executive director may, subject to the approval of the secretary, appoint a project ombudsman who shall assist municipalities and private entities to develop and advance projects critical to the economic development of a community and connecting to the state transportation system, and to ensure regional equity in the transportation system. The duties given to the ombudsman shall be exercised and discharged subject to the direction, control and supervision of the executive director. The ombudsman shall serve as the principal point of contact for municipalities and other governmental bodies concerning all matters under the jurisdiction of the department, including, but not limited to, providing advice and technical assistance to municipalities and other governmental bodies seeking said advice and with any other matter the executive director may deem appropriate.

The office of transportation planning shall establish and charge a reasonable fee to cover the costs of processing, reviewing, and approving a project proposal submitted to the project ombudsman by a municipality or private entity.