

2017 -- H 5978

LC002139

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS - RAILROAD PRESERVATION

Introduced By: Representatives Tobon, Barros, Johnston, Diaz, and Maldonado

Date Introduced: March 22, 2017

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 39-6.1-10.1 of the General Laws in Chapter 39-6.1 entitled  
2 "Railroad Preservation" is hereby amended to read as follows:

3 **39-6.1-10.1. Massachusetts Bay Transportation Authority.**

4 (a) Notwithstanding any general or special law to the contrary, the Massachusetts Bay  
5 Transportation Authority ("MBTA"), a body politic and corporate and a political subdivision of  
6 the Commonwealth of Massachusetts, and all its real and personal property shall be exempt from  
7 taxation and from betterments and special assessments; and the MBTA shall not be required to  
8 pay any tax, excise or assessment to or for this state or any of its political subdivisions; nor shall  
9 the MBTA be required to pay any fee or charge for any permit or license, nor any compliance fee,  
10 issued to it by this state, by any department, board or officer thereof, or by any political  
11 subdivision of this state; and the MBTA shall be exempt from tolls for the use of highways,  
12 bridges and tunnels. Bonds and notes issued by the MBTA in support of purchases and/or  
13 improvements for maintaining and/or improving commuter rail service to and/or within the state  
14 of Rhode Island, their transfer and the income therefrom, including any profit made on the sale  
15 thereof, shall at all times be free from taxation with this state.

16 (b) No payments shall be made to MBTA or its operating subcontractor so long as either  
17 shall be in default under the terms of that contract entitled "South County Operating Agreement  
18 by and between the Massachusetts Bay Transportation Authority and the state of Rhode Island  
19 and Providence Plantations" dated as of September 30, 2010.

1 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 suspend any payments due to MBTA or its operating subcontractor for so  
2 long as either is in default on the South County operating agreement.

3           This act would take effect upon passage.

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