

2023 -- S 0991 SUBSTITUTE A

LC002917/SUB A/2

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- RHODE ISLAND PUBLIC
TRANSIT AUTHORITY

Introduced By: Senators Ruggerio, Tikoian, Quezada, Gallo, DiPalma, Lombardo,
Pearson, Britto, and Felag

Date Introduced: May 15, 2023

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 39-18-2 of the General Laws in Chapter 39-18 entitled "Rhode Island
2 Public Transit Authority" is hereby amended to read as follows:

3 **39-18-2. Authority created — Composition — Terms — Oath — Officers — Quorum**
4 **— Compensation — Conflicts of interest.**

5 (a) There is hereby created a body corporate and politic to be known as the "Rhode Island
6 public transit authority" (hereinafter "RIPTA").

7 (b) The authority shall consist of ~~eight (8)~~ nine (9) members, one of whom shall be the
8 director of the department of transportation, or his or her designee, who shall serve as an ex officio
9 member, and ~~seven (7)~~ eight (8) of whom shall be appointed by the governor with the advice and
10 consent of the senate, with at least one of the ~~seven (7)~~ eight (8) being a regular user of fixed-route
11 RIPTA transportation and at least one of the ~~seven (7)~~ eight (8) being a person with a disability.
12 The governor shall achieve a diverse membership in the board and shall give due consideration to
13 recommendations for nominations from the RIPTA Riders Alliance, the National Federation of the
14 Blind of Rhode Island, the Gray Panthers of Rhode Island, the Sierra Club of Rhode Island, the
15 Rhode Island AFL-CIO, the RIPTA Transportation Advisory Committee, the Rhode Island
16 business community, and the Rhode Island League of Cities and Towns. No one shall be eligible
17 for appointment unless he or she is a resident of this state.

18 (c) Those members of the authority as of the effective date of this act [June 16, 2006] who

1 were appointed to the authority by members of the board of the general assembly shall cease to be
2 members of the authority on the effective date of this act [June 16, 2006], and the governor shall
3 thereupon nominate two (2) members, each of whom shall serve the balance of the unexpired term
4 of his or her predecessor. Those members of the authority as of the effective date of this act [June
5 16, 2006] who were appointed to the authority by the governor shall continue to serve the balance
6 of their current terms. Thereafter, during the month of January in each year, the governor shall
7 appoint members to succeed the departing members. The newly appointed members shall serve for
8 a term of three (3) years, commencing on the day they are qualified. In the event of a vacancy
9 occurring in the membership, the governor, with the advice and consent of the senate, shall appoint
10 a member for the unexpired term. Any member of the authority shall be eligible for reappointment.

11 (d) Each member of the authority, before entering upon his or her duties, shall take an oath
12 to administer the duties of his or her office faithfully and impartially, and the oath shall be filed in
13 the office of the secretary of state.

14 (e) The ~~authority shall elect one of its members~~ [director of the department of transportation](#)
15 [shall serve](#) as chairperson, ~~and~~ [The authority](#) shall ~~also~~ elect a secretary and such other officers as
16 it deems necessary.

17 (f) ~~Four (4)~~ [Five \(5\)](#) members of the authority shall constitute a quorum. The affirmative
18 vote of a majority of the members present and voting shall be necessary for any action taken by the
19 authority. No vacancy in the membership of the authority shall impair the right of a quorum to
20 exercise all the rights and perform all the duties of the authority.

21 (g) The members of the authority shall receive no compensation, but shall be reimbursed
22 for their actual expenses necessarily incurred in the performance of their duties.

23 (h) No member of the authority shall be in the employ of, or own any stock in, or be in any
24 way directly or indirectly pecuniarily interested in any railroad corporation, bus, or street railway
25 company; nor shall any member of the authority personally, or through a partner or agent, render
26 any professional service or make or perform any business contract with or for any company; nor
27 shall any member of the authority, directly or indirectly, receive a commission, bonus, discount,
28 present, or reward from any company.

29 (i) Members of the authority shall be removable by the governor pursuant to the provisions
30 of § 36-1-7 and for cause only, and removal solely for partisan or personal reasons unrelated to
31 capacity or fitness for the office shall be unlawful.

32 (j) The authority shall conduct a training course for newly appointed and qualified members
33 within six (6) months of their qualification or designation. The course shall be developed by the
34 general manager of the authority, be approved by the authority, and be conducted by the general

1 manager of the authority. The authority may approve the use of any authority and/or staff members
2 and/or individuals to assist with training. The training course shall include instruction in the
3 following areas: the provisions of chapter 46 of title 42, chapter 14 of title 36, and chapter 2 of title
4 38; and the authority's rules and regulations. The director of the department of administration shall
5 be responsible for the enforcement of the provisions of this subsection.

6 SECTION 2. This act shall take effect on July 1, 2023.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO PUBLIC UTILITIES AND CARRIERS -- RHODE ISLAND PUBLIC
TRANSIT AUTHORITY

- 1 This act would amend the composition of the Rhode Island public transit authority.
- 2 This act would take effect on July 1, 2023.

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