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**ARTICLE 22 AS AMENDED**

ARTICLE \_\_\_\_\_

RELATING TO PUBLIC TRANSIT

SECTION 1. Section 39-18-4 of the General Laws in Chapter 39-18 entitled "Rhode Island Public Transit Authority" is hereby amended to read as follows:

**39-18-4. Powers and duties of the authority.** -- (a) The authority is hereby authorized and empowered:

- (1) To adopt bylaws for the regulation of its affairs and the conduct of its business;
- (2) To adopt an official seal and alter the seal at pleasure;
- (3) To maintain an office at such place or places within the state as it may designate;
- (4) To sue and be sued in its own name, plead and to be implead; provided, however, that any and all actions against the authority shall be brought only in the county in which the principal office of the authority shall be located;
- (5) To acquire, purchase, hold, use, and dispose of any property, real, personal, or mixed, tangible or intangible, or any interest therein necessary or desirable for carrying out the purposes of the authority, and, to lease as lessee or lessor any property, real, personal or mixed, or any interest therein for such term and at such rental as the authority may deem fair and reasonable, and to sell, transfer, convey, mortgage, or give a security interest in any property, real, personal, or mixed, tangible or intangible, or any interest therein, at any time acquired by the authority;
- (6) To employ, in its discretion, planning, architectural, and engineering consultants, attorneys, accountants, construction, financial, transportation, and traffic experts and consultants, superintendents, managers, and such other officers, employees, and agents as may be necessary in its judgment, and to fix their compensation;
- (7) (i) To fix from time to time, subject to the provisions of this chapter, schedules and such rates of fare and charges for service furnished or operated as in its judgment are best adopted to insure sufficient income to meet the cost of service; provided, however, the authority is not empowered to operate a passenger vehicle under its control in competition with passenger vehicles of a private carrier over routes which the private carrier operates pursuant to a certificate of public convenience and necessity issued to the private carrier by the division of public utilities and carriers; and provided further that the authority shall not require any person who meets the means test criteria as defined by the Rhode Island Department of Elderly Affairs and who is either sixty-five (65) years of age, or over, or who is disabled to pay no more than one-half (1/2)

1 ~~of any fare or charge for bus rides during peak hours~~; provided, however, that ~~such exclusion for~~  
2 under no circumstances shall fares or charges ~~shall not apply: (A) to for~~ special service routes be  
3 discounted ~~and (B) during periods and routes of overcrowded conditions~~. Any person who is  
4 either sixty-five (65) years of age, or over, or who is disabled, ~~and who meets the means test~~  
5 ~~criteria as heretofore provided, shall not be required to pay any fare or charge for bus rides during~~  
6 ~~off-peak hours, and any person who is either sixty five (65) years of age, or over, or who is~~  
7 ~~disabled, and~~ who does not satisfy the means test criteria as heretofore provided, shall only be  
8 required to pay one-half (1/2) of the fare or charge for bus rides during off-peak hours, but shall  
9 not be eligible for a reduction during peak hours. For the purposes of this chapter, ~~"overcrowded~~  
10 ~~conditions,"~~ "peak hours," "off-peak hours" and "special service routes" shall be determined  
11 annually by the authority. The authority, in conjunction with the department of human services,  
12 shall establish an advisory committee comprised of seniors/persons with disabilities constituent  
13 users of the authority's services to assist in the implementation of this section;

14 (ii) Any person who accompanies and is assisting a person with a disability when the  
15 person with a disability uses a wheelchair shall be eligible for the same price exemptions  
16 extended to a person with a disability by subsection (7)(i). The cost to the authority for providing  
17 the service to the elderly shall be paid by the state;

18 (iii) Any person who accompanies and is assisting a passenger who is blind or visually  
19 impaired shall be eligible for the same price exemptions extended to the passenger who is blind or  
20 visually impaired by subsection (7)(i). The cost to the authority for providing the service to the  
21 elderly shall be paid by the state;

22 (iv) The authority shall be authorized and empowered to charge a fare for any paratransit  
23 services required by the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq., in  
24 accordance with 49 C.F.R. Part 37.

25 (8) To borrow money and to issue bonds of the authority for any of its purposes  
26 including, without limitation, the borrowing of money in anticipation of the issuance of bonds or  
27 the receipt of any operating revenues or other funds or property to be received by the authority,  
28 and the financing of property to be owned by others and used, in whole or substantial part, by the  
29 authority for any of its purposes, all as may from time to time, be authorized by resolution of the  
30 authority; the bonds to contain on their face a statement to the effect that neither the state nor any  
31 municipality or other political subdivision of the state shall be obligated to pay the same or the  
32 interest thereon;

33 (9) To enter into management contracts for the operation, management, and supervision  
34 of any or all transit properties under the jurisdiction of the authority, and to make and enter into

1 all contracts and agreements necessary or incidental to the performance of its duties and the  
2 execution of its powers under this chapter;

3 (10) Without limitation of the foregoing, to borrow money from, to receive and accept  
4 grants for or in aid of the purchase, leasing, improving, equipping, furnishing, maintaining,  
5 repairing, constructing, and operating of transit property, and to enter into contracts, leases, or  
6 other transactions with any federal agency; and to receive and accept from the state, from any  
7 municipality, or other political subdivision thereof, and from any other source, aid or  
8 contributions of either money, property, labor, or other things of value, to be held, used and  
9 applied only for the purposes for which the grants and contributions may be made;

10 (11) To acquire in the name of the authority, by negotiated purchase or otherwise, on  
11 such terms and conditions and in such manner as it may deem proper, or by the exercise of the  
12 power of condemnation to the extent only and in the manner as provided in this chapter, such  
13 public and private lands, including public parks, playgrounds or reservations, or parts thereof, or  
14 rights therein, rights-of-way, property rights, easements, and interests as it may deem necessary  
15 for carrying out the provisions of this chapter; provided, however, that all public property  
16 damaged in carrying out the powers granted by this chapter shall be restored or repaired and  
17 placed in its original condition as nearly as practicable;

18 (12) To contract with any municipality, public or private company or organization,  
19 whereby the authority will receive a subsidy to avoid discontinuance of service, and each  
20 municipality within the state is hereby authorized to make and enter into such contracts and to  
21 make, grant, or give to the authority a subsidy in such amount and for such period of time as it  
22 may deem advisable;

23 (13) To operate service to nearby Massachusetts and nearby Connecticut terminals for  
24 the purpose of deboarding Rhode Island passengers at major traffic generating locations for the  
25 benefit of passengers and to board Rhode Islanders for the return trip, provided, however, that the  
26 authority operate closed door in Massachusetts and nearby Connecticut to and from its  
27 destination; and

28 (14) To do all things necessary, convenient, or desirable to carry out the purpose of this  
29 chapter.

30 (b) To effectuate the purposes of this chapter the authority shall have the following  
31 duties:

32 (1) To participate in and contribute to transportation planning initiatives that are relevant  
33 to the purposes of the authority;

34 (2) To plan, coordinate, develop, operate, maintain and manage a statewide public transit

1 system consistent with the purposes of the authority, including plans to meet demands for public  
2 transit where such demand, current or prospective, exceeds supply and/or availability of public  
3 transit services;

4 (3) To work with departments, agencies, authorities and corporations of federal, state and  
5 local government, public and private institutions, businesses, non-profit organization, users of the  
6 system and other entities and persons to coordinate public transit services and provide a seamless  
7 network of mobility options.

8 SECTION 2. This article shall take effect October 1, 2015.