

Appendix E: New Hampshire Statute Regarding Regional Transit Districts



CHAPTER 38-B

REGIONAL TRANSIT DISTRICTS

Section 38-B:1

38-B:1 Authority Granted. — Cities and towns are hereby authorized to join to establish a regional transit district, by vote of the local legislative body.

Source. 1996, 6:2, eff. May 19, 1996.

Section 38-B:2

38-B:2 Establishment of District. —

I. Before the establishment of a regional transit district is put to the local legislative body, the regional planning commission or metropolitan planning organization having jurisdiction shall make a recommendation on forming a district. Following the recommendation, the selectmen or mayor of each municipality intending to join shall present to the next annual or special town meeting, city council meeting, or board of aldermen meeting the following question: "'Shall the city/town of _____ accept the provisions of RSA 38-B providing for the establishment of a regional transit district, together with the towns/cities of _____, and the operation of a regional public transit system by the district?" If a majority of the local legislative body voting on the question shall vote in the affirmative, the municipality shall join the proposed regional transit district.

II. If some but not all of the towns and cities voting on the question in paragraph I vote in the affirmative, the district may be established representing those municipal jurisdictions voting in the affirmative.

Source. 1996, 6:2, eff. May 19, 1996.

Section 38-B:3

38-B:3 Regional Transit District Board. — The affairs of the regional transit district shall be governed by a regional transit district board. Following the initial vote of a city or town to join the district, the selectmen, town or city council, or board of aldermen of each member city or town shall appoint members to the board as follows: a municipality with a population over 50,000 shall be entitled to have 5 voting representatives; a municipality with a population over 25,000 but less than 50,000 shall be entitled to 4 voting representatives; a municipality with a population over 10,000 but less than 25,000 shall be entitled to 3 voting representatives; and municipalities with less than 10,000 in population shall be entitled to 2 voting representatives. The district board shall adopt bylaws governing board membership, terms of office, officers, and other issues of the structure and procedures of the board.

Source. 1996, 6:2, eff. May 19, 1996.

Section 38-B:4

38-B:4 Powers and Duties. — A regional transit district established under this chapter shall be a body corporate and politic and shall have the following powers and duties:

I. To adopt a name and corporate seal.

II. To sue or be sued, but only to the extent and upon the same conditions that a city or town may be sued.

III. To purchase, hold, lease, or use real or personal property for the purposes of operating a public transit system, and to dispose of property by sale, lease, or other means.

IV. To accept gifts, grants, or loans of money or other property, and to enter into contracts or other transactions with any federal or state agency, or any other public entity.

V. To enter into contracts or agreements with public or private transportation operators or other entities for management or operation of public transit services.

VI. To adopt rules governing the operations and affairs of the district.

VII. To receive and disburse funds for district purposes.

VIII. To publish an annual report and annual financial statement.

IX. To fix equitable fares or charges for district services.

X. To employ officers and staff necessary to conduct the business of the district.

XI. To do all things necessary for the conduct of district business and the efficient operation of public transit services, consistent with the provisions of this chapter.

Source. 1996, 6:2, eff. May 19, 1996.

Section 38-B:5

38-B:5 Regulation. — The district shall be considered a public body and have the same status as a city or town with regard to motor carrier regulation, road tolls, fuel taxes, and vehicle registration. All agreements between municipalities shall be in accordance with RSA 53-A.

Source. 1996, 6:2, eff. May 19, 1996.

Section 38-B:6

38-B:6 Annual Budget. — Each year the regional transit district board shall prepare a proposed budget for the next fiscal year, which shall include estimates of operating expenses and revenues from fares and other sources. The budget shall include the amount to be requested from each member city or town based upon a fair-share formula to be adopted by the board.

Source. 1996, 6:2, eff. May 19, 1996.