

HOUSE No. 685

By Mr. Staves of Southbridge, petition of Edward W. Staves relative to the care, control and maintenance of certain public highway bridges by the Department of Public Works. Highways and Motor Vehicles.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Six.

AN ACT RELATIVE TO THE CARE, CONTROL AND MAINTENANCE OF CERTAIN PUBLIC HIGHWAY BRIDGES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. On January first, nineteen hundred
2 and forty-seven, the care, control and maintenance of
3 every public highway bridge with a clear span of not
4 less than twenty feet, located on a through route,
5 excluding any bridge under the control of the metro-
6 politan district commission and any bridge now under
7 the control of the department of public works, are
8 hereby transferred to the control of the department
9 of public works and thereafter such bridge shall be a
10 state highway and the cost of the care, control and
11 maintenance thereof shall be paid out of the highway
12 fund, provided, that prior to January first, nineteen
13 hundred and forty-seven, the public authority in
14 charge of such bridge shall have filed with said depart-

15 ment approval of the transfer aforesaid. Until June
16 thirtieth, nineteen hundred and forty-seven, all
17 employees employed in the operation of the draw of
18 any bridge so made a state highway and all employees
19 employed in the operation of the draw of any bridge
20 made a state highway under the authority of chapter
21 six hundred and ninety of the acts of nineteen hundred
22 and forty-five shall continue to be so employed and
23 the cost of the operation of such draw shall be paid
24 by the public authority having charge of the bridge
25 at the time it is made state highway and said au-
26 thority shall be reimbursed by the commonwealth
27 for the actual cost of the operation thereof from the
28 highway fund; provided, that said reimbursement
29 shall not exceed the expenditures for said purposes
30 during the comparable period in the year nineteen
31 hundred and forty-five. Said department shall file
32 with the clerk of the house of representatives on or
33 before the second Wednesday in January, nineteen
34 hundred and forty-seven, a complete list of the bridges
35 made state highway, as provided in this section. For
36 the purposes hereof, a through route is defined to be
37 any route, road or connecting road shown on a map
38 entitled "Route Map of Massachusetts, 1945", pub-
39 lished by the Massachusetts department of public
40 works, including the insert maps on the reverse side
41 thereof, in whatever form such route, road or con-
42 necting road is indicated. A copy of this map is on
43 file in the office of the state secretary.

1 SECTION 2. Nothing in this act shall affect existing
2 agreements, decrees, orders or statutes defining the
3 duties, responsibilities or obligations of railroad com-
4 panies or other public utilities relative to any such
5 bridge so made a state highway.