

HOUSE No. 492

By Mr. Mannering of Boston, petition of James M. Curley (mayor of Boston) for legislation relative to the care, control and maintenance of certain public highway bridges. Highways and Motor Vehicles.

The Commonwealth of Massachusetts

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

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-eight, 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 under
7 the control of the department of public works, are
8 hereby transferred to the department of public works
9 and thereafter such bridge shall be a state highway
10 and the cost of the care, control and maintenance
11 thereof shall be paid out of the highway fund; pro-
12 vided, that prior to January first, nineteen hundred
13 and forty-eight, the public authority in charge of
14 such bridge shall have filed with said department

15 approval of the transfer aforesaid. Until June thirti-
16 eth, nineteen hundred and forty-eight, all employees
17 employed in the operation of the draw of any bridge
18 so made a state highway shall continue to be so em-
19 ployed and the cost of the operation of such draw
20 shall be paid by the public authority having charge
21 of the bridge at the time it is made a state highway
22 and said authority shall be reimbursed by the com-
23 monwealth for the actual cost of the operation thereof
24 from the highway fund. Said department shall file
25 with the clerk of the house of representatives on or
26 before the first Wednesday in January, nineteen
27 hundred and forty-eight, a complete list of the bridges
28 made state highways, as provided in this section.
29 For the purposes hereof, a through route is defined
30 to be any route, road or connecting road shown on a
31 map entitled "Route Map of Massachusetts, 1945",
32 published by the Massachusetts department of public
33 works, including the insert maps on the reverse side
34 thereof, in whatever form such route, road or con-
35 necting road is indicated. A copy of said map is on
36 file in the office of the state secretary.

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