

HOUSE No. 1529

By Mr. Wall of Lawrence, petition of William X. Wall 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-seven, the care, control and maintenance of
3 every public highway bridge with a clear span of not
4 less than twenty feet, which carries 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. The existing

16 plans of such bridge, if any, which are the property
17 of the public authority shall become the property of
18 the department of public works and the public au-
19 thority shall transfer the plans to the department
20 of public works forthwith. Until June thirtieth,
21 nineteen hundred and forty-seven, all employees
22 employed in the operation of the draw of any bridge
23 so made a state highway and all employees employed
24 in the operation of the draw of any bridge made a
25 state highway under the authority of chapter six
26 hundred and ninety of the acts of nineteen hundred
27 and forty-five shall continue to be so employed and
28 the cost of the operation of such draw shall be paid
29 by the public authority having charge of the bridge
30 at the time it is made a state highway and said au-
31 thority shall be reimbursed by the commonwealth
32 for the actual cost of the operation thereof from the
33 highway fund; provided, that said reimbursement
34 shall not exceed the expenditures for said purposes
35 during the comparable period in the year nineteen
36 hundred and forty-five. Said department shall file
37 with the clerk of the house of representatives on or
38 before the second Wednesday in January, nineteen
39 hundred and forty-seven, a complete list of the bridges
40 made state highway, as provided in this section. For
41 the purposes hereof, a through route is defined to be
42 any route, road, connecting road or street shown on a
43 map entitled "Route Map of Massachusetts, 1941",
44 published by the Massachusetts department of public
45 works, including the insert maps on the reverse side
46 thereof, in whatever form such route, road, con-
47 necting road or street is indicated. A copy of this
48 map is on 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.

