
Accompanying the third recommendation of the Department of Public Works (House, No. 82). Highways and Motor Vehicles.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Three.

AN ACT RELATIVE TO THE JURISDICTION, REPAIR AND MAINTENANCE OF STATE HIGHWAYS, OR PORTIONS THEREOF, BRIDGES AND OTHER STATE ROADWAYS BY THE CITY OR TOWN IN WHICH THEY ARE LOCATED.

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

1 Chapter 81 of the General Laws, as most recently amended by
2 chapter 582 of the acts of 1958, is hereby further amended by
3 inserting after section 7F, the following new section: —

4 *Section 7G.* Whenever the department determines that a
5 state highway, or portion thereof, bridge or any state roadways
6 under, over or along a state highway, or portion thereof, should
7 be subject to the jurisdiction of, and should be maintained, re-
8 paired, sanded and kept free of snow and ice by the city or town
9 in which the said highway, portion thereof, bridge or roadway
10 is located, said department may transfer such highway, or por-
11 tion thereof, bridge or roadway, to the jurisdiction of the city or
12 town in which such highway, or portion thereof, is located;
13 provided, that the state highway prior to discontinuance shall
14 be in good condition consistent with appropriate standards, and
15 after notice from the department to the mayor or city manager
16 of a city or to the selectmen of a town of such a determination
17 and transfer, the said highway, or portion thereof, bridge or
18 roadway, shall be subject to the jurisdiction of the city or town,
19 as the case may be and it shall be the duty of the city or town to
20 maintain, repair, sand and remove snow and ice therefrom, and
21 the city or town shall be liable for any defect therein.

22 Any state highway, or portion thereof, bridge or roadway
23 transferred to the jurisdiction of a city or town under this section
24 which was subject to a condition of limited access or to any other
25 condition shall continue subject to such condition while under
26 the jurisdiction of the city or town.

