

HOUSE No. 663

Accompanying the petition of Daniel P. Abercrombie that provision be made for the regulation of grade crossings. Railroads. January 17.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twenty-One.

AN ACT

To provide for the Regulation of Grade Crossings.

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 twenty-two of Part I of chapter four hundred
2 and sixty-three of the acts of the year nineteen hundred
3 and six is hereby amended by striking out said section
4 and substituting the following:— *Section 22.* In any
5 case in which the consent or approval of the department
6 of public utilities which may be required by law for any
7 crossing at grade is given, and in any case in which a
8 street railway has been constructed across the tracks of
9 a railroad or a railroad has been constructed across the
10 tracks of a street railway at the same level therewith,
11 said department may, upon its own motion or upon the
12 petition of any interested party, and after notice to the
13 parties interested and a hearing, impose conditions, limi-

14 tations, restrictions and regulations relative to such
15 crossing, its construction and use, may determine which
16 of the parties operating a railroad or a street railway
17 over such crossing shall do the work of constructing,
18 reconstructing, repairing and maintaining the frogs,
19 switches and other appliances required at such crossing,
20 and may apportion the cost of such construction, recon-
21 struction, repair and maintenance between said parties
22 in such manner as said department, taking into considera-
23 tion the relative use of such crossing by each of said
24 parties and the relative wear of such frogs, switches and
25 appliances due to such use, shall deem to be just and
26 equitable and in the public interest, and may from time
27 to time change and modify such conditions, limitations,
28 restrictions, regulations, determination and apportion-
29 ment.

