

SENATE No. 1204

By Mr. Burke, a petition (accompanied by bill, Senate, No. 1204) of Edward L. Burke for legislation relative to incentives for the use of car-pools on certain transportation facilities. Transportation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-eight.

AN ACT RELATIVE TO INCENTIVES FOR THE USE OF CARPOOLS ON
CERTAIN TRANSPORTATION FACILITIES.

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. Section four of chapter 354 of the acts of 1952
2 is hereby amended by inserting after subsection (c) the fol-
3 lowing subsections: —

4 (d) The term “base rate” shall mean the toll fixed by the
5 Authority for the use of the Massachusetts Turnpike Exten-
6 sion and the different parts or sections thereof by non-com-
7 mercial passenger vehicles.

8 (e) The term “trustee” shall mean the bank or trust com-
9 pany acting as trustee under the resolution whereby the rev-
10 enue bonds herein provided for are issued by the Authority or
11 under a trust agreement made and entered into by and be-
12 tween the Authority and a bank or trust company.

13 (f) The term “Supplemental Trust Agreement” shall mean
14 the Supplemental Trust Agreement made and entered into by
15 and between the Authority and the trustee, dated as of Jan-
16 uary 1, 1962.

1 SECTION 2. Section 10 of said chapter 354 of the acts of 1952
2 is hereby amended by inserting after the first paragraph the
3 following paragraphs: —

4 Notwithstanding the provisions of this or any other act or
5 general law to the contrary, the Authority is hereby directed
6 to request each year before the fifteenth day of February in
7 a manner consistent with the provisions of section 501 of the
8 Supplemental Trust Agreement, the traffic engineers to make
9 recommendation in writing as to a revision of the schedule

10 of tolls which provides that the Authority shall toll non-com-
11 mercial passenger vehicles using the eastbound lanes of the
12 Massachusetts Turnpike Extension between 7:00 AM and 9:30
13 AM, and those using the westbound lanes of the Massachu-
14 setts Turnpike Extension between 4:00 PM and 6:00 PM, Mon-
15 day through Friday, except holidays, at the following rates:
16 for vehicles with three or more occupants; the base rate: for
17 vehicles with one or two occupants, two times the base rate.

18 In the event that the Authority shall call upon the traffic
19 engineers for their recommendations as hereinabove in this
20 section required and the traffic engineers, after such request
21 by the Authority, shall fail to file with the Authority and
22 with the trustee such recommendations in writing within
23 sixty (60) days after such request, the trustee shall forthwith
24 designate and appoint an independent engineer or engineering
25 firm or corporation having a nationwide and favorable repute
26 for skill and experience in such work in lieu of the traffic engi-
27 neers to make a survey and study and recommendations as
28 to a revision of the schedule of tolls, which recommendations
29 shall be reported in writing to the Authority and to the
30 trustee on or before the first day of August following. Such
31 written report shall for all purposes be considered to be the
32 equivalent of and substitute for the recommendations of the
33 traffic engineers hereinabove mentioned.

34 The Authority and the traffic engineers shall comply with
35 any requirements of notification of the Trustee of the request
36 for recommendations from the traffic engineers and for the
37 submission of recommendations to the trustee as are stipulated
38 in Article Five of the Supplemental Trust Agreement.

39 If the recommendation of the traffic engineers is that the
40 revision of tolls described in this section will not produce less
41 revenue than the total amount referred to in clause (b) of sec-
42 tion 501 of Article Five of the Supplemental Trust Agree-
43 ment, the Authority is hereby directed and authorized, not-
44 withstanding the provisions of this or any other act or general
45 law, so to revise the schedule of tolls within sixty days of re-
46 ceipt of the written recommendations of the traffic engineers.
47 If the recommendation of the traffic engineers is that the re-
48 vision of tolls described in this Section will produce less rev-

49 enue than the total amount referred to in clause (b) of section
50 501 of Article Five of the Supplemental Trust Agreement, the
51 Authority will submit the recommendations within thirty
52 days of their receipt by the Authority to the secretaries of
53 transportation and construction and of administration and
54 finance, who will submit their written comments on the
55 recommendations to the Authority, the Governor and the Gen-
56 eral Court within thirty days.

1 SECTION 3. Section one of chapter 598 of the acts of 1958
2 is hereby amended by inserting after subsection (j) the fol-
3 lowing subsections: —

4 (k) The term "base rate" shall mean the toll established by
5 the Authority for non-commercial passenger vehicle use of the
6 existing tunnel and the additional tunnel.

7 (l) The term "Trust Agreement" shall mean the Trust
8 Agreement made and entered into by and between the Au-
9 thority and the trustee, dated as of April 1, 1959.

1 SECTION 4. Section 11 of chapter 598 of the acts of 1958 is
2 hereby amended by inserting after the third paragraph the
3 following paragraphs: —

4 Notwithstanding the provisions of this or any other act or
5 general law, the Authority is hereby directed to request each
6 year before the fifteenth day of February, in a manner con-
7 sistent with the provisions of Section 501 of the Trust Agree-
8 ment, the traffic engineers to make recommendations in writ-
9 ing as to a revision of the schedule of tolls which provides that
10 the Authority shall toll non-commercial passenger vehicles
11 using the existing tunnel between 7:00 AM and 9:30 AM, and
12 those using the additional tunnel between 4:00 PM and 6:00
13 PM, Monday through Friday, holidays excepted, at the fol-
14 lowing rates: for vehicles with three or more occupants, the
15 base rate; for vehicles with one or two occupants, two times
16 the base rate.

17 In the event that the Authority shall call upon the traffic
18 engineers, after such request by the Authority, shall fail to
19 file with the Authority and with the trustee such recommenda-
20 tions in writing within sixty (60) days after such request, the
21 Authority shall forthwith designate and appoint an independ-

ent engineer or engineering firm or corporation in lieu of the traffic engineers to make a survey and study and recommendations as to an adjustment of the schedule of tolls, which recommendations shall be reported in writing to the Authority and to the trustee on or before the first day of August following. Such written report shall for all purposes be considered to be the equivalent of and substitute for the recommendations and report of the traffic engineers hereinabove mentioned.

The Authority and the traffic engineers shall comply with any requirements of notifications of the trustee of the request for recommendations from the traffic engineers and for the submission of recommendations to the trustee as are stipulated in Article Five of the Trust Agreement.

If the recommendation of the traffic engineers is that the revision of the tolls described in this section will not produce less revenue than is sufficient for the purposes outlined in subsection (d) of section 501 of Article Five of the Trust Agreement, the Authority is hereby directed and authorized, notwithstanding the provisions of this or any other act or general law, so to revise the schedule of tolls within 60 days of receipt of the written recommendations of the traffic engineers. If the recommendation of the traffic engineers is that the revision of tolls described in this section will produce less revenue than is sufficient for the purposes outlined in subsection (d) of section 501 of Article Five of the Trust agreement, the Authority will submit the recommendations within thirty days of their receipt by the Authority to the secretaries of transportation and construction and of administration and finance, who will submit their written comments on the recommendations to the Authority, the Governor and the General Court within thirty days.

SECTION 5. Section 1 of chapter 465 of the acts of 1956 as amended by section 1 of chapter 599 of the acts of 1958 is hereby amended by adding a new subsection: —

(o) The term "base rate" shall mean the toll established by the Authority for non-commercial use of the Mystic River bridge.

SECTION 6. Section 14 of chapter 465 of the acts of 1965 as

2 amended by section 9 of chapter 599 of the acts of 1958 by in-
3 serting after the third paragraph the following paragraphs: —

4 Notwithstanding the provisions of this or any other act or
5 general law to the contrary, the Authority is hereby directed
6 to determine each year before the fifteenth day of February
7 whether revenues would be produced sufficient for the pur-
8 poses of section 501 of the trust agreement by a revision in the
9 schedule of tolls which provides that the authority shall toll
10 non-commercial passenger vehicles using the southbound lanes
11 of the Mystic River bridge between 7:00 AM and 9:30 AM,
12 and those using the northbound lanes of the Mystic River
13 bridge between 4:00 PM and 6:00 PM, Monday through Fri-
14 day, holidays excepted, at the following rates: for vehicles
15 with three or more occupants, the base rate; for vehicles with
16 one or two occupants, two times the base rate.

17 If the Authority determines that revenues produced by such
18 schedule of tolls would be sufficient for the purposes of sec-
19 tion 501 of the trust agreement, the Authority is hereby di-
20 rected and authorized, notwithstanding the provisions of this
21 or any other act or general law to the contrary, so to revise
22 the schedule of tolls, in a manner consistent with the pro-
23 visions of Article Five of the trust agreement. If the Author-
24 ity determines that revenues from such a schedule of tolls
25 would be insufficient for the purposes of section 501 of the
26 trust agreement, the Authority shall submit such determina-
27 tion and the reasons therefore before the fifteenth day of
28 March to the secretaries of transportation and construction
29 and of administration and finance, who will submit their writ-
30 ten comments on such determination to the Authority, the
31 Governor and the General Court within thirty days.

The first part of the history is a general account of the state of the country at the beginning of the reign of King Henry the First. It describes the condition of the kingdom, the state of the church, and the relations of the king to his subjects. The second part is a more particular history of the reign of King Henry the First, and the third part is a general account of the state of the country at the end of his reign.

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STATE OF NEW YORK

IN SENATE

January 10, 1906

REPORT

OF THE

COMMISSIONERS OF THE LAND OFFICE

IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE

ON APRIL 11, 1905

ALBANY: JAMES BROWN PUBLISHING CO., 1906.

