

operate with the United States government, or any federal agency, the commonwealth, or any person or corporation, in carrying out the provisions of this act, as a joint enterprise or in any other manner. *Approved May 23, 1946.*

Chap. 373 AN ACT RELATIVE TO THE RETIREMENT OF CERTAIN OFFICERS IN THE DIVISION OF STATE POLICE OF THE DEPARTMENT OF PUBLIC SAFETY.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is in part to provide immediately funds from which retirement allowances of certain officers of the division of state police now retired may be paid, therefore it is hereby declared to be an emergency law, necessary for the public convenience.

Be it enacted, etc., as follows:

G. L. (Ter.
Ed.), 32,
§ 28A, etc.,
amended.

SECTION 1. Section twenty-eight A of chapter thirty-two of the General Laws, inserted by section one of chapter seven hundred and twenty of the acts of nineteen hundred and forty-five, is hereby further amended by adding at the end the following paragraph:—

State police,
special pro-
visions apply-
ing to.

The retirement allowance under this section shall be the same as that provided for in paragraph (c) of subdivision (3) of section twenty-six.

SECTION 2. This act shall apply to the retirement allowances of officers in the division of state police of the department of public safety retired since January first, nineteen hundred and forty-six, and prior to the effective date of this act, as well as to those retired after said effective date.

Approved May 23, 1946.

Chap. 374 AN ACT PROVIDING FOR THE LAYING OUT OF AN AREA FOR THE PARKING OF VEHICLES CONTIGUOUS TO FARM ROAD IN THE TOWN OF SHERBORN AND PROVIDING FOR THE ESTABLISHMENT OF A RIGHT OF WAY FOR ACCESS BY PEDESTRIANS AND CERTAIN VEHICLES TO LITTLE POND IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Middlesex county are hereby authorized and directed to lay out an area for the parking of vehicles contiguous to Farm road in the town of Sherborn, with a right of way for public access to Little pond in the town of Sherborn by publicly owned vehicles only, and by pedestrians, in accordance with plans to be approved by the department of public works and showing the locations and dimensions of such parking area and right of way; provided, that the land for such parking area and right of way is acquired by said county commissioners without the payment of compensation or damages therefor.

SECTION 2. The selectmen of the town of Sherborn from time to time may make specific repairs on or improve such way to such extent as they may deem necessary, but neither the county of Middlesex, nor any city or town therein, shall be required to keep such right of way in repair, nor shall they be liable for injury sustained by persons travelling thereon; provided, that sufficient notice to warn the public is posted where such way enters upon or unites with an existing public way.

SECTION 3. All expenses incurred by said county commissioners in connection with such right of way shall be borne by the county of Middlesex, or by such cities and towns therein, and in such proportions, as said county commissioners may determine.

SECTION 4. Said right of way shall not be discontinued or abandoned without authority therefor from the general court.

SECTION 5. Nothing in this act shall be construed to limit the powers of the department of public health, or of any local board of health, under any general or special law.

Approved May 23, 1946.

AN ACT FURTHER REGULATING THE USE OF FLARES AT LOCATIONS ON UNLIGHTED WAYS WHERE CERTAIN VEHICLES ARE DISABLED.

Chap. 375

Be it enacted, etc., as follows:

Section fourteen B of chapter eighty-five of the General Laws, inserted by chapter four hundred and thirty-two of the acts of nineteen hundred and thirty-eight, is hereby amended by striking out, in the ninth line, the word "lighted", — and by striking out the sentence included in the twenty-third to the twenty-eighth lines, inclusive, and inserting in place thereof the following sentence:— The word "flare" as used in this section shall mean either a lighted pot torch, a lighted red electric lamp, or a red emergency reflector warning device, which conforms to the requirements of the specifications adopted by the Interstate Commerce Commission for the construction and performance of such devices and bears the label of the Underwriters' Laboratory, Inc., — so that the first paragraph will read as follows:— Whenever any commercial vehicle having a gross weight in excess of five thousand pounds other than a motor bus or taxicab, or any automobile service truck, so called, becomes disabled upon the traveled portion of any street or highway which is not artificially lighted at night the operator of such vehicle shall, during the time when lights are required to be displayed on motor vehicles, place three flares on the traveled part of the way in the following positions:— one flare in the center of the traffic lane in which such disabled vehicle remains and distant approximately one hundred feet from such vehicle in the direction of traffic approaching in that lane; one flare not less than one hun-

G. L. (Ter. Ed.), 85, § 14B, etc., amended.

Lights at places where certain motor vehicles are disabled.