

By Mrs. Metayer of Braintree (by request), petition of Samuel Langley and others for legislation to require the Massachusetts Bay Transportation Authority to operate and the Commonwealth to fund certain rail commuter services and setting standards for construction of future rapid transit extensions. Transportation.

**The Commonwealth of Massachusetts**

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

AN ACT REQUIRING THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TO OPERATE AND THE COMMONWEALTH TO FUND CERTAIN RAIL COMMUTER SERVICES AND SETTING STANDARDS FOR CONSTRUCTION OF FUTURE RAPID TRANSIT EXTENSIONS.

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

1 (I) The MBTA is hereby directed to continue or restore the  
2 following rail commuter routes to Boston from outside the  
3 present rapid transit lines:-

4 (A) All service now operated over the Penn Central and  
5 Boston and Maine plus added Penn Central service to  
6 Worcester.

7 (B) Service over the former Old Colony lines from the  
8 following points to the Quincy Center MBTA Station with latter  
9 extention to Boston making necessary local stops en route:  
10 Hingham, Plymouth, Taunton and such other points on the  
11 Cape as are deemed necessary on a full-week basis.

12 (C) Service on the following lines of the Boston and Maine,  
13 making necessary local stops: Fitchburg, Hudson and Danvers,  
14 plus added service to Newburyport and Haverhill, on a full-week  
15 basis except possibly for the Hudson and Danvers branches.

16 (D) That such service be started as soon after the passage of  
17 this act as suitable equipment can be obtained and service  
18 improved as new equipment and track repairs can be obtained,  
19 but in no event in more than one year, unless it can be shown  
20 that it is impossible to obtain sufficient equipment within that  
21 time limit.

22 (2) The MBTA shall be required to show that there is  
23 sufficient population density to make a rapid transit extention  
24 less costly than a commuter rail operation, before such an  
25 extention can be built to replace a commuter rail operation,  
26 taking into account both capital expenditures and operating  
27 costs. Nothing in this act is intended to prevent the upgrading of  
28 present rapid transit lines or the building of a new line where  
29 there is no present rail line at all now; present freight-only lines  
30 included.

31 (3) The MBTA is prohibited from designing new rapid transit  
32 lines using existing rail rights of way in such a way as to prevent  
33 the operation of a commuter or long haul rail operation from  
34 points outside the rapid transit limits, to the downtown Boston  
35 railroad stations, over the same rights of way. Also that they be  
36 required to make provision for freight service to all present  
37 existing shippers along such rights of way, and access to large  
38 industrial zoned areas. This section shall apply to all lines now  
39 in the planning and construction stage that are not completed to  
40 a point where changes to conform would be impossible without  
41 greatly exceeding the present budget or delaying the project.  
42 Lines already in existance shall be made to conform as rapidly  
43 as funding for the changes is available.

44 (4) The intent of this act is to provide rail service to points  
45 outside the area that can be practically served by rapid transit at  
46 a point approaching the service provided in the mid 1950's as far  
47 as possible in view of the energy and pollution crises.

48 (5) Funding for this project shall come from a ten percent  
49 state tax on Boston core area parking lots and meters and from  
50 state and federal highway transfer funds. Subsidies shall be  
51 based on an avoidable out-of-pocket cost formula and have a  
52 penalty clause for not keeping a set level of performance.  
53 Railroads operating in the state shall be required to operate any  
54 passenger service requested under this act on an avoidable cost  
55 formula contract.

56 (6) If any part of this act is found to be illegal by any court,  
57 the remainder of the act shall remain unchanged and in full  
58 effect.