

By Mrs. Metayer of Braintree (by request), petition of Samuel Langley and others for legislation to provide for rail passenger service in cooperation with the National Railroad Passenger Corporation and adjoining states under the Rail Passenger Service Act of 1970. Transportation.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR RAIL PASSENGER SERVICE IN COOPERATION WITH THE NATIONAL RAILROAD PASSENGER CORPORATION AND ADJOINING STATES UNDER THE RAIL PASSENGER SERVICE ACT OF 1970.

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

1 (1) The appropriate state agency shall at once arrange with
2 the N.R.P.C. for passenger service over the Penn Central
3 Railroad thru Springfield to Albany, N.Y., connecting with
4 existing service to the West. Also over the Boston and Maine
5 Railroad thru Fitchburg and Greenfield to the the New York
6 state line and to try and get the state of New York to continue
7 such service from there to an appropriate junction point with the
8 Penn Central and Delaware and Hudson in the Albany area.

9 (2) The appropriate state agency shall at once open talks with
10 the states of Maine, New Hampshire and Vermont, to reach an
11 agreement for mutual funding for passenger service either direct
12 with the railroads involved or the N.R.P.C. from Boston to
13 White River Junction, Vt., with connections to Montreal,
14 Portsmouth, N.H., The North Conway resort area of N.H., and
15 Portland, Me., with connections thru Maine to the Maritime
16 area of Canada. Also the operation of the New York to
17 Portland, Me. service.

18 Service under paragraphs (1) and (2) shall be operated on a
19 full-week basis and shall, if agreeable action from Maine and

20 New Hampshire is forthcoming, consist of at least three trains a
21 day on the Portland route.

22 (4) All subsidies should be figured on an out-of-pocket
23 avoidable cost basis and railroads operating in the state shall be
24 required to operate any service requested under this bill within
25 Mass. on this basis, subject to a mandatory penalty clause for
26 failure to meet performance standards set in the contract. It
27 shall be illegal for any railroad operating within this state to,
28 within this state, delay any passenger train in order to give
29 priority to any freight train or yard movement, except passenger
30 switcher movements and except for Acts of God or equipment
31 failure that makes it impossible to clear the line. The penalty for
32 violation of this section shall be: for the first offense, loss of
33 twenty per cent of the monthly subsidy for the delayed train;
34 second offense, loss of fifty per cent of the monthly subsidy for
35 the delayed train; for all other offenses within a year, loss of the
36 whole monthly subsidy for the delayed train, and a fine for the
37 railroad official responsible, of not less than one hundred nor
38 more than five thousand dollars, and a mandatory jail sentence
39 of not less than ten nor more than one hundred twenty days,
40 without possibility of suspension or parole.

41 (5) Funding for this service shall come from federal and state
42 highway transfer trust funds, as far as possible.

43 (6) If any part of this bill is found to be illegal, by any court,
44 the remainder of the bill will remain in full effect.