

# HOUSE . . . . No. 1008

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By Mr. Kaplan of Boston (by request), petition of Walter A. O'Brien, Jr., for the establishment of a department of transportation and relative to the powers and duties of said department. State Administration.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Fifty.

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### AN ACT FOR THE ESTABLISHMENT OF A DEPARTMENT OF TRANSPORTATION.

1 *Whereas*, The present laws of the commonwealth in  
2 regard to transportation were drawn to meet immedi-  
3 ate situations and have been outmoded by the tend-  
4 ency of modern facilities to overlap the confines of  
5 local governmental units; and

6 *Whereas*, It is desirable that there be effected a  
7 consolidation of such laws so that the various modes,  
8 systems \*and facilities of transportation be co-ordi-  
9 nated and integrated for the more efficient operation  
10 of the business of the inhabitants in time of peace and  
11 for the defence of the commonwealth in time of war;  
12 and

13 *Whereas*, In order to alleviate the hardships and  
14 undue burdens caused by such conditions as the un-  
15 reasonably high fares on the M. T. A.; the possible  
16 suspension of service on the Old Colony Railroad  
17 lines; the snow-removal difficulties on the Eastern  
18 Massachusetts Street Railway routes; the failure or

19 lack of steamship facilities on the South Shore; and  
20 other transportation difficulties in the commonwealth;  
21 and

22 *Whereas*, In order to co-ordinate, regulate and super-  
23 vise existing facilities for air, rail, water and road  
24 transport, and to plan and effect the expansion and  
25 improvement thereof; therefore

*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. There is hereby established in this  
2 commonwealth a department of transportation under  
3 the supervision and control of a commissioner of  
4 transportation, with the assistance of a board of  
5 transportation.

1 SECTION 2. Said commissioner of transportation  
2 shall be appointed by the governor of the common-  
3 wealth, subject to the approval of the general court,  
4 and shall hold office for a term of six years and shall  
5 be paid the annual salary equal to that paid to the  
6 commissioner of corporations and taxation.

1 SECTION 3. Said board of transportation shall con-  
2 sist of eight members, of whom two shall be repre-  
3 sentatives of the general public and six shall be tech-  
4 nical experts in the various branches of transport.  
5 Said members shall be paid five thousand dollars each,  
6 and shall hold terms of six years each, except that of  
7 those appointed to the first board two shall hold  
8 office for two years, three for four years, and three for  
9 six years.

1 SECTION 4. Said commissioner shall with the ad-  
2 vice of the board plan and submit to the legislature  
3 the measures necessary for the regulation and improve-  
4 ment of the transportation facilities of the common-  
5 wealth. He shall supervise the operation of all public-  
6 owned transportation facilities, co-ordinate the main-  
7 tenance and improvement of highways, bridges,  
8 streets, airports, ports, docks and street railways,  
9 and regulate the operation of privately owned trans-  
10 portation facilities. He shall also seek to co-ordinate  
11 the facilities of the commonwealth with those of the  
12 nation, and shall effect liaison with the national de-  
13 partment of transportation, should one be established,  
14 or with the agencies now existing. He shall administer  
15 the funds of the department of transportation in ac-  
16 cordance with the budget approved by the general  
17 court.

1 SECTION 5. The members of the board shall, in  
2 addition to their duties as advisers to the commis-  
3 sioner, act as administrative heads of the various di-  
4 visions within the department.

1 SECTION 6. Said department of transportation  
2 shall have sole administration, within the limits of the  
3 budget, of the revenues derived from the following  
4 sources, which revenues shall be deemed the "trans-  
5 portation fund:"

6 (a) Grants allocated by the general court from other  
7 funds.

8 (b) Revenues received from taxes collected under  
9 chapter sixty-four A of the General Laws (taxation  
10 of sales of gasoline, etc.).

11 (c) Revenues received from a tax to be levied as  
12 follows: One tenth of one per cent of gross receipts  
13 assignable to Massachusetts from all entities subject  
14 to taxation in the commonwealth under chapters  
15 sixty-two and sixty-three of the General Laws except  
16 that the first fifty thousand dollars of gross receipts in  
17 each year of such entities shall be exempt from such  
18 taxation. For the purposes of this section, definitions  
19 of terms set forth in chapters sixty-two and sixty-three  
20 shall apply, except that gross receipts shall mean re-  
21 ceipts from sales of materials or services and other  
22 business income, but not including sales of capital  
23 assets.

24 (d) Revenues received from the operation of street  
25 railways, railroads, port facilities, airports, steamship  
26 lines, and other facilities under the control of the de-  
27 partment of transportation.

28 (e) Revenues from betterment assessments levied  
29 for improvements done under the supervision of the de-  
30 partment of transportation.

1 SECTION 7. An immediate review of all laws per-  
2 taining to transportation, including regulatory laws  
3 in regard to railroads, street railways, streets and  
4 highways, ships and shipping, and aircraft, shall be  
5 made by the commissioner and the board, and recom-  
6 mendations shall be submitted to the general court for  
7 setting up the department of transportation and for  
8 alleviating the hardships of those serviced by the  
9 M. T. A., the Old Colony Railroad lines, and such  
10 other facilities as are in present difficulties.