

By Mr. Switzler of Wellesley, petition of F. Anthony Mooney and Royall H. Switzler for legislation to preserve public access to commuter railroad facilities. Transportation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-One.

AN ACT TO PROMOTE ENERGY CONSERVATION BY PRESERVING PUBLIC ACCESS TO CONVENIENT COMMUTER RAILROAD FACILITIES.

1 *Whereas*, The deferred operation of this act would tend to defeat
2 its purpose, which is to promote energy conservation in an era of
3 energy shortages and rising fuel costs by preserving public access to
4 vital commuter railroad facilities where no reasonably available
5 alternative means of public transit exist, therefore, it is hereby
6 declared to be an emergency law necessary for the immediate
7 preservation of the public convenience.

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 5(f $\frac{1}{2}$) of chapter 161A of the General Laws is hereby
2 amended by inserting after the last sentence of the second para-
3 graph thereof, added by chapter 207 of the acts of 1977, the
4 following sentence: —

5 “Notwithstanding any other provision of this chapter, com-
6 muter railroad passenger services to commuter rail stops which were
7 in existence and providing services to and from Boston on January
8 1, 1980 and which are located more than one-half mile, *via* public
9 ways or ways to which the public has a right of access, from any
10 other stop or access point for other public transportation provid-
11 ing service to and from the City of Boston, shall not be terminated,
12 nor shall the service schedules be modified so as to result in fewer
13 trains stopping or so as to provide service at times materially
14 different from the service provided for in the published service

15 schedules in effect on January 1, 1980, unless such proposed termi-
 16 nation or reduction of services is approved, after notice and a
 17 public hearing, by a majority of the board of selectmen or city
 18 council of the municipality in which the affected commuter rail
 19 stop is located.”