



The Commonwealth of Massachusetts

Department of Public Utilities

Leverett Saltonstall Building, Government Center

100 Cambridge Street, Boston 02202

July 29, 1973

Your attention is called to Chapter 160, section 142 of the General Laws, as amended, which reads as follows:-

"Signs erected by municipalities. Every county, city and town shall, except as hereinafter provided, and the department of public works shall, unless in any case it deems it unnecessary or impracticable so to do, place and maintain warning signs on every public way subject to its jurisdiction where the way crosses the tracks of a railroad at grade. Said warning signs shall be placed in a conspicuous location beside the public way on each side of the crossing at a distance of not less than two hundred and fifty feet from the nearest rail of the crossing and shall conform in design with the official standards of the department of public works. As amended St. 1964, c 346, §1; St. 1967, c 691."

A recent inspection made by representatives of this Department revealed that the crossings listed on the attached sheet were not being maintained in accordance with the above quoted section.

Your attention is also called to Chapter 160, sections 143 and 145 of the General Laws, as amended, which read as follows:-

Section 143: "Signs erected by municipality; duty to supply. Every railroad corporation shall, within four months after receiving a written request therefor, furnish to any county, city or town in the commonwealth, or to the department of public works, as the case may be, a sufficient number of such warning signs to enable such county, city or town, or the said department, from time to time to comply with the preceding section. The said signs shall be furnished, as aforesaid, without charge, unless they are to be used for replacement purposes, in which case the railroad corporation may require the payment of the net cost thereof."



The Commonwealth of Massachusetts

Department of Public Utilities

Leverett Saltonstall Building, Government Center

100 Cambridge Street, Boston 02202

- #2 -

Section 145: "Violations; penalties. If any county, city or town shall neglect, for sixty days, to comply with the requirements of section one hundred and forty-two, unless released therefrom by order of the department of public utilities, or unless prevented by the failure of any railroad corporation to comply with the requirements of section one hundred and forty-three, or if any railroad corporation shall neglect, for sixty days after the expiration of the four months prescribed in section one hundred and forty-three, to comply with the requirements thereof, it shall forfeit one dollar for each day during which such neglect continues, to be recovered in an action of tort brought in the name and for the use of the commonwealth by the attorney general or by the district attorney of the district where the violation occurred."

Will you kindly give this your immediate attention and advise the undersigned when the installation is completed.

Yours very truly,

Joseph A. Coppenrath
Joseph A. Coppenrath
Director

Div. of Railway & Bus Utilities

JAC:am

TOWN _____

CITY CAMBRIDGE

BRIGHTON ST.

RIDGE AVE. EXT.

CAMERON ST.

NEW ST.

CONCORD AVE.

14 309

Communication from the Department of
Public Utilities, Commonwealth of Mass.
relative to the provisions of Chapter
160 Sections 142 and 143 of the General
Laws.

In City Council

August 6, 1973

Placed on File -