

## CHAPTER 67.\*

## AN ACT ESTABLISHING A SECONDARY HIGHWAY SYSTEM.

## SECTION

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3. Taking land.
4. Completion.
5. Priority.

## SECTION

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*Be it enacted by the Senate and House of Representatives in General Court convened:*

1. **Secondary State Highway System.** For the purpose of developing recreational areas and rural communities that are not now adequately served by highway transportation facilities and to connect existing highways into a secondary highway system in accordance with the plan shown upon a map filed in the office of the secretary of state and designated, "Secondary State Highway System 1937" prepared by the highway commissioner and made a part of this act by this reference thereto, the highway commissioner, whenever in his opinion the public good so requires, may designate for improvement, subject to the approval of the governor and council, any part or all of said system.

2. **Layout.** The highway commissioner shall determine the route to be followed by each of the highways included in said system and the order in which the work thereon shall be begun, prosecuted, and completed.

3. **Taking Land.** The routes of highways included in said system may be changed from existing highways by the highway commissioner to such extent as in his opinion the public good may require, and for that purpose he is authorized to designate such changes and upon his recommendation the governor and council may take or purchase land and have damages assessed therefor, in accordance with the provisions of chapter 77 of the Public Laws, as amended by chapter 139, Laws of 1931.

4. **Completion.** No town through which highways included in said system pass shall receive any state aid for highway improvements except on said highways until said improvement thereon shall have been completed within such town, other than on highways heretofore designated for improvement.

\* See chapter 122, *post*.

Nothing in this act shall prevent a town from exercising the option authorized by section 25, chapter 84, Public Laws, as amended by section 7, chapter 17, Laws of 1935. No part of the funds hereinafter provided shall be used within the compact part of any town having a population of twenty-five hundred or more, such compact part to be determined by the highway commissioner.

5. **Priority.** The highway commissioner shall apportion the fund hereinafter provided to the towns through which said highways shall pass. In making such apportionment, preference shall be given to such parts of said highways as have not heretofore been improved under state aid and to such portions as shall be in such condition as to require immediate improvement.

6. **Construction.** The highways included in said system shall be improved under the direction of the highway commissioner and the expense of such improvement shall be borne by the state and towns in the proportion required by chapter 84, Public Laws, as amended, except that where it appears that the road designated is of no particular benefit to a town, or in cases where a town is unable to pay its proportion of such cost, the highway commissioner may, with the approval of the governor and council, pay such further expense as may be deemed equitable.

7. **Maintenance.** All highways and bridges constructed under the provisions of this act shall be maintained by the state or by the town in which such highway or bridge is located in accordance with the designation as to maintenance shown on said map.

8. **Expenditure Authorized.** The highway commissioner is hereby authorized to expend from the highway funds such sums as may be necessary to carry out the provisions of this act.

9. **Takes Effect.** This act shall take effect upon its passage.

[Approved April 20, 1937.]