

The powers of the traffic commission are set out in Article VII of the Charter Appendix. For your convenience I have italicized the words “board of aldermen” and I have cut and pasted the provisions you inquired about below:

COMPOSITION: The traffic commission consists of the commissioner of public works, the chief of police or his designee, the chief engineer of the fire department or his designee, the chairman of the committee on traffic and parking of the *board of aldermen* and one member of the general public of the city appointed by the mayor and confirmed by the *board of aldermen*.

FUNCTIONS: The traffic commission shall have exclusive authority to:

adopt, alter or repeal rules and regulations, ... relative to vehicular and pedestrian traffic in the streets of the city, and to the movement, stopping, standing or parking of vehicles on, and their exclusion from, all or any streets, ways, highways, roads and parkways under the control of the city, including rules and regulations designating any way or part thereof under such control as a through way under and subject to the provisions of Section nine of Chapter eighty-nine of the General Laws.

RESIDENT PARKING: Any rule or regulation adopted under this clause, prohibiting the parking or standing of vehicles on the whole or any part or parts of one or more streets, ways, highways, roads or parkways under the control of the city, may provide that it shall not apply in such residential areas as shall be specified, and at such times as shall be prescribed, in such rule or regulation, to any motor vehicle registered under Chapter ninety of the General Laws as principally garaged in the city and owned or used by a person residing in such area who, in the year in which such vehicle is parked or in the preceding December for such year, shall have given, by a writing executed in such form and detail as such rule or regulation shall prescribe, and filed with the chief of police, notice of intention to park in such area and shall display in a conspicuous place on such vehicle, while parked, such visible evidence of the giving of such notice as such rule or regulation shall prescribe; but neither the giving of such notice nor the issuance of visible evidence of the giving thereof shall be construed to assign any specific space to any person or vehicle.

FINES: The traffic commission may, with the approval of the mayor and the *board of aldermen*, prescribe a schedule of fines for the following snow emergency parking violations: parking within 20 feet of an intersection, parking within the area of a fire hydrant and parking within designated fire lanes; provided, however, that no penalty in excess of \$50 shall be imposed except by ordinance. A penalty imposed under this section may, if provided in the regulations imposing penalties, be increased by up to 17 per cent if paid later than 21 days after the issuance of a notice of a parking violation but

before the parking clerk reports to the registrar in accordance with section 20A1/2 of chapter 90 of the General Laws and 67 per cent if paid thereafter.

NOTICE OF REGULATIONS: No adoption, alteration or repeal of a regulation shall take effect until public notice of the proposed action has been given, except with respect to such special rules or regulations as are declared by the traffic commission to be urgently required for the public safety or welfare or such as are of a temporary nature and are to be effective for a period of not more than three weeks. Public notice shall be given by publication in full of the proposed adoption, alteration or repeal not less than once in each of three successive weeks in one or more newspapers published or distributed in the city. The public notice shall include a statement of the effective date of the proposed action, which shall not be less than twenty-one days following the first of the three newspaper publications. A copy of the public notice shall be provided to the members of the *board of aldermen* at the time of publication.

TRAFFIC CONTROL DEVICES: The traffic commission may erect, make and maintain, or cause to be erected, made and maintained, traffic signs, signals, markings and other devices for the control of traffic and parking in the city and for informing and warning the public as to rules and regulations adopted under this act, subject, however, to Section two of Chapter eighty-five and to Sections eight and nine of Chapter eighty-nine of the General Laws.

STREET LIGHTS: The traffic commission may recommend to the *board of aldermen* the alteration, construction, erection, installation and maintenance of street lights.

CONSULTANTS: The traffic commission, with the approval of the mayor, may retain the services of qualified consultants when such retention is deemed necessary or advisable.

TOWING OF VEHICLES: The traffic commission may promulgate regulations that provide that any sergeant or officer of higher rank in the police department may cause to be removed to some convenient place by towing by an independent contractor any vehicle except a vehicle owned by the Commonwealth or a political subdivision thereof or by the United States or an instrumentality thereof or registered by a member of a foreign diplomatic corps or by a foreign consular officer who is not a citizen of the United States and bearing distinctive number plate otherwise conspicuously marked as so owned or registered, and except a vehicle owned by a disabled veteran or a handicapped person and bearing a distinctive number plate, which is parked or standing on any part of any street, way, highway, road or parkway if in the calendar year in which such vehicle is so removed and in the preceding calendar year, five or more notices, in the aggregate, have been affixed to said vehicle, as provided in section 20A1/2 of chapter 90 of the General Laws, and remain unpaid and the cost of such removal and of

storage charges resulting therefrom, in accordance with the traffic regulations then in effect, shall be imposed upon the owner of such vehicle. Any such vehicle so removed shall be held until all charges imposed for such removal and storage following the same have been paid and due notice has been received that the fines provided in such notices affixed to said vehicle have been paid or security for the payment thereof has been deposited. The police department shall promptly mail written notice to the registered owner of any such vehicle so removed, directed to the address furnished by the registry of motor vehicles or comparable agency of the state in which said vehicle is registered, stating the date on which such vehicle was removed, the location to which such vehicle has been removed, and a statement that such vehicle shall be released by the police on the payment of all fines, storage and towing charges due. Any such vehicle so removed shall be deemed to have been abandoned and may be disposed of in accordance with Section twenty-two C of said Chapter ninety if, within thirty days of the mailing of the notice to the registered owner as provided for herein, said owner has not paid all charges imposed for such removal and storage following the same and the fines provided in such notices affixed to said vehicle or security for the payment thereof has been deposited.

LIMITATIONS: Nothing ... shall be construed to authorize the traffic commission to adopt, alter or repeal any rule or regulation excluding the trackless trolley vehicles or buses of a street railway or bus company from any way or part thereof in which said company has a location; or to modify or limit any power or authority of the metropolitan district commission or the departments of public works or public utilities of the Commonwealth; or to modify or limit any power or authority of the mayor, *board of aldermen* or of any board or head of a department with reference to the issuance of licenses or permits for the opening, using or occupying of streets and sidewalks for reasons not relating to traffic.