

Bond Case Briefs

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American Trucking Associations, Inc. v. Rhode Island Turnpike and Bridge Authority

United States Court of Appeals, First Circuit - December 6, 2024 - 123 F.4th 27

Association representing trucking industry and trucking companies brought action against Rhode Island Turnpike and Bridge Authority as well as Director of Rhode Island Department of Transportation (RIDOT), alleging Rhode Island Bridge Replacement, Reconstruction, and Maintenance Fund Act, which imposed tolls on tractor-trailers to fund repair of Rhode Island's bridges, violated dormant Commerce Clause.

After bench trial, the United States District Court entered judgment for plaintiffs which, inter alia, permanently enjoined imposition of tolls under Act. Defendants appealed.

The Court of Appeals held that:

- Act did not effectively discriminate against interstate commerce, so as to violate dormant Commerce Clause, by exempting single-unit trucks from its tolls;
- Provisions of Act establishing caps on tolls paid by tractor-trailers to use bridges along major interstate and state highway corridors provided disproportionate competitive advantage to in-state tractor-trailers as compared to those from out-of-state and, thus, provisions were discriminatory in violation of dormant Commerce Clause;
- Provision of Act exempting single-unit and smaller trucks from tolls paid by tractor-trailers to use bridges along major interstate and state highway corridors "fairly approximated" use of and damage caused by tractor-trailers to state's bridges and, thus, exemption did not violate dormant Commerce Clause; and
- Provisions of Act establishing caps on tolls paid by tractor-trailers to use bridges along major interstate and state highway corridors found unconstitutional were severable from rest of Act.

Rhode Island Bridge Replacement, Reconstruction, and Maintenance Fund Act, which imposed tolls on tractor-trailers to fund repair of Rhode Island's bridges, did not effectively discriminate against interstate commerce, so as to violate dormant Commerce Clause, by exempting single-unit trucks from its tolls, as tractor-trailers and single-unit trucks were not "similarly situated"; exemption for single-unit trucks provided no competitive advantage to in-state competitors at expense of out-of-state competitors that used tractor-trailers, and there was no evidence demonstrating an increase in Rhode Island-based companies' use of un-tolled trucks, changes in vehicle fleets, or diversion, or that smaller trucks competed in same market as tractor-trailers.

Even if out-of-state tractor-trailers and in-state single-unit trucks were "similarly situated" with each other for dormant Commerce Clause purposes, they did not indirectly compete with each other and, thus, Rhode Island Bridge Replacement, Reconstruction, and Maintenance Fund Act, which imposed tolls on tractor-trailers to fund repair of Rhode Island's bridges, did not effectively discriminate against interstate commerce, so as to violate dormant Commerce Clause, by exempting single-unit trucks from its tolls.

Provisions of Rhode Island Bridge Replacement, Reconstruction, and Maintenance Fund Act establishing caps on tolls paid by tractor-trailers to use bridges along major interstate and state highway corridors provided disproportionate competitive advantage to in-state tractor-trailers as compared to those from out-of-state and, thus, provisions were discriminatory in violation of dormant Commerce Clause; Act created hybrid model of usage-based toll that was capped after certain number of gantries were passed and then was reset daily, and even though out-of-state and in-state tractor-trailers could both benefit from caps, 39.9 percent of the reductions in what the tolls would have been but for the caps went to Rhode Island intra-state tractor-trailers, even though they accounted for only 18.6 percent of the transactions.

Provision of Rhode Island Bridge Replacement, Reconstruction, and Maintenance Fund Act exempting single-unit and smaller trucks from tolls paid by tractor-trailers to use bridges along major interstate and state highway corridors “fairly approximated” use of and damage caused by tractor-trailers to state’s bridges and, thus, exemption did not violate dormant Commerce Clause, as it was not “wholly unreasonable” for Rhode Island legislature to rely on certain studies in concluding tractor-trailers caused in excess of 70 percent of damage to state’s transportation infrastructure on an annual basis; having so found, legislature granted state Department of Transportation (RIDOT) the authority to collect tolls on large commercial trucks only, with tolls to be fixed after conducting a cost-benefit analysis, based on costs of replacement, reconstruction, maintenance, and operation of Rhode Island’s system of bridges.

Even assuming Rhode Island equated “use” of its bridges with bridge “damage,” and assuming Rhode Island could show tractor-trailers caused most damage to its bridges, under Rhode Island Bridge Replacement, Reconstruction, and Maintenance Fund Act, which imposed tolls on tractor-trailers to fund bridge repairs, state was not required to also impose tolls on all users having more than “negligible” impact on tolled facilities in order for Act’s exemption for single-unit and smaller trucks from tolls to “fairly approximate” use of bridges and comport with dormant Commerce Clause; Rhode Island concluded with at least some reason that tractor-trailers caused most wear and tear to its bridges and, thus, could collect a toll from most intensive users without also having to collect a toll from lesser users, and charging only largest trucks in reliance on pre-existing federal vehicle classification system was more administrable than charging each of tens of thousands of smaller vehicles.

Provisions of Rhode Island Bridge Replacement, Reconstruction, and Maintenance Fund Act establishing caps on tolls paid by tractor-trailers to use bridges along major interstate and state highway corridors, which violated dormant Commerce Clause, were severable from rest of Act; invalidating entire Act based on nothing more than unconstitutionality of caps would cut against legislature’s resolve to raise funds for its bridges and its stated preference for, wherever possible, only excising the Act’s defective provisions through its inclusion of express severability provision.