

# **Bond Case Briefs**

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## **Judge Dismisses Truckers' Lawsuit Against Pennsylvania Tolls.**

**Trucking groups had challenged the diversion of toll dollars to transit projects.**

A federal judge [dismissed a lawsuit](#) Thursday that challenged Pennsylvania's annual diversion of \$450 million in state toll road money mostly to help pay for transit projects.

The lawsuit brought by trucking organizations claimed that the state's tolls are excessive because they are far greater than what the Pennsylvania Turnpike Commission needs to maintain those roads. By doing so, the plaintiffs argued the toll practices essentially discourage people from interstate commerce and travel, which are guaranteed under the U.S. Constitution.

But U.S. District Court Judge Yvette Kane rejected the constitutional claims about Pennsylvania's tolls and use of the money, tossing the lawsuit.

The state had countered that federal law allows them to tap the money for its current uses, which includes paying for capital projects associated with transit in the Philadelphia and Pittsburgh areas.

By the end of the day on Thursday, the plaintiffs had already filed a notice that they would appeal to the 3rd U.S. Circuit Court of Appeals.

While the state fought the lawsuit, which had sought to claw back billions paid to transit agencies, the Pennsylvania Turnpike Commission's almost \$12 billion in debt and escalating toll hikes have prompted calls for reform.

Auditor General Eugene DePasquale last month said the state legislature needs to rework the law sending money to the transit agencies, according to the Philadelphia Inquirer. "The amount of money that this turnpike needs, under current law, to continue to operate as is is simply not sustainable under current law," DePasquale said.

### **Route Fifty**

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