

Massachusetts Turnpike Toll Equity Trust

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Governor Patrick, Legislature Boldly Stand for Toll Equity *Turnpike Trust Leaders Hail New Law For Basic Fairness*

BOSTON – With the bold sweep of a pen, Governor Deval Patrick today ended 11 years of toll inequity by signing a landmark transportation reform bill which includes a provision guaranteeing toll equity in the Commonwealth.

“Toll payers at last have leaders in the State House who say yes to equity, yes to basic fairness and no to the inequitable Big Dig burden foisted for too long upon the people of MetroWest and the North Shore,” said Scott Harshbarger, co-trustee of the Turnpike Toll Equity Trust and former Attorney General.

“Two hundred and thirty-five years ago, brave patriots stood their ground and ended the tyranny of taxation without representation and, today, Governor Patrick and the Legislature added to that proud history with bold reform that is fair to all,” said Jan Schlichtmann, lead attorney for the Toll Equity Trust.

Today’s signing in Springfield, attended by Schlichtmann, marks a significant victory for the decades-long equity movement on behalf of people who have been shouldering the burden of The Big Dig.

After years of fits and starts, the effort took on new urgency with the creation of the Turnpike Toll Equity Trust by drivers frustrated by the illegal and unfair tolling practice of diverting 58 cents of every dollar to pay for non-tolled roads that are part of the Big Dig.

Sandra Murphy, Bob Ackley, Doug Barth and Joel Feingold founded the Trust and, with Schlichtmann, filed a class action lawsuit against the Turnpike on May 8 demanding that the Turnpike end their unconstitutional diversion and repay the toll-payers the money wrongfully taken from them. Since the suit was filed, the

Trust's website, www.tollequity.com, has been flooded with visitors and more than 2,000 beneficiaries have signed on to join the effort to ensure basic toll equity and fairness.

A respected financial expert from Babson College hired by the Trust estimated that more than \$420 million has been illegally diverted from the Pike tolls to pay for the Big Dig in the last three years alone.

With toll equity now law, the Trust said it is time to work out a similarly bold solution for the past inequities.

"We are so pleased with the success we have had after so many years of getting nothing but pass-the-buck out of Beacon Hill," said Murphy, a nurse from Natick who travels the Turnpike every day to work in Boston and helped found the Trust. "Now that our leaders have reaffirmed toll equity as the law of the land, it's time for all of us to sit down and figure out what we should do about the past."

The Trust has not advocated any one solution for paying for the past inequities among drivers. However, the Turnpike now has more than \$180 million in reserves and hundreds of millions of dollars in real estate assets.

"This is a time to come to the table, sit down and hammer out a solution," said Harshbarger. "We do not ask, nor do we expect, a dollar-for-dollar reimbursement of the estimated \$422 million illegally diverted from toll payers in just the last three years. But fairness dictates that we sit down and work out an equitable solution for all."

***** Below is the language from the final legislation affirming toll equity *****

All revenue received from tolls, rates, fees, rentals and other charges for transit over or through all tolled roads, bridges or tunnels shall be applied exclusively to: (i) the payment of existing debt service on such tolled roads; and (ii) the cost of owning, maintaining, repairing, reconstructing, improving, rehabilitating, policing, using, administering, controlling and operating such tolled roads.

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