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**EASTSIDE TRANSPORTATION ASSOCIATION  
APPEALS I-90 RULING TO THE  
STATE SUPREME COURT**

Mercer Island  
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Former State Senator Jim Horn, Spokesman for the Eastside Transportation Association, (ETA) announced today that they have instructed their attorneys to appeal to the State Supreme Court a recent ruling in March by Kittitas County Superior Court that dismissed ETA's suit to prohibit the State from transferring the two center lanes of the I-90 Bridge to Sound Transit. Sound Transit wants to use the center lanes for light rail use between Seattle and Bellevue to the exclusion of all other vehicular traffic including busses, HOV's and Mercer Island traffic.

The suit was filed by ETA on behalf of all Washington State citizens, based on the strict protection of the State's 18<sup>th</sup> Amendment, which disallows gas taxes paid for by road users to be used for anything other than the construction and maintenance of roads – which is defined as “highway purposes” in the Amendment. Previous Supreme Court rulings have upheld this view, and determined that “rail” programs are not a highway purpose.

Both the State and Sound Transit are asserting that the two center lanes are “not presently needed” for highway purposes to justify this transfer.

**“Ask any driver who suffers the daily misery across the bridge if they see any ‘un-needed’ highway.”** lamented Jim Horn. **“Mercer Islanders need to be advised that they will be losing their special access to Seattle, if and when these lanes are surrendered to Sound Transit.”**

Horn says the plaintiffs are also concerned that a placement of Sound Transit Rail on the Center Roadway could put the entire I-90 Bridge at risk of failure. With rail, the bridge will be operating at 98% weight capacity. Parts of two floating bridges, the I-90 Bridge and the Hood Canal Bridge, have sunk in the past.

Says Horn, **“Public safety requires that these concerns be addressed before the commitment to build is made.”**

According to Horn, the “2004 Record of Decision,” a transportation planning agreement signed by 27 different cities and agencies stated that these two lanes would be needed until the year 2025. **“People need to know that, in the end, the Bridge will be 8 lanes, instead of the planned 10-lane configuration. The reversible lanes will be lost, further aggravating congestion, and Mercer Islanders will be losing their special access onto I-90.”**

Horn said it’s important to keep in mind that the I-90 Bridge doesn’t belong to just Seattle area people.

**“That bridge belongs to every citizen of this state. We all paid for it. When eastern Washington trucking slows down, we’re all going to be paying more for our products.”**

The plaintiffs in the court case include management of 5 trucking companies, one from Seattle, one from Tacoma, and two from Ellensburg and one from Yakima. Also a member is the former President of *Western Peterbuilt*, a large truck dealership. We also have a former Director of the Bullitt Foundation, an investment executive, a former State Senator who was Chair of the Senate Transportation Committee when the Nickel Fund was passed starting the road expansion activities now underway today, and the former owner and Chief Executive Officer of Superior Asphalt Company and past Chairman of the Board of the National Asphalt Paving Association.

The Eastside Transportation Association ETA is a private-sector group dedicated to improving our quality of life and the environment by reducing congestion in the Puget Sound Region through increased mobility. It is made up of a large group of career Transportation engineers, planners and others who have worked both in public and private sectors.