

[IRTBA to Appeal Dismissal of Lockbox Case](#)

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The IRTBA Board of Directors today authorized an appeal to **Cook County Circuit Court Judge Peter Flynn's** dismissal of a case brought against Cook County for violations of the Safe Roads Amendment to the Illinois Constitution (Article IX, Section 11). The suit alleges that Cook County unlawfully diverts approximately \$250 million annually in revenue collected from transportation-related taxes and fees. The County filed a motion to dismiss claiming that the plaintiffs lacked standing, and that Cook County is exempt from complying with the Safe Roads Amendment to the Illinois Constitution.

Nearly 79 percent of Cook County voters approved last November supported the Safe Roads Amendment in November 2016 so that to place transportation fees would be collected into a "lockbox" to prevent funding diversions. The language of the amendment, together with the ballot summary language, clearly includes every unit of government in Illinois.

"Obviously we strongly disagree with this ruling, and we believe the judge did not correctly apply the facts or the law to his order dismissing the lawsuit against Cook County," said IRTBA President & CEO Mike Sturino. "The overwhelming majority of voters clearly told every unit of government in Illinois to stop diverting transportation revenues. Recent bridge failures make this need even more urgent. This ruling flies in the face of the plain language of the constitution and the clear directive from the people that enacted it."

In addition to the IRTBA, the industry coalition who are suing Cook County includes the American Council of Engineering Companies (Illinois Chapter), Associated General Contractors of Illinois, Chicagoland Associated General Contractors, Illinois Concrete Pipe Association, Federation of Women Contractors, Great Lakes Construction Association, Illinois Asphalt Pavement Association, Illinois Association of Aggregate Producers, Illinois

Ready Mixed Concrete Association, Illinois Road and Transportation Builders Association,
and Underground Contractors Association of Illinois.