

Bus & Motorcoach NEWS

Happy New Year!

January 2008

WHAT'S GOING ON IN THE BUS INDUSTRY

Sage gives \$500,000 to museum ABC gives endowment to academy

HERSHEY, Pa. — The estate of George M. Sage, founder of Bonanza Bus Lines who died 13 months ago, has given \$500,000 to the Museum of Bus Transportation.

In announcing the bequest, Mr. Sage's widow, Barbara 'Boo' Sage, said "this comes to you with great hope for the future of the Museum of Bus Transportation, as well as being a tangible sign of George's never ending passion for the bus industry."

Museum President Tom Collins, noting the bequest was the largest one-time gift ever presented to the institution, said the money will help eliminate debt and assure a brighter financial future for the 12-year-old industry museum.

Last year, with Mr. Sage's guidance and assistance, the museum purchased a large bus storage facility for \$340,000. The museum made a down payment of \$100,000 and

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SAN FRANCISCO — Bus & Motorcoach Academy has received its first major endowment — a substantial financial contribution from ABC Companies to maintain a business education program exclusively for operators, plus a sizable ongoing commitment during the next decade to assure the success of the program.

In recognition of the endowment, the board of directors of the United Motorcoach Association has named the academy's pro-

gram of coach operator continuing education in honor of the founder and chairman of ABC Companies, Clancy Cornell.

The Clarence Cornell School of Business within Bus & Motorcoach Academy has begun offering a core curriculum focused on key business-related issues affecting private motorcoach owners/operators, including fundamental and advanced business and marketing courses; financial management; safety

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Border delays worrisome to bus operators

Entering or leaving the United States at Canadian and Mexican border crossings can give motorcoach operators fits.

And some operators worry the delays are hurting — or will hurt — business as repeat customers cut back on cross-border trips.

In recent months, coaches have been delayed at border checkpoints for as long as seven hours and the reasons for the waits have varied widely.

They include inspections by security, customs, agriculture and safety officials; construction tie-ups; background checks on drivers; increased traffic from Canada because of the weak U.S. dollar, and passengers who lack proper identification.

Generally, leaving the United States is easier than coming back ... but not always.

Says Arlene Duggan of Adirondack/New York/Pine Hill Trailways: "It's a crap shoot on either side of the border. It can take anywhere from 15 minutes to two or three hours. We're a line run (operator) and we're up there every day. I can appreciate what the border patrol has to do."

Criminal background checks of drivers by border officials can

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MOTORCOACH EXPO 2008



THE MOTORCOACH INDUSTRY moves to San Francisco this month as UMA Motorcoach Expo 2008 opens a five-day run Jan. 16 in the Moscone Center. Record pre-registration and strong exhibitor support portend a highly successful event. For information, go to www.motorcoachexpo.com.

Study says intercity sector experiencing historic gain

CHICAGO — A group of university researchers say intercity bus ridership is growing at its fastest rate in 50 years, presaging a possible resurgence in bus travel.

According to the research conducted by the Chaddick Institute for Metropolitan Development at DePaul University here, the number of scheduled line runs across the nation has increased about 13 percent in the past 23 months.

Much of the increase, say the researchers, is attributable to new players entering the field, notably

megasbus.com and the ethnic operators on both coasts, but there also has been an increase in the number of routes and departures offered by established regional carriers.

Even industry leader Greyhound is seeing a rebound.

In addition to more companies offering intercity service than at any time in the past 20 years, the DePaul researchers think the increase also may be fueled by a growing number of travelers who are fed up with the hassle of commercial fly-

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ADA enforcement measure sails through U.S. House

WASHINGTON — The U.S. House of Representatives has passed — without dissent — a controversial bill that seeks to beef up motorcoach industry compliance with the Americans with Disabilities Act.

The bill would require the Federal Motor Carrier Safety Administration to crack down on existing and new operators that fail to comply with federal accessibility regulations. (See Dec. 1 and Dec. 15 issues of *Bus & Motorcoach News*.)

The bill's sponsors say the intent of the legislation is to have FMCSA put compliance with ADA on par with compliance with federal safety rules. And it would make

clear the agency may suspend, amend or revoke USDOT operating authority if an operator willfully fails to comply with federal ADA requirements.

Additionally, the bill requires the USDOT and the Justice Department to enter into a memorandum of understanding to clearly define each department's role and responsibility in enforcing the ADA provisions that apply to over-the-road bus operators.

The bill is being pushed in Congress by the American Bus Association; the United Motorcoach Association has stated its opposition to the measure.

Rep. James Oberstar, D-Minn.,

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Coach safety bill emerges

WASHINGTON — A Republican congressman from Pennsylvania, Bill Shuster, has introduced bus safety legislation the motorcoach industry appears eager to support.

The House bill calls for a comprehensive National Highway Traffic Safety Administration study to determine what motorcoach safety requirements should be improved and then requires the U.S. Department of Transportation to oversee implementation of the improvements.

The Shuster bill contrasts sharply with legislation that was introduced in the U.S. Senate in November that mandates seatbelts and fire fighting equipment on over-the-road buses, as well as stronger windows and roofs.

That bill would require the tougher safety requirements and regulations without mandating a testing program to develop the new safety standards the industry would have to adopt and live by. (See Dec. 1 *Bus & Motorcoach News*.)

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ABC announces exec realignment

WINTER GARDEN, Fla. — ABC Companies has announced a major overhaul of its top management, including the departure of two key executives and their replacement by two long-time senior managers.

Tom DeMatteo has been named senior vice president and chief operating officer, replacing COO Bob Foley, who has been with the company for 22 years. DeMatteo has been with ABC for 11 years and has been serving as vice president and general counsel.

Tim Wayland, president of ABC Financial Services, has been named senior vice president and chief financial officer, succeeding CFO Mike Marhula, who has been with the company for 13 years. Wayland joined ABC in 1994.

Both DeMatteo and Wayland are relocating from ABC headquarters in Faribault, Minn., to Winter Garden where ABC's president and CEO, Dane Cornell, is based, along with ABC's top sales executive, Roman Cornell.

"After a comprehensive review of our strategic opportunities and very careful consideration, our board of directors and executive management believe our realign-



Thomas DeMatteo



Tim Wayland



Frank Gallagher



Roman Cornell

ment plans will serve the best interests of our customers, our employees, our vendor partners and our industry relationships," said Dane Cornell.

"The efficiencies and benefits that can potentially be gained from this strategy are important to the future growth of our industry and market leadership of ABC Companies," Cornell added. "On behalf of the entire organization, thank you to Bob (Foley) and Mike (Marhula) for their important contributions

and best wishes for their continued success."

Separately, ABC announced two members had been added to its board of directors, Frank Gallagher, former chairman and CEO of Coach USA, and Roman Cornell, national sales vice president of ABC.

In announcing the senior management changes, ABC said its principals believe the new plan offers significant opportunities to consolidate and manage resources, enhance executive decision-making and improve communication to customers nationwide.

Under the realignment, DeMatteo will be responsible for regional operations of the ABC sales divisions, parts companies, and customer care, legal, human resources and contract administration departments.

As general counsel for ABC Companies, DeMatteo directed the legal, contract, insurance, real estate and human resource functions. He is a member of the legislative and regulatory committee of the United Motorcoach Association.

Wayland, in his new role, will be responsible for ABC's corporate accounting, finance and IT functions, as well as continued respon-

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Whoa! Oregon coach ban hasn't totally disappeared

SALEM, Ore. — A committee of state, school and motorcoach industry representatives is moving toward developing a new regulation that would allow schools in the state to permanently use motorcoaches to transport their students to school activities.

Since October, Oregon schools have been operating under a temporary rule that requires them to seek a special variance from the state superintendent of public instruction before being allowed to use coaches instead of school buses to transport kids to school-related events.

The rule was adopted by the state school board in response to a ban on the use of motorcoaches that was issued by the state Department of Education after state lawyers discovered that motorcoaches do not meet state school transportation safety standards.

The ban sparked protests from schools, parents, students and private motorcoach carriers, prompting education officials to quickly adopt the temporary rule and form the committee to work out a per-

manent solution.

While there have been indications that the temporary rule has worked well, school and motorcoach officials are eager to see a permanent and possibly simpler rule and procedure established.

The process for a school to obtain a variance under the temporary rule requires it to provide the state with a substantial amount of detailed information, ranging from reasons why a school bus could not be used for the activity, to safety records for the private carrier, to assurances the drivers have passed criminal background checks.

Education officials said the committee is tentatively planning to hold a hearing Feb. 27 to solicit public comment on the issue and is hopeful of having a rule developed in time for a first reading before the school board in March and formal adoption in April.

The temporary rule expires April 18 and if a new regulation is not in place by then, the ban against the use of motorcoaches would go back into effect.

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THE DOCKET

Feds to study truck, bus fuel use

Improved fuel efficiency may be mandated

WASHINGTON — President Bush signed energy legislation last month that, among other things, sets the government on a course to start regulating the fuel efficiency for large commercial vehicles, including over-the-road buses.

It also mandates an expanded role for biofuels, requiring that the level of biofuel/standard petroleum blends be on an annual schedule.

Most of the media focus on the energy bill centered on the higher fuel economy standards for automobiles and light trucks, which were raised for the first time in 32 years.

But the bill also has important long-term implications for opera-

tors and manufacturers of commercial vehicles and their engines.

At one point, the House version of the bill contained a provision that would have required medium- and heavy-duty commercial vehicles to show a 4 percent annual improvement in fuel economy starting in 2016, based on the average of city and highway miles for each class of vehicle in 2013.

After a vigorous lobbying effort by engine manufacturers and others, that provision was spiked in favor of a plan to figure out how to measure commercial vehicle fuel economy, and then put standards in place.

Specifically, the law gives the National Academy of Sciences one year to study the issue, taking existent and potential technologies into account.

When the study is done, the U.S. Energy and Transportation

Departments and the Environmental Protection Agency will have two years to start writing a rule to set and enforce fuel efficiency standards for commercial vehicles.

The agencies will have to set test procedures as well as the appropriate metric for measuring fuel economy, taking into account the work the vehicle is doing and the operational conditions. At a minimum, the regulators will have to give vehicle and engine manufacturers four model years of lead time to meet the standards, and three model years of stability.

The law also sets a schedule for annual increases in renewable fuels, including biomass-based diesel. And it calls for studies of the effect of biodiesel on engines and the adequacy of the biodiesel transport system.

Officials at all levels of govern-

Transit seeks charter firms

The following public transit providers have informed the United Motorcoach Association of their intent to provide charter bus service unless willing and able private operators step forward to provide the service.

UMA urges appropriate operators to take the time to respond to these notices.

Stanly County, N.C. Deadline: Jan. 10, 2008. Write to: SCUSA Transportation, 1000 N. 1st St., Ste. 15, Albemarle, NC 28001. Phone: (704) 986-3790.

Lake, Manistee, Mason and Oceana counties, Mich. Deadline: Jan. 11, 2008. Write to: Yates Dial-A-Ride, Attn: Charter Service Public Notice, P.O. Box 147, Idlewild, MI 49642. Phone: (231)

745-7322.

Blackstone, Va. (150-mile radius.) Deadline: Jan. 22, 2008. Write to: Jennifer Beck, Blackstone Area Bus, 100 W. Elm St., Blackstone, VA 23824. Phone: (434) 292-3580.

Flint, Mich. Deadline: Jan. 25, 2008. Write to: Robert J. Foy, General Manager, Mass Transportation Authority, 1401 Dort Highway, Flint, MI 48503. Phone: (810) 767-6950.

Bullitt, Jefferson and Oldham counties, Ky., and Clark and Floyd counties, Ind. Deadline: Jan. 28, 2008. Alyce French-Johnson, Assistant Executive Director, Transit Authority of River City, 1000 W. Broadway, Louisville, KY 40203. Phone: (502) 561-5104.

ment are beginning to worry about the thousands of over-the-road trucks that will be needed to transport the raw materials for biofuel plants, as well as the finished fuel.

Pipelines for such plants do not exist and are not likely to be built given the relatively small scale of most biofuel plants compared to giant petroleum refineries.



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Galveston port relents, rescinds costly coach fees

GALVESTON, Texas — The United Motorcoach Association and a group of southern motorcoach operators have convinced the Port of Galveston to drop a costly "user license" for operators dropping off passengers at the port's cruise ship terminal.

Members of the South Central Motorcoach Association, which represents operators in Arkansas, Louisiana, Mississippi, Oklahoma and Texas, joined with UMA last year to protest a slew of port-use fees that went into effect on the Galveston wharves in July. (See Sept. 1 *Bus & Motorcoach News*.)

The charges included an initial license application fee of \$250, an annual renewal fee of \$50, a \$10 per vehicle decal fee, and a \$50 per trip access fee for all commercial vehicles having a capacity of 15 or more passengers.

"It was our mutual contention that both the licensing and fee requirements violated interstate commerce laws, as well as deregulation laws contained in TEA-21 (the Transportation Equity Act for the 21st Century)," said Ken Presley, vice president of industry relations at UMA.

TEA-21 was adopted by Congress nearly 10 years ago and it prohibits states and political subdivisions of states from enacting or enforcing any law, rule, standard or other provision that regulates companies that are licensed by the federal government to provide interstate or intrastate transportation.

States and local political subdivisions can only regulate safety, set weight limits on roads and bridges, and establish insurance requirements.

At its meeting late last month, the board of trustees of the port voted to no longer require the pricey license, decal and renewal fees.

"Operators will only be required to pay \$50 for parking, compared with the \$100-\$200 drop-off fees charged at other ports, and

Ontario issuing hi-tech licenses

TORONTO — Ontario has begun issuing high-tech driver licenses to help combat identity theft.

Within a year, the IDs will likely be an acceptable travel document for crossing the U.S.-Canada border, according to one news service report that cited Canadian Transportation Minister Jim Bradley.

The new driver licenses began going into circulation last month and include a number of security features to make them more difficult to counterfeit or tamper with.

afford evidence of insurance," said Presley. The change became effective immediately.

The port also adopted new procedures that require charter bus operators give the port's director of administration advance notice of their arrival, allowing the port time to verify the operator meets federal

insurance requirements.

The Galveston Port Authority accepted an offer from UMA to assist it in confirming insurance limits, plus safety and operating authority. Otherwise, operators will have to provide the port staff, via their insurance carriers, copies of insurance certificates.

Additionally, the \$50 payment is to be made by check on arrival at the port cruise ship terminal complex, unless advance payment arrangements have been made.

"The Port of Galveston has received many upgrades recently and is a year-round cruise ship port," noted Presley. "As the port authori-

ty is self funded, \$50, or roughly \$1 per passenger, to use the facility is generally thought to be reasonable.

"Also, I must emphasize that officials from the port authority were cooperative in listening to our concerns and characterize an agency genuinely interested in promoting tourism," Presley added.

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Border delays

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be both chancy and problematic. In New York, checks can go back seven years, but in Canada, says Duggan, they are able to review a driver's history dating back 10 years or more.

She tells of a school charter that was stopped in Canada recently when security officers found a felony on a driver's record dating back 16 years. "They had a charter full of school kids, and the chaperones and the parents were upset that an ex-felon was driving the bus," Duggan says. "It can definitely hurt business."

Problem No. 1

Brian Crow, president of Motor Coach Canada, the trade association representing Canadian bus operators, blames the stronger Canadian dollar for weekend delays of six-to-seven hours for motorcoaches returning from the United States.

"That's our biggest problem," says Crow.

An increasing number of Canadians are coming across the border, seeking bargains in the U.S. and armed with Canadian dollars that have increased substantially in value versus U.S. currency. "The Canadian government wants to make sure they're paying duty and taxes on the goods they purchase in the U.S."

But Crow says the Canadian dollar's increased value is "a double-edged sword" because the number of U.S. shoppers entering Canada has decreased sharply.

The long delays getting back into Canada not only delay buses and passengers but also cause the related problem of drivers running out of the hours that they can drive.

"We've had to scramble on Sunday nights to relieve drivers at

the border so they can bring a group home," Crow says.

Increased security checks

Increased security checks late this fall on the U.S. side of the border affected Ontario residents headed for holiday shopping sprees and Buffalo Bills' football games.

Delays at the Niagara crossing between Ontario and New York have ranged up to six hours on some busy weekends.

Crow says crossing the St. Lawrence River bridges in eastern Canada becomes a problem because multilane highways funnel into two lanes for bridge traffic.

To ease the traffic crunch, Crow suggests that Canada provide the U.S. with a tract of land perhaps a mile or so north of the border for customs and security purposes.

"Then there would be no slowdown at the bridges," he says.

In the West, Carole Maglione of Seattle-based Royal Hyway Tours Inc. says border crossing is not an issue. Likewise, a spokeswoman at Blue Star Services Inc., Vancouver, Wa., says it takes about an hour to get across, and doesn't see that as a problem.

But Ron Davis, director of charters for Cantrail Coach Lines Ltd., of British Columbia, which runs between Vancouver, B.C., and Seattle, tells of construction tie-ups on the U.S. side of the Pacific border crossing.

Davis says the increase in Canadians shopping in the U.S. results in weekend delays of 2½ hours each way. Shoppers don't seem to mind, Davis says, adding, "People in Vancouver are used to delays."

Davis' line makes four round-trips a day, providing a connection to the Amtrak station in downtown Seattle. "Some passengers get frustrated by the delays when they're trying to catch a train," he says,

"but our drivers keep in contact with Amtrak."

Mexico border bottlenecks

Meanwhile, operators that cross the U.S.-Mexico border have their own tales of woe — or whoa — as they approach crossings.

Jerry Rosenbaum, president of El Paso-Los Angeles Limousine Express, says it usually takes him 45 minutes to an hour to re-enter the U.S. on the bridge between Juarez and El Paso. Then maybe another 15-20 minutes to get through customs and security. There are no lines going into Mexico, he says.

Traffic slowdowns are worse than usual, he says, because of construction at the downtown El Paso bridge. To avoid tie-ups, Rosenbaum says he prefers to use the less-crowded Santa Teresa crossing in New Mexico, about 20 miles west of El Paso. "It's a longer drive but at least you know you won't be stuck in traffic for an unknown amount of time," he says.

Mexican residents headed into the U.S. for shopping think twice about day trips because of the delays at the border. But for travelers bound for further destinations like Las Vegas or Los Angeles, a few hours at the border isn't a problem.

"If I were running it like a business, I would line up 30 or 40 cars, turn off their engines, and run dogs along sniffing for drugs," Rosenbaum says. "With no fumes from the cars, it would be safer for the dogs and the inspectors."

If there's one questionable car now, the driver might try to get away, causing problems and slowing down everybody, but if that car is in the middle of the pack, it could be towed aside quickly and it would speed border crossing for buses as well, Rosenbaum says.

In Tucson, Stephen Bernier, president of South of the Border

Study sought of border waiting

WASHINGTON — U.S. Sen. Kay Bailey Hutchison, R-Texas, has introduced a bill calling for a federal study of the impact of growing wait times at land border crossings.

The proposed law, called the Border Wait Times Study Act, would require the U.S. Department of Transportation and Commerce to submit reports to Congress on the commercial and passenger vehicle traffic at certain entry points along both the northern and southern U.S. borders.

The study would measure the

volume and impact of wait times at land ports since 2000 and how staffing levels have impacted wait times.

The bill is being co-sponsored by eight other senators from border states, and there is a House version of the bill.

Last year, according to the Bureau of Transportation Statistics, 6.6 million trucks and 30 million personal vehicles crossed the U.S.-Canada border, while 4.7 million trucks and 88 million personal vehicles crossed the U.S.-Mexico border.

Tours, regularly crosses at Nogales where as many as 1,000 trucks loaded with produce enter the U.S. daily from November through March.

Easy go, hard come

Crossing the border into Mexico is a breeze, but backups at toll booths south of the border often result in waits of more than an hour, Bernier says. Two-lane highways in Mexico add to the congestion.

In addition, Mexican military inspectors have checkpoints every 150 miles or so, looking for illegal drugs. Bernier says U.S. buses usually don't get the same stringent inspection as Mexican line buses do.

"We're in the same line with the line buses, and it usually takes 30 minutes to get through," he says. "Sometimes it's as long as an hour."

Getting into the U.S. takes as long as two hours, says Bernier. Though, typically the process of unloading passengers and checking luggage takes only 20-30 minutes.

A try at streamlining

Bernier says the Department of Homeland Security has implemented a pilot program at the Nogales crossing that involves downloading all passenger information into the

agency's computer system.

"They're trying to streamline the process of immigration, customs and agriculture," he says.

Bernier says Homeland Security doesn't do any profiling: "They treat everyone the same, from the littlest old lady from Pasadena to a hippy crowd."

U.S. agriculture inspectors seem to give people the hardest time. "They'll chastise you and say you could be fined \$5,000 if you've forgotten to tell them about a piece of fruit you have," he says.

Fortunately, the passenger with the fruit, not the bus driver, is liable.

Another hang-up at the border involves inspections required by the Federal Motor Carrier Safety Administration. If a light or a window doesn't work, a motorcoach driver faces another delay of 45 minutes to an hour.

Because of the many delays, Bernier feels that repeat customers are cutting back, returning in three or four years instead of every year.

He says the Nogales port of entry is to be doubled in size by 2015.

"That will help," he says, "but in five years the volume of traffic at Nogales is going to be out of control."

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Fax: (405) 942-6201

Mail: 3108 NW 54th Street
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Bus ridership

CONTINUED FROM PAGE 1

ing; growing environmental consciousness; increased amenities on coaches, including movies and Internet service, and perhaps even the price of gasoline.

Or, say the authors, perhaps it's just "because the beleaguered intercity bus industry just couldn't fall any further."

Study is available

Whatever the reason, the intercity sector is seeing a surge in growth for the first time in more than 40 years, according to the research.

The institute published the results in a study, called "The Return of the Intercity Bus: The Decline and Recovery of schedule Service to American Cities, 1960-2007," and posted it on its Website, www.depaul.edu/~chaddick, along with a two-page news release highlighting the findings.

"Obviously, the intercity bus industry suffered from a reputation as the travel means of last resort for many years," said Joe Schwieterman, a professor of public service at DePaul and executive director of the Chaddick Institute.

"But with more upscale coaches being put into service with amenities like larger seats and on-board movies, the companies have started to close the gap on other modes of travel," said Schwieterman.

In fact, says Schwieterman, the gains of the past two years may be the first sign of a renaissance for intercity buses, which were a

key mode of transportation in most U.S. cities during the first half of the 20th century.

The painful decline

That changed in the 1960s with the coming of the Interstate system, which was quickly followed by the exodus of residents from city centers to the suburbs. Cars became king, diminishing the need for buses.

As a result, U.S. cities lost nearly one-third of their scheduled intercity service between 1960 and 1980 and more than 60 percent of the remaining services between 1980 and 2005, the study said.

Now, the tide is turning, says Schwieterman, who gives much of the credit to the new players, like megabus.com, which was launched in Chicago last year.

The company has served more than 700,000 riders since April 2006, most of whom are young professionals, older women with children and so-called "silver surfers" — retirees who like the independence of traveling by bus, said Dale Moser, president and CEO of Coach USA, parent company of megabus.com.

At Greyhound, per-bus passenger loads are 15 percent to 20 percent higher than they were before the company began reorganizing its network 3½ years ago, said a company spokesman.

Schwieterman says the growth spurt is a sign the bus industry's image is improving with the American public. But he said it's doubtful Greyhound and other carriers will ever fully recover from their decades-long slump. "It's a long road ahead," he cautioned.



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Coach USA buys 60 MCI J4500 models, N.Y. MTA to get 126 commuter coaches

SCHAUMBURG, Ill. - Coach USA and Coach Canada, the largest motorcoach operators in North America, are buying 60 new MCI J4500 coaches with low-emissions engine technology.

The first 10 coaches in the order were delivered at the end of last year, with 9 of 10 equipped with Cummins ISM engines and ZF AS Tronic transmissions; the other J4500 has a Detroit Diesel-ZF AS Tronic powertrain.

MCI will deliver an additional 50 J4500 models equipped with Detroit Diesel and ZF AS Tronic powertrains in the spring.

Twenty-nine of the coaches being delivered in the spring will be wheelchair-lift equipped and are going to Coach USA's East Coast and Midwest operations. The remaining 21 coaches will go to Coach Canada.

The J4500s will be the first coaches in Coach USA's fleet to feature the reduced-emissions engine technology mandated by the U.S. Environmental Protection Agency and designed to reduce particulate matter by 90 percent.

"Clean diesel technology is key to promoting motorcoach travel as an environmentally friendly transportation alternative," said Dale Moser, president and chief operating officer of Coach USA.

"As a company, we're dedicated to transforming people's mindset, getting them out of their cars by emphasizing the economic and

environmental advantages of coach travel. Updating our fleet with J4500 coaches, featuring low-emission engines, supports our strategy and helps us communicate an even greener message."

That theme was echoed by MCI President and CEO Tom Sorrells, who noted that Coach USA is "dedicated to demonstrating that motorcoach travel is a comfortable and environmentally friendly way to ride."

The Coach USA J-models also have engine fire suppression systems, SmarTire tire monitoring systems, Amaya seating and provision from Saucon GPS systems.

Separately, MCI announced it had received an order for 126 clean-diesel commuter coaches from the Metropolitan Transit Authority of New York. The purchase will increase the MTA fleet of MCI commuter coaches to more than 1,200.

The coaches, which primarily will serve commuters from the outer boroughs, will be equipped with Caterpillar C-13 engines and Allison transmissions.

The coaches also will feature several technical upgrades, including MCI's all-wheel disc brakes and an ultra-capacitor starting system for enhanced reliability. They also will be the first MCI commuter models to feature LED interior cabin lighting for longer-life. The coaches will be wheelchair lift-equipped.

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Safety bill

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Shuster's legislation was prompted by the late Congressman Paul Gillmor of Ohio who began drafting bus and motorcoach safety legislation last year. (See June 15 *Bus & Motorcoach News*.)

Gillmor was drawn to the issue after a bus carrying the Bluffton University baseball team was involved in a crash, resulting in the death of seven people. The congressman died, however, before his bill could be introduced. (See Sept. 15 *Bus & Motorcoach News*.)

"Paul Gillmor was a great representative for the people of Ohio," said Shuster. "I am proud to have

been able to pick up where he left off on this important issue."

The motorcoach industry's two associations welcomed Shuster's involvement and taking up Gillmor's sword.

"We are very pleased Rep. Shuster chose to continue the hard work Rep. Gillmor and his staff invested in this critical issue," said UMA Vice President of Industry Relations Ken Presley.

"At the direction of the UMA legislative and regulatory committee, and with board of directors' oversight, the United Motorcoach Association worked closely with Rep. Gillmor's office to build consensus with representatives of the American Bus Association, Grey-

hound and others," said Presley.

"Sometimes it felt like we were dragging some folks along and other times it felt like we were out there all alone. But, in the end, the final bill is a result of industry consensus.

"This is truly the direction legislators and regulators will ultimately choose as (the bill) directs officials to make sound public policy based on sound science. We look forward to working with Rep. Shuster and his staff moving this bill through the legislative process."

In a statement, the ABA struck a similar tone.

"We welcome Congressman Shuster's bill because it calls for the

most sweeping research and data collection in motorcoach industry history," said ABA President and CEO Peter J. Pantuso.

"Much of the data to guide engineers on occupant protection issues and many other safety issues simply doesn't yet exist. This bill will ensure that the research needed to guide policymakers is conducted, and that sound science rather than politics shapes government safety policies."

Key provisions of Shuster's bill include a stipulation that 30 months after the USDOT and the NHTSA conclude their industry safety studies:

- The agencies shall prescribe federal standards for a motorcoach

occupant protection system that accounts for frontal impact collisions, side impact collisions, rear collisions and rollovers.

- The secretary of transportation shall provide standards for: roof strength, window glazing, ways to prevent fires on motorcoaches, and ways to improve emergency evacuation.

The bill allows for the retrofitting of equipment to meet safety requirements that are issued by NHTSA. This will allow the industry to adjust to the new regulations as it updates its fleet.

Shuster is a four-term Congressman who is a member of the House Transportation and Infrastructure Committee.

Oregon schools

CONTINUED FROM PAGE 3

The status of the ban and efforts to find a permanent solution have created considerable confusion in the motorcoach and school bus industries, including inaccurate reports the state had backed away from the temporary rule and granted schools a permanent variance to use motorcoaches to transport their students.

"Our state board administrator says 'no,' that is incorrect," emphasized Gene Evans, communications director for the education depart-

ment. "The rule expires (in April) and the work group is pursuing a permanent solution."

The confusion appears to have come from a bulletin the education department issued Dec. 1 that clarified portions of the temporary rule. Some people in the motorcoach and school industries apparently mistook the document as making the temporary rule permanent.

Officials said it is too early to tell exactly what a permanent rule might look like, although some motorcoach operators worried about it possibly making it more

difficult for schools to use coaches.

Early discussions by some members of the committee involved concerns that motorcoach drivers might not have enough training to transport school children and that some coaches lacked some safety equipment such as fire suppression devices in the wheel wells and extra mirrors.

"We told them if they make the rules too stringent, we won't haul school kids," said committee member Kurt Hand of Oregon Coachways in Eugene, Ore.

The issue that led to the ban

surfaced more than two months ago when the education department received a routine request from a school district seeking permission to license a charter bus so it could be used to transport students to school activities.

Instead of simply issuing the permit, the department ran the request by lawyers at the state Department of Justice who reviewed existing regulations and determined that motorcoaches do not meet the current safety standards required for school use. They said school buses have stronger

roofs that are less likely to crush in rollover accidents, smaller windows that might lessen the chances of passenger being ejected, safety exits and nonflammable seats.

About 40 school districts in the state had been using motorcoaches for some of their transportation needs and some out-of-town school trips had to be canceled before the temporary rule was adopted because officials did not want to use school buses for long highway drives.

"They did not want their students riding in school buses for eight hours or so," said Evans.

The advertisement displays several models of bus seats on a textured, light-colored background. Each seat is accompanied by a label in a stylized font:

- 2+1**: A light blue seat with a footrest.
- BRASIL**: A blue seat with a textured fabric.
- TORINO STANDARD**: A blue seat with a textured fabric.
- TORINO VIP**: A blue seat with a textured fabric and a headrest.
- PATRIOT**: A light blue seat with a textured fabric.
- FEATURES**: A blue seat with a textured fabric, shown with a tray table and a reading light.

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Academy

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and compliance, and human resources.

"This school, recognizing Mr. Cornell, is now providing educational opportunities specifically tailored for industry-centered learning," said Ken Presley, executive director of Bus & Motorcoach Academy and vice president of industry relations at UMA.

"This is such a unique opportunity to help assure the future success of our industry," said Dane Cornell, president and CEO of ABC Companies and son of Clancy Cornell. "The importance of a continuing education legacy is invaluable."

Clancy Cornell said he was honored to be part of the academy and its important learning programs. "We are always eager to participate in helping business owners realize their dreams, especially through personal development and education," he said.

Presley said the academy and UMA welcomed ABC's strong demonstration of support for the

goals and ambitions of the program of industry continuing education.

"Consistent with Clancy Cornell's dedication to creating opportunities for all operators, we are honored and excited that ABC is supporting the efforts to make business tools easily available to bus and motorcoach company owners and managers," said Presley.

"The Clarence Cornell School of Business will enable hundreds of operators to develop their skills and grow the industry, an enduring tribute to a true giant of the bus and motorcoach industry."

Bus & Motorcoach Academy was announced exactly one year ago at Motorcoach Expo 2007 in New Orleans and officially opened for business in early August when the first classes began.

The academy was created by UMA through a partnership with the College of Southern Maryland, which specializes in distance learning programs. It is the nation's only continuing education program dedicated to private bus operators.

The academy has two principal components, the Clarence Cornell School of Business, which offers

the Accredited Passenger Transportation Operator Program, with courses designed to prepare students for running a successful motorcoach operation, and a comprehensive curriculum for drivers, culminating in a certified driver program.

The business curriculum offers in-depth instruction covering a wide range of topics in each course, from business ethics to the basics of employment law. Through a hands-on approach, students learn how to prepare a business and marketing plan, understand the basics of finance, accounting and tax accounting using popular tax and accounting software programs, and determine return-on-investment and develop cost-control plans.

For more information, registration, course descriptions and schedules, go to www.busandmotorcoachacademy.com.



Clancy Cornell

Museum

CONTINUED FROM PAGE 1

borrowed the rest.

Mr. Sage helped guarantee the success of a year-end fund raising drive by matching all contributions dollar for dollar. Though his financial largesse to that effort was not announced, it is believed to have exceeded \$50,000.

Collins said the museum board had decided to use the large Sage gift to pay-off the mortgage on the storage facility and invest the balance in an annuity. "This bequest will enable the museum to establish a firm financial plan for the future," Collins noted.

The Museum of Bus Transportation in Hershey is North America's only showcase display of school, transit and intercity buses. It is housed within the Antique Automobile Club of America's \$7 million, three-floor museum complex, displaying both antique autos and vintage buses. It is open daily.

The museum is funded through memberships, annual pledges, donations and visitor ticket purchases, and operated entirely by volunteers.

Nearly 44,000 people came through the museum last year.

For more information, go to www.busmuseum.org.

Last month, Mrs. Sage announced that Mr. Sage had bequeathed \$4 million to a small independent boarding school in Rhode Island that specializes in educating children with disabilities. (See Dec. 15, 2007 *Bus & Motorcoach News*.)

Mr. Sage was well known during his career in Rhode Island as a philanthropist, civic leader, sports enthusiast and entrepreneur. He made his fortune by taking a half-interest in a one-bus company and building it into Bonanza Bus Lines, one of the most successful regional line-haul operations in the U.S. He died at the age of 75 on Dec. 4, 2006, while playing tennis. (See Dec. 15, 2006 *Bus & Motorcoach News*.)



George Sage

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South Dakota operator seeks help from FTA official

PIERRE, S.D. — The operators of a small bus service here have sent an emotional appeal to the chief counsel of the Federal Transit Administration asking him to look into their complaints of charter service violations by the local public transit agency.

Charles and Dawnita Forell of Forell Limousine & Bus Service wrote to FTA Chief Counsel Severn E.S. Miller last month after falling into a bureaucrat black hole dealing with the FTA regional office in Lakewood, Colo., and its counsel, Susan Martin.

The FTA region VIII office serves Colorado, Montana, Utah, Wyoming, and North and South Dakota. In fiscal 2006, the office doled out more than \$298.8 million in federal tax dollars to 58 public transit agencies.

But the office apparently has been too busy handing out money to deal with the Forell's complaints of charter service violations, some of which have been pending since Sept. 2005.

In a letter to Martin in February, the Forells recounted eight different types of on-going charter violations by River Cities Transit of Pierre. Dozens of examples of the violations were detailed in the letter. (See March 15 issue of *Bus & Motorcoach News*.)

Repeatedly, according to the Forells, River Cities Transit has failed to solicit for willing-and-able private operators to provide a wide variety of charter services.

After looking into the Forell's complaints, Ken Presley, vice president of industry relations at the United Motorcoach Association, said it appeared to him that Martin was placing "the entire burden of oversight (of River Cities Transit) on Ms. Forell."

As *Bus & Motorcoach News* noted in its March article, the real reason the FTA may be reluctant to investigate River Cities Transit and its executive director, Ron Baumgart, is because Baumgart was a member of the Charter Bus Negotiated Rulemaking Advisory Committee that attempted to rewrite the federal charter service rules last year.

And, Baumgart and his agency were honored by the FTA and the Community Transit Association of America as an outstanding rural transit manager and system. River Cities Transit received the 2006 FTA Administrator's Award for Outstanding Public Service in Rural Transportation.

In May of last year, after sitting on the Forell's file for months and

doing nothing, Martin informed the couple she had referred all of the complaints to the FTA chief counsel's office in Washington "for disposition."

Meanwhile, says Mrs. Forell, River Cities Transit continues its "reckless disregard for FTA char-

ter service rules at tremendous cost to the private sector."

In her letter to FTA chief counsel Miller, the Forell's enclosed a new list of charter service violations by River Cities Transit.

"Forell Limousine & Bus Service has a 20-year business his-

tory in this community and we are watching it slowly erode as River Cities Transit continues (its) practice of disregarding the FTA charter service rules," said Mrs. Forell.

"It is apparent at this point the management of River Cities Transit has absolutely no fear of

consequences. Inasmuch as the Federal Transit Administration to date has failed to bring an end to these flagrant violations, perhaps FTA Administrator (James) Simpson can address our employees as they lose their jobs," she added.

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chairman of the House Transportation and Infrastructure Committee, took the bill to the floor of the House before Congress' Christmas break and got the rules suspended so it could be put to a vote.

Oberstar told fellow House members the legislation would ensure that the USDOT accessibility regulations for motorcoach operators "are vigorously monitored and actively enforced."

"Regulations have to be enforced to be effective, and the Federal Motor Carrier Safety Administration has interpreted the motor carrier statute in a way that limits the agency's ability to assess compliance with over-the-road bus accessibility regulations," said

Oberstar.

"That's not acceptable.... Relying simply on Department of Justice enforcement authority, the FMCSA felt it couldn't take action on violations of its own regulations by over-the-road bus companies. In (a) U.S. Court of Appeals case, Peter Pan Bus Lines and Bonanza Acquisition, the court rejected the claim the agency does not have discretion to interpret the law to allow consideration of compliance with ADA. The case was sent back to FMCSA for further review in February of this year.

"But again the agency dragged its feet. After eight months of failure to act, the FMCSA responded to the court in October but only after (Rep. Peter) DeFazio (D-Ore.) and I expressed our intent to legislate a solution if the agency did not

provide its own plans to comply with ADA requirements.

"In the decision, FMCSA defends its position that the agency does not have the authority to enforce the American with Disabilities Act and said, "If Congress intended to expand the fitness criteria to include compliance with additional DOT regulations, such as 49 CFR part 37, it presumably would have said so."

"Well, we are saying so today," said Oberstar. "If that's what they think they need, then we are going to make sure they have the authority to do it. There is no excuse for any further delay."

Specifically, the bill amends federal law to prohibit the FMCSA from granting operating authority to any motor carrier providing over-the-road bus transportation

where the carrier is not willing or able to comply with ADA accessibility requirements.

Speaking in support of the bill, Rep. Thomas Petri, D-Wis., said the legislation "will level the playing field for all bus and motorcoach companies operating in interstate commerce. Companies who have ignored the ADA will not have a competitive advantage over the good actors who have spent substantial amounts on lifts and other equipment to make their buses accessible."

Among the lingering concerns about the legislation is how the FMCSA will react if and when the bill becomes law, and how it will set about implementing it.

Many critics of the bill believe it will require a rulemaking by the FMCSA, raising the specter of

additional paperwork requirements for operators, plus tougher penalties. There also is worry about possible administrative nightmares for companies that operate mixed fleets of line-run buses, where ADA requirements are stringent, and tour and charter coaches, which have different ADA rules.

Even if the paperwork burden doesn't grow substantially, certainly there will be greater scrutiny of the annual reports operators currently are required to submit to the FMCSA.

One senior regional FMCSA official predicted in a phone conversation with *Bus & Motorcoach News* that federal compliance reviews will become longer and more time consuming, and record keeping requirements will expand if the bill becomes law.

ABC Companies

CONTINUED FROM PAGE 3

sibility for ABC Financial Services.

Wayland's background includes having served as director of corporate finance at Greyhound Lines, and senior auditor at Arthur Andersen & Co.

DeMatteo and Wayland will move to Florida this year. No timetable for the departures of Foley and Marhula was given.

ABC's two new directors have strong industry backgrounds.

Gallagher has been involved in the motorcoach industry for three decades and his former company, Community Bus Lines of New Jersey, was one of the six founding companies of Coach USA.

During the seven years he spent at Coach USA, Gallagher held several posts, including chief development officer, chief operating officer, CEO, and board member until

his departure in 2003.

He currently serves on the board of AEP Industries, a publicly-held plastics company.

Roman Cornell has been with ABC since 1995 and served in a variety of sales and finance-related areas. He oversees all company sales activities nationwide, managing key customer relationships and overseeing product development.

Cornell was recently appointed to the Trailways board where he

will complete the term of his late father, Ron Cornell.

In another announcement, ABC promoted Ashley Cornell and Andrew Fung.

Ashley Cornell was named customer care manager, making her responsible for managing customer relationships and serving as liaison between ABC after-sales support programs. She joined ABC Companies in 1997 and has served in a variety of sales administration,

operational and marketing roles.

Fung, who joined ABC this past summer as director of engineering services, has been named director of customer care and engineering services. He will be directly responsible for day-to-day management of all issues in the areas of engineering services, technical service and support and warranty. All technical, engineering and customer care service personnel will report directly to Fung.

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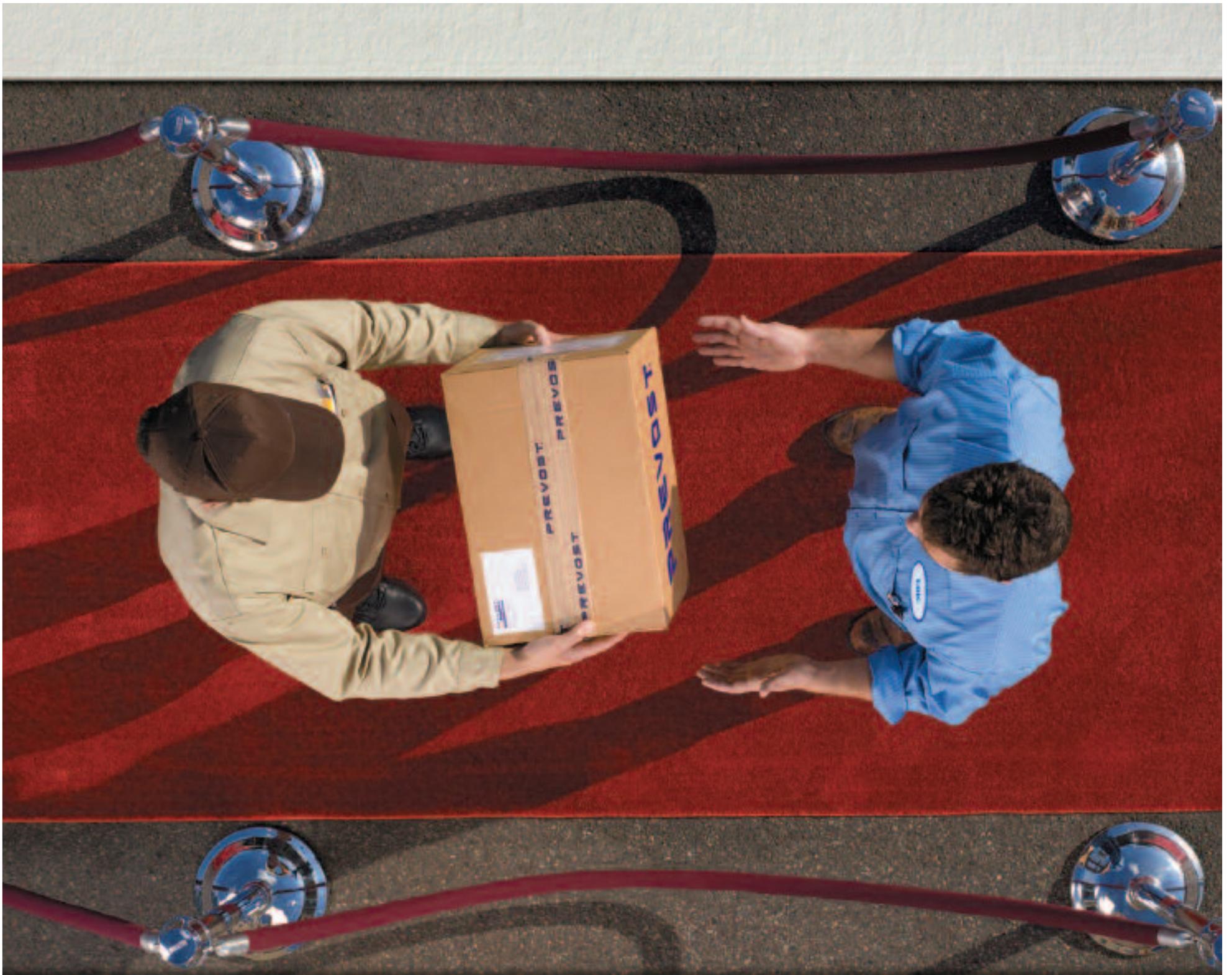


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PREVOST.

'Plan of action' essential to deal with a major crash

ASBURN, Va. — Motorcoach operators often live in fear that one major accident could put them out of business.

While that can and sometimes does happen, operators will have a much better chance of surviving a catastrophic event if they prepare for the worst by developing a detailed plan of action.

Insurance executives who appeared on a panel at the recent United Motorcoach Association Safety Management Seminar here said written procedures for everyone in the company to follow could lessen the impact and help hold down losses.

"It should be your road map for managing a large loss," said National Interstate Assistant Vice President Brad Scofield.

Kieran McGowan, vice president of Lancer Insurance, agreed and said he has seen many companies get into trouble because they were not prepared to handle a serious accident.

"We see it far too many times," he said.

The action plan should direct everyone, from the receptionist who answers the telephone, to the driver involved in the accident, to the owner of the business, on how they should act and what they should say after a major incident occurs.

The panelists stressed that the driver — if able to do so — should make two telephone calls immediately after the accident, one to the company to report the event and the other to the insurance company. The driver should not, they stressed, speak to anyone, including the police, but should indicate that the company attorney is on the way to the scene — if possible.

They said their companies will want to speak directly to the driver as soon after the accident as possible so they can begin strategizing. Both said that in addition to sending an adjuster to the scene, they also would send a lawyer, even if they have to hire one from a city near the accident.

McGowan said a driver should not give any written reports immediately after the accident because they might forget what they said later, which could create problems during the settlement process or court proceedings.

The two also stressed that the person who answers the company telephone should be instructed not to say anything to any news reporters who might call about the accident, but, instead, transfer the call to someone who has been

designated in advance to speak on behalf of the company. And that person, they said, should say only that the incident is under investigation.

"What is developed in the first few hours is what you'll be bringing to court," added Scofield.

The panelists warned, too, if the coach is equipped with an accident event recorder, it should not be mentioned by anyone involved.

Scofield said that although the recorders are good because they can help defend claims when the driver is not at fault, they also can

have a negative side if the driver caused the accident and it shows up on a recorder.

McGowan said if the other side is not aware that a recording exists and the driver is at fault, then the insurance company can try to negotiate a settlement before the case

gets to court and the defense lawyers have to disclose the existence of the tape.

"The value of the case would skyrocket if the jury saw how the accident actually happened," he said. "That's why we try to settle claims before discovery."



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People

Blue Bird Coachworks and **Complete Coach Works** have announced that *Steve Richardson* is their new eastern regional sales representative. Richardson will handle all sales of Blue Bird Coachworks

east of the Mississippi River.

With more than 22 years of experience in the bus industry, Richardson most recently was southeastern sales representative with **ABC Companies**.

He also spent several years in the trucking industry as southeastern regional sales manager for

Show Trucks USA.

"I feel with the combined efforts of Complete Coach Works and Blue Bird Coachworks, we will enjoy great success," said Richardson. "I'm looking forward to a bright future in continuing to build the Blue Bird Coachworks brand."

Blue Bird Coachworks manu-

facturing facility is in Fort Valley, Ga., where it produces Express 4000 and 4500 coaches. Additionally, Blue Bird Coachworks produces the "Wanderlodge" line of luxury recreational vehicles/motorcoaches.

Timothy M. Bittner has joined **Prevost Car** as regional sales manager for the U.S. mid-Atlantic region, while *Serge Gonthier* has been appointed Prevost new coach sales representative for eastern Canada.

In his new position, Bittner replaces *Dave Schmidt*, who was promoted last year to director of coach sales; he will be based in northern Virginia.

Bittner has more than 14 years of experience in the bus industry, specifically in small- and midsize commercial buses, including ownership of a bus dealership in Southern California.

"Tim's experience, motivation and dedication to providing customer service makes him an excellent fit in the Prevost sales team," said *Dann Wiltgen*, vice president of coach sales.

Serge Gonthier has more than 27 years experience in the coach industry. He is the former general manager of a leading motorcoach company in the Quebec City area, **Autocar Excellence**.

"We are confident Mr. Gonthier will be an excellent addition to Prevost," said Wiltgen.

Relational Bus Systems of Cherry Valley, N.Y., has hired *Laura Horvath* as a GoTourOnline training and implementation specialist. Horvath comes to RBS with several years of experience setting up small businesses and training personnel. At RBS, she will assist operators with their tour management needs, from testing GoTourOnline to helping set up a new system.

GoTourOnline is the first browser-based tour reservations and passenger management system designed specifically for the package tour requirements of the motorcoach industry. For more information, go to www.gotouronline.com.

Steve Richer, the well-known executive director of the **Mississippi Gulf Coast Convention & Visitors Bureau**, has joined the **National Tour Association** to strengthen its government and industry relations efforts.

Richer, who retired late last



Tim Bittner



Serge Gonthier



Steve Richardson



Bernard Davis

year from the Mississippi Gulf Coast CVB, is serving NTA as a consultant, working with NTA's longtime legislative counsel, retired Congressman *Jim Santini*.

In addition to his government relations role in Washington, D.C., Richer also will work to establish stronger and more meaningful ties with other travel industry-related organizations, including those involved in tourism sales, marketing and policy, and he will reach out through the media to involve more companies, tourism offices and tour packagers in the work of NTA.

"NTA long ago established itself as a leader in the government relations arena," said Richer. "From our work with the National Park Service to our latest quest for an executive department of travel and tourism, NTA continually recognizes the needs of its members and the industry and sets out to make a change. I'm extremely pleased to be asked to be a part of this significant work."

Before joining the Mississippi Gulf Coast CVB in 1996, Richer was an executive at the **Greater Atlantic City CVB** and the **Nevada Commission on Tourism**.

Bernard Davis was honored by **Lancer Insurance Company** as Driver of the Year at the **California Bus Association** annual convention this past fall. Davis has driven coaches for **H & L Charter Co.** of Rancho Cucamonga, Calif. since 1993. During his million mile driving career he has had no preventable crashes.

H & L Charter has been providing group transportation via motorcoach for schools, churches, fraternal organizations, and military troops for more than 20 years.



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Rule would require behind-the-wheel training for CDL

WASHINGTON — Applicants for commercial driver's licenses would be required to complete classroom and behind-the-wheel training from an accredited program, under a proposed federal rule announced last month.

Beginning three years after the effective date of a final rule, CDL or upgraded CDL applicants would have to provide a valid certificate from an accredited driving program, the Federal Motor Carrier Safety Administration said.

"This proposed rule will give (commercial vehicle) drivers additional skills needed to keep our roads safe," said FMCSA Administrator John Hill in a statement.

The rule would not affect cur-

rent CDL holders.

The training curriculum required by the rule includes CDL safety regulations, vehicle operation and safe operating practices.

The educational institution must be accredited by the U.S. Department of Education or the Council on Higher Education Accreditation.

The proposed rule requires different levels of training for the three classes of commercial driver licenses.

For "Class A" CDLs for tractor-trailer drivers, the rule would require a minimum of 76 hours of classroom instruction and 44 hours of behind-the-wheel training, for a total of 120 hours.

For "Class B" CDLs (large

"box" or van trucks) and "Class C" CDLs (hazardous materials and certain passenger-carrying vehicles), the proposed rule would require a minimum of 58 hours of

classroom instruction and 32 hours behind-the-wheel training, for a total of 90 hours.

The FMCSA is seeking public comment on the proposal through

March 25.

Instructions for submitting comments are available at www.regulations.gov. The docket number is FMCSA-2007-27748.

Administration parses words, Mexican trucks keep rolling

WASHINGTON — The Bush administration is continuing to operate the controversial cross-border Mexican trucking program despite language in a \$555 billion appropriations bill signed by the president that seeks to eliminate the program's funding.

The administration move, while not unexpected, sparked outrage from Democratic and Republican members of Congress who had fought to kill the three-month-old pilot program, which allows long-haul Mexican trucks to travel throughout the United States.

"The administration seems to believe that the law doesn't apply to them," said Sen. Byron Dorgan, D-N.D., the author of the appropriations bill amendment that sought to cut funding for the program.

Dorgan and other opponents of the program say the amendment's language is unambiguous, and that the administration action will be challenged in Congress and the courts.

The Federal Motor Carrier Safety Administration began implementing the one-year experimental program Sept. 6. It allows as many as 100 Mexican companies to send their trucks into the United States.

Supporters of the program view it as a step toward fulfilling the North American Free Trade Agreement obligation of the U.S. government to open all roads in the United States, Mexico and Canada to trucks from all three countries.

Historically, Canadian trucking companies have had full access to U.S. roads, but since 1982, most Mexican trucks have been able to travel only about 20 miles inside the country at certain border crossings.

Dorgan, more than 100 other

members of Congress and several interest groups, such as the Teamsters Union and independent truck drivers, contend the program lacks sufficient safeguards to ensure that Mexican trucks meet the same standards as American trucks.

Opponents of the program are incensed with how the administration parsed language to justify continuation of the program.

Dorgan's amendment to the appropriations bill included the following: "None of the funds made available under this act may be used to establish a cross-border motor carrier demonstration program to allow Mexico-domiciled motor carriers to operate beyond the commercial zones along the international border between the United States and Mexico."

Officials with the Federal Motor Carrier Safety Administration stated that the amendment allows programs that have already begun to continue.

"(The) U.S. Department of Transportation will not establish any new demonstration programs with Mexico," a government statement said. "The current cross-border trucking demonstration project — established in September — will continue to operate in a manner that puts safety first."

Many observers expected the administration to follow this logic, but opponents say it is shaky.

"This is yet another example of a rogue administration thumbing its nose at Congress and thumbing its nose at the concerns of the American people," said Todd Spencer, spokesman for the Owner-Operator Independent Drivers Association.

Court challenges have been filed.

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FMCSA keeps truckers hours, suit seeks to block rule

WASHINGTON — Sticking to its guns, the Federal Motor Carrier Safety Administration says the revised hours-of-service rules it adopted four years ago for truckers are safe and it proposed a new

interim final rule that would lead to making the rules permanent.

Safety advocates, however, didn't buy the new FMCSA arguments and immediately went into federal court, asking judges to block the

U.S. Department of Transportation from adopting the rule.

The controversy over truckers' hours dates to 2003, when the Bush Administration increased from 10 to 11 hours the limit a commercial

trucker may drive without a mandatory break within a 14-hour period.

Opponents of the change, citing the risk of driver fatigue, twice persuaded a federal court to reject implementation of the extended hours.

Much of the court concern over the revised rules centered on the methodology the FMCSA used to justify and implement the change. The court said the FMCSA procedures were inadequate.

The interim final rule was developed after new data showed trucking safety levels have been maintained since the 11-hour driving limit was adopted in '03.

"This proposal keeps in place hours-of-service limits that improve highway safety by ensuring that drivers are rested and ready to work," said FMCSA Administrator John H. Hill.

"The data makes clear that these rules continue to protect drivers, make our roads safer and keep our economy moving."

The agency noted that, in 2006, the fatality rate per 100 million vehicle miles traveled was 1.94 — the lowest rate ever recorded. Similarly, since 2003, the percentage of large trucks involved in fatigue-related fatal crashes in the 11th hour of driving has remained below the average of the years 1991 to 2002.

In 2005, the agency noted, there was only one large truck involved in a fatigue-related fatal crash in the 11th hour of driving while in 2004 there were none.

In addition, between 2003, when the 11-hour driving limit and the 34-hour restart were adopted, and 2006, the percent of fatigue-related large truck crashes relative to all fatal large truck crashes has remained consistent. And the agency estimates show that 7 percent of all large truck crashes are fatigue related.

Hill noted the agency also is working to finalize a proposed rule that would require drivers and companies with serious or repeat hours-of-service violations to track their hours of service using electronic onboard recorders.

Nevertheless, in documents filed with the U.S. Court of Appeals, lawyers for a coalition of groups, including "Parents Against Tired Truckers," asked judges to immediately enforce the court's order striking down the hours-of-service rule.

Sen. Frank Lautenberg, D-New Jersey, member of a Senate committee reviewing trucker safety, issued a statement saying the rule "allows truckers to drive for 30 percent longer each week, putting families at higher risk of an accident involving a tired truck driver."

Comments on the proposed rule are being accepted until Feb. 15 (identify Federal Docket Management System Number FMCSA-2004-19608 at www.regulations.gov).



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FedEx in hot water over classification of drivers

BOSTON — A high-profile independent contractor case involving FedEx Ground Package System could have implications for thousands of businesses that hire drivers, including motorcoach companies.

Massachusetts Attorney General Martha Coakley has assessed penalties of more than \$190,000 against FedEx Ground for what her office claims is an intentional misclassification of 13 drivers as independent contractors rather than as employees.

The attorney general cited FedEx for violating the state's independent contractor law by not only misclassifying the drivers but also failing to provide a proper pay stub, failing to provide worker compensation, not paying overtime to certain drivers, and neglecting to deduct and withhold state income taxes.

In addition to the penalties, the citations require FedEx Ground to rectify the violations and provide restitution to the 13 drivers.

Maury Lane, a spokesman for FedEx, said his firm would appeal the penalty and the determination it misclassified the workers. He said FedEx has been cooperating with Massachusetts officials over the classification of drivers for several years and there has been no complaint about what it was doing.

Notice on Sub S health insurance

WASHINGTON — The Internal Revenue Service has revised its rules on when a shareholder in a Subchapter S corporation may deduct health insurance premiums paid by the corporation.

For tax purposes, a Sub S corporation is a partnership with respect to shareholders that own more than 2 percent of the company stock. Such a shareholder is not an employee, but, for most tax purposes, a self-employed partner.

The IRS now says that health insurance premiums paid (or reimbursed) by the Sub S to a 2 percent shareholder may be excluded from the company receipts but must be included in the gross income of the shareholder, who may, however, then deduct it on the shareholder's personal income tax return as a health insurance premium paid by a self-employed individual.

It doesn't matter, according to the IRS notice, whether the insurance is purchased in the name of the company or the shareholder, or whether the company or the shareholder pays for it, provided that if it was the shareholder, the company reimbursed the shareholder.

The notice is to be published in Internal Revenue Bulletin 2008-2 the middle of this month.

"We were surprised," he said of the ruling and penalty. "We believe it is wrong."

He also suggested the ruling could have a "chilling effect" on other industries that hire independent contractors, whom he described as "the backbone of today's economy."

The Massachusetts independent contractor law provides that an individual performing any service is an employee unless the individual is free from control and direction of the employer; the service performed is outside the usual course of the business of the employer, and the individual cus-

tomarily works as an independent contractor.

Investigators concluded FedEx Ground intentionally violated all three prongs of the independent contractor law by directing and controlling the activities of drivers and restricting the drivers' ability to deliver for any other entity. Plus,

the investigation found the drivers are performing the core business of FedEx Ground. At least 400 drivers work for FedEx Ground throughout the state.

An appeal by FedEx would be heard by an agency within the Massachusetts' Executive Office of Administration and Finance.



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*The datum of 51% comes from: European Commission Directorate General Energy and Transport and not NHTSA source: http://ec.europa.eu/transport/roadsafety_library/publications/vehicle_safety_technologies_final_report.pdf
Reported by American transport companies that installed collision warning systems.

** <http://www.fmcsa.dot.gov/facts-research/research-technology/report/forward-collision-warning-systems.htm>. ** <http://www.fmcsa.dot.gov/facts-research/research-technology/report/lane-departure-warning-systems.htm>

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Nat'l Interstate gets credit line

RICHFIELD, Ohio — National Interstate Corporation has arranged a \$50 million line of credit with a group of banks led by KeyBank of Cleveland.

The five-year, unsecured credit agreement includes a provision that allows National Interstate to increase the amount to \$75 million subject to specified conditions.

The agreement also includes a "sublimit" of \$10 million for letters of credit issued to National Interstate.

National Interstate, which is the parent company of motorcoach industry insurer National Interstate Insurance, did not indicate why it sought the credit line, other than to say

it was for "general corporate purposes."

The credit agreement requires National Interstate to maintain certain financial covenants, which will be measured quarterly, including consolidated net worth, fixed charge coverage ratio and debt-to-capital ratio.

In addition, the agreement contains a number of provisions typically contained in such loan deals.

During the third quarter of last year, National Interstate Chairman Alan Spachman sold 600,000 shares of his National Interstate stock to KeyBanc Capital Markets Inc., the investment banking and commercial finance unit of KeyBank.

Neopart is purchased by investors

HONEY BROOK, Pa. — A Colorado-based investment firm has purchased the assets of Neopart, the parts unit of defunct bus manufacturer Neoplan USA Corp.

Terms were not disclosed.

Pinon LLC of Boulder, Colo., said Honey Brook-based Neopart LLC will operate as a stand-alone company led by current president Phil Gendall.

"Neopart's success as a stand-alone business is long proven," Gendall noted. "The financial stability and resources provided by Pinon will augment Neopart's ability to provide a fully competitive service for the supply of transit and (motor)coach parts throughout North America.

Included in the transaction was intellectual property from Neoplan's former bus

manufacturing business.

Pinon is headed by Michael Johnson, a private investor and former CEO of a Nasdaq-listed company. A member of the company advisory and ownership group is Michael Basch, a co-founder of Federal Express and founder of PartsBank, a parts distribution company subsequently acquired by FedEx.

Pinon said its investor group has significant experience in delivering supply chain solutions.

Neopart has been an aftermarket distributor of bus and motorcoach parts for more than 15 years. It survived the shutdown of Neoplan USA Corp. in 2006. (See Dec. 1, 2005, issue of *Bus & Motorcoach News*.)

Neopart maintains a Website at www.neopartusa.com.



IC Corp. gets new leadership

WARRENVILLE, Ill. — John McKinney is the new top executive at IC Corporation, manufacturer of midsize buses and North America's No. 1 producer of school buses.

As vice president and general manager, McKinney will manage all aspects of the bus business, including strategic planning, product development, pricing, purchasing, dealer operations, marketing and manufacturing.

"We're excited that John is joining the IC Corporation team," said Daniel C. Ustian, chairman and president/CEO of IC parent company Navistar International Corp.

"He has built a proven track record of success within each position he has held, and we are confident he will maintain this momentum within his new position at IC Corporation."

McKinney joins IC from International

Truck and Engine Corp., which also is a Navistar subsidiary, where he served as vice president of operations for the company's truck group. Previously, he served as the director of International's medium vehicle center, and general plant manager of operations for its Springfield, Ohio, plant.

McKinney replaces Michael Cancelliere, who has moved into the role of vice president and general manager for International's medium vehicle center.

Late this past fall, IC marked the production of its 50,000th school bus manufactured at its plant in Tulsa, Okla.

The Tulsa plant, which covers 115 acres and was built in 1941 by the military to produce B-24 bombers, began school bus production in 2001. It is home to IC's CE Series bus model.

'Doc' Wagner of Wagner Tours dies

NORTH HALEDON, N.J. — Lothar 'Doc' Wagner, the second-generation owner of Wagner Tours Inc., a charter-and-tour bus company based here, died in late November at the age of 79.

Mr. Wagner joined the company founded by his father, Hermann, after serving in the U.S. Army during the Korean War. He became owner of the company after his father died in 1983.

Wagner Tours is reputed to be the first U.S. operator to bring Canadian-built Prevost motorcoaches into the U.S., as well as LAG buses from Europe.

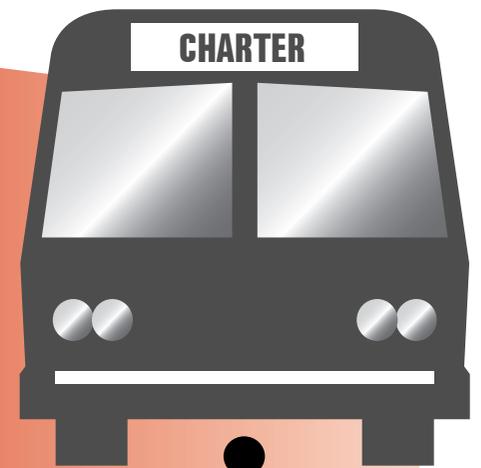
Mr. Wagner was a member of American Legion Post #428 in North Haledon and a member of the Meister's Fishing Club of Northern Jersey.

A long-time friend and colleague, Richard Jaeger of Coachman International Tours in Haledon, N.J., said Mr. Wagner was healthy and active right up until the time of his death, including going to the office and working in the shop daily.

Operation of Wagner Tours continues under the direction of his widow, Audrey, and his nephew, Peter Kusant and his wife, Debbie, all of whom survive Mr. Wagner.

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In winter, inexperience can turn a bus into a sled

By Dave Millhouser
ABC Companies

"Buses are too heavy to slide." A fateful declaration uttered by Okie, a 23-year-old bus driver speaking from his many minutes of experience.

Hours later, as a number of us sat in the bus garage, he returned from a ski charter. He came roaring up to the facility and we could hear the coach air brakes make a frantic chuffing sound — reminiscent of a steam locomotive. Then there was silence.

Ten minutes later, he staggered through the door, covered with snow. "You guys were right," he said, "they WILL slide." We trooped outside to revel in the sight of his coach in a ditch. Okie wasn't from Oklahoma; the nickname referred to the solidity of his head.

Winter is an ugly time in the life of a bus.

Often, business is slow and owners feel compelled to take tough jobs for low pay. The work is hard on both drivers and equipment, and riskier than usual.

A few things learned over the

years, often the hard way, may help. It might be wise to get drivers together — now that the holidays are over — to discuss driving and handling during winter conditions.

Buses WILL slide, and drivers need to be reminded of that fact. The extra weight of a coach may delay loss of traction but, when it happens, that weight makes it exponentially harder to stop or control.

Anti-lock brakes and traction control systems are helpful, but are no substitute for training and restraint. Once that jewel starts sliding, it becomes a sled. The problem is compounded if it's an older coach without modern braking features (and, gee whiz, don't we prefer sending older equipment on these missions?).

The operator should know what features are on the bus he's driving, and what effect they'll have on handling and stopping.

Modern engines have so much torque that, on ice, they can spin drive wheels at idle and dig a tiny trench in ice that is so difficult to escape that it might as well be the Grand Canyon. Rocking often works but can damage the trans-

mission and other drive train components if it's done with too much enthusiasm. Driver understanding and training can cut the risk.

Differentials are clever devices most of the time but in slippery conditions (probably because they're lazy) they transfer power to the wheel that's easiest to spin. If you have one tire on concrete and one on ice, guess which gets the power? This sort of thing can come to a tragic conclusion if the spinning wheel suddenly grabs pavement. Broken axles and gears can result.

Traction control may help but it's best to remind drivers that full throttle and no movement always means something is amiss.

Even a parked coach can slide. Tires warmed by highway driving can melt the ice under a parked coach, and under certain conditions the bus can literally leap. It really gets your attention if you're leaning on it. Chocking the wheels with tire chains can prevent this nasty little surprise (regular chocks may slide).

Chains are like eating liver: most of us hate the idea, but it's (honest) good for you. Some

locales require them and have stations where authorities check to make sure vehicles are chained. You'll want to carry them, and instruct drivers in how they are to be installed.

I once saw a Greyhound driver stop at a Colorado chain station. He chained up his tag axle, and blissfully drove over Monarch Pass in a blizzard.

It goes without saying, tread is good; winter is not the time to skimp on tires. Fresh batteries and servicing the air drier and coolant never hurt. Salt is not a preservative; try to keep your engine compartment and undercarriage as clean as possible. Your coach will love you for it.

Most modern coaches have auxiliary heaters that act as starting aids. Make sure they've been serviced and that your drivers know how to use them.

Dead batteries, frozen air systems and assorted other delights are going to happen. If you're venturing into new territory it might be useful to plan ahead. Find out what help is available in the area, and build a relationship before an

emergency develops.

This is a once over lightly. Surely you can think of things I missed.

Perhaps that's the point: before winter sets in, think things through and discuss them with drivers and mechanics.

One cold evening a young driver (who looks like me) dropped a group off at a ski resort, and drove the empty coach through the parking lot to an empty spot. He went into the snack bar to get a coffee, and the cashier asked if he intended to leave the bus there. "No," he said, "but I thought I'd parked it out of the way." She thanked him for his consideration but thought he ought to know he'd parked on a lake.

There is never a substitute for training and experience.

Dave Millhouser is an account representative for ABC Companies. Contact him at: dmillhouser@abc-companies.com.



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Operators developing 'green' campaign

SAN FRANCISCO—A group of independent coach operators plans to unveil this month a grassroots national campaign aimed at promoting the environmental benefits of motorcoach travel.

The operators hope to boost nationwide bus ridership by specifically targeting individuals who do not travel by coach.

The group, which calls itself the Green Operators Council, intends to announce its plans, solicit feedback on an initial campaign concept, and gain support from other operators and industry suppliers at UMA Motorcoach Expo 2008 here this month.

The operators will continue their kickoff drive at the American

Bus Association Marketplace, Feb. 2-7, in Virginia Beach. Operators and other industry members attending the events will be asked to review the campaigns ideas and concepts at booths the Green Operators Council will have at both shows, compliments of UMA and ABA.

So far, the council has come up with a campaign theme, slogan, eye-catching coach graphics, and Website.

The campaign concept, which highlights the key reasons why people should ride a motorcoach, also has gotten the early endorsement of the major coach industry trade associations and manufacturers.

The group intends, however, to keep its effort independent, with qualified operators guiding the program. Subcommittees are being created to identify funding sources and levels, as well as membership guidelines.

The nascent program got its start in September when a group of operators, attending a Motor Coach Industries customer event, engaged in discussions. The group embraced the idea of using the motorcoach itself to rally potential passengers around the green aspects of coach travel.

To be successful, the group thinks it needs at least half of all operators in the U.S. and Canada to participate by providing promotional space on their coaches or providing other help.

One concept is to have a graphic – that promotes coach travel – on the back of coaches that are part of the program.

With growing public awareness of the adverse environmental consequences of a ground passenger transportation system dominated by the automobile, the group believes the time is right to begin converting auto drivers and passengers to motorcoach travelers.

“We’re supportive of the campaign, and the initial concept is compelling,” said Victor Parra, president and CEO of UMA.

The group hopes to launch its campaign in the U.S. and Canada at the start of the busy spring travel season.

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Calendar

JANUARY 2008

14-16 International Motor Coach Group Maintenance & Safety Forum 2008, San Francisco. Info: www.imgcoach.com, or call (913) 906-0111.

16-20 UMA Motorcoach Expo 2008, Moscone Center, San Francisco. Info: Go to www.motorcoachexpo.com, or call (800) 424-8262.

Operators may experience confusion over passport rules

When new rules go into effect at the end of this month for bus passengers crossing the Canadian and Mexican borders, coach operators should expect more than a little confusion on the part of their passengers.

Starting Jan. 31, all U.S. citizens will be required to present proof of citizenship, which for many travelers is a U.S. passport. However, they also can use a birth certificate or a certificate of naturalization, plus a picture ID, such as a driver's license.

But thanks to action by Congress just before it adjourned last month, U.S. citizens will be able to cross the borders at land and sea ports without having to have a U.S. passport until mid-2009.

The provision delaying the implementation until June 1, 2009, was inserted into an end-of-the-year spending bill by Congress-

woman Louise Slaughter, D-N.Y., which passed both the House and Senate.

Despite passage of the delay, the border crossing experience for citizens without passports will change on Jan. 31. Border officials will no longer accept oral declarations of citizenship. Instead, it will require two forms of government identification, includ-

ing proof of citizenship, for re-entry into the United States.

Nothing changes for non-U.S. citizens, who must show their visas to Customs and Border Protection officers when entering the country.

But while the Jan. 31 rules seem straightforward, there have been a number of contradictory directives during the past three

years that have left many travelers confused, border officials acknowledge.

Plus, legislators in many border states have tried to get so-called enhanced driver's licenses adopted that would eliminate the need for a passport or other border-crossing documents.

So, what will happen if someone arrives at the border Jan. 31,

without the newly required documents? He or she will get a written or verbal warning, says a Customs and Border Protection spokeswoman.

"The whole point of this transition phase is to get people used to carrying documents," she said. "We understand that it's a big change and it's not going to happen overnight."

MTR Western to offer tours in Vancouver

VANCOUVER, B.C. — Meridian Transportation Resources (Canada) Ltd., a motorcoach company that operates under the name MTR Western in the Pacific Northwest, has announced it plans to introduce daily per-capita sightseeing service here in the spring.

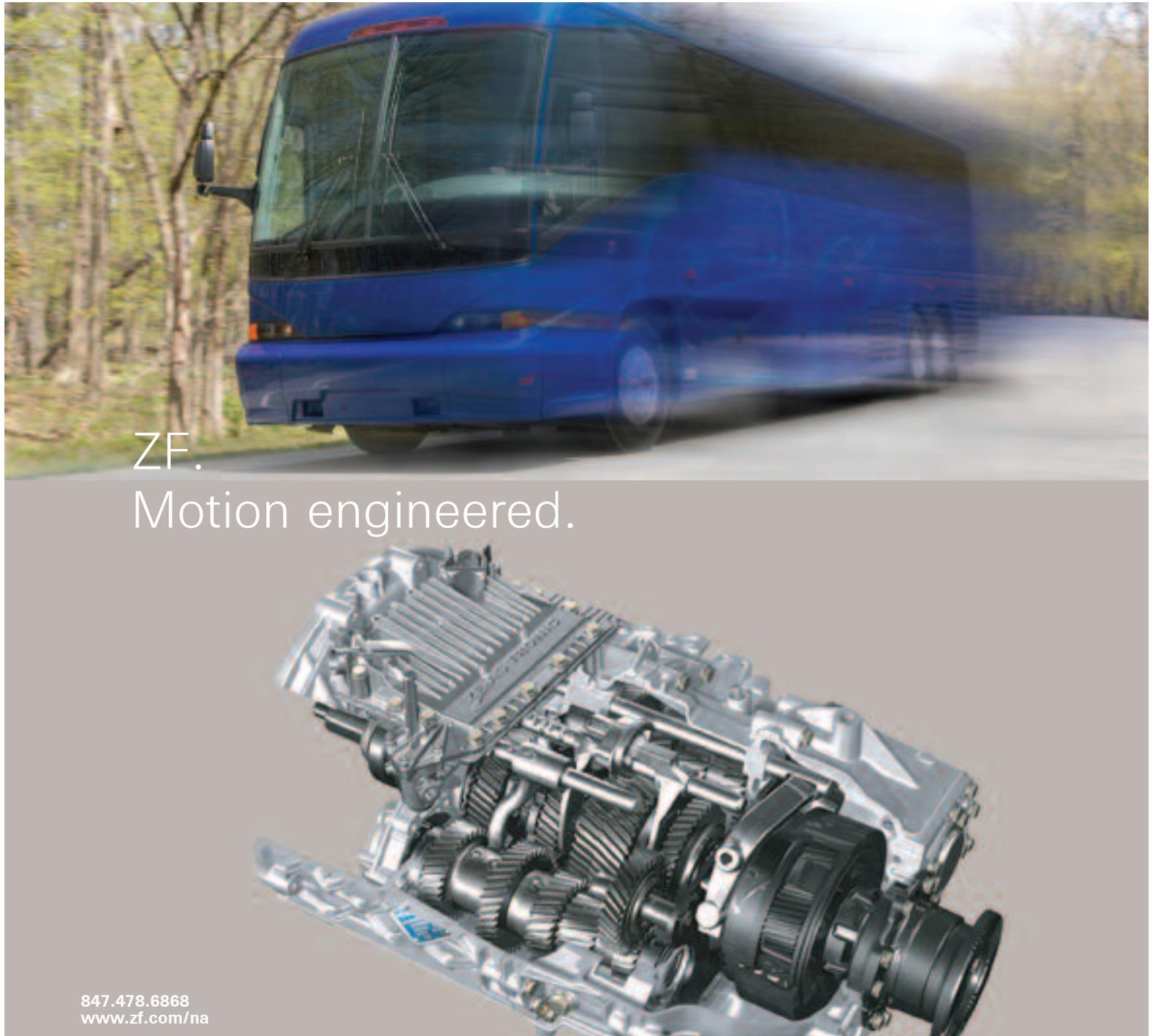
The announcement follows the closure of Gray Line of Vancouver.

MTR Western said its per-capita sightseeing operation will not only offer daily tours of Vancouver but also Victoria, Whistler and other top area attractions.

Additionally, MTR Western will offer "hop-on, hop-off" city sightseeing that will use "environmentally friendly," specially outfitted glass-roofed coaches with prerecorded, GPS-triggered narration developed by MTR Western subsidiary GeoGenius.

"MTR Western is no stranger to the per-capita sightseeing market," said company CEO Darren Berg. "Since 2005, we have operated a large per-capita sightseeing operation in San Francisco, in partnership with Tower Tours, serving more than 180,000 visitors annually. We...look forward to commencing per-capita sightseeing operations in Vancouver, B.C."

The Vancouver service by Seattle-based MTR Western begins in April.



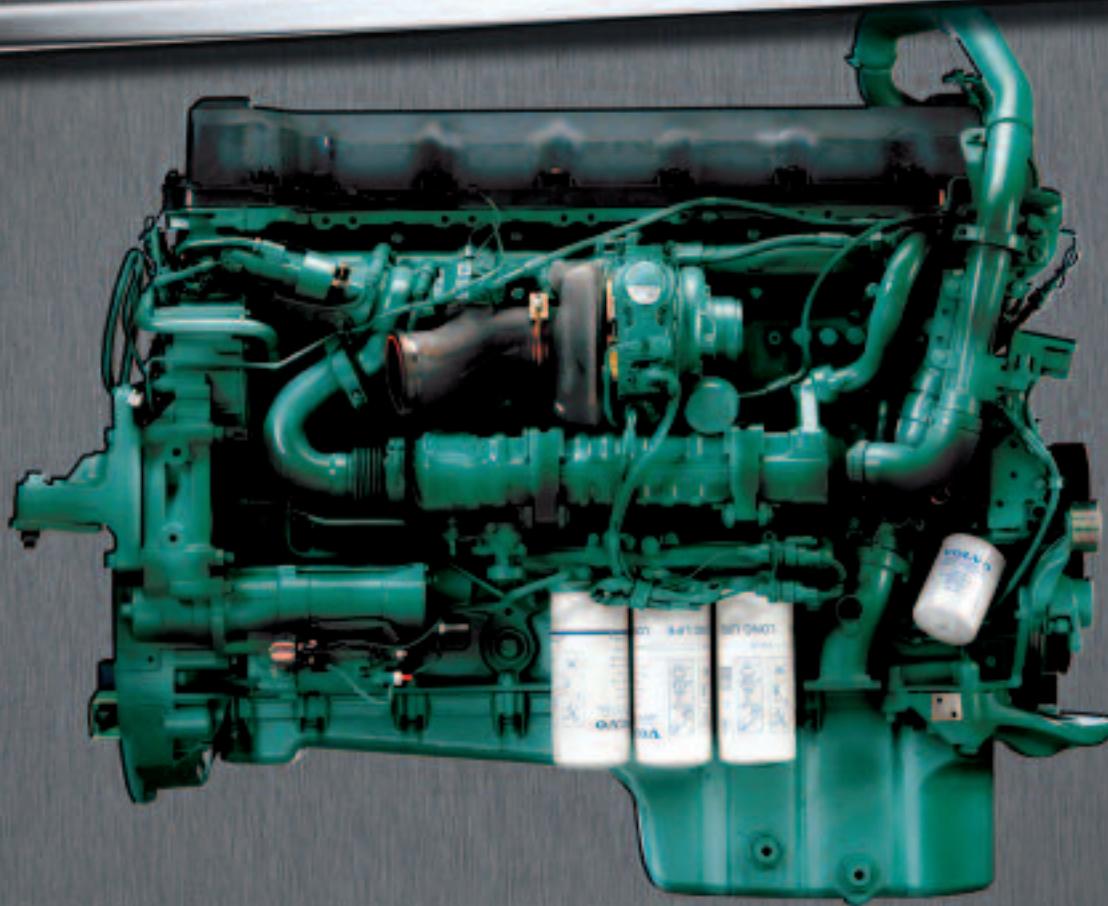
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