

# Bus & Motorcoach NEWS

May 1, 2003

THE NEWS RESOURCE FOR THE BUS AND MOTORCOACH INDUSTRY

## GREAT NEWS: Hours-of-service rules go unchanged

WASHINGTON — In what may be the most significant regulatory action to impact the coach industry since deregulation two decades ago, the Bush Administration has decided motorcoach drivers should operate under different rules than truckers.

The landmark decision not only establishes separate hours-of-service rules for bus and truck driv-

ers but it marks the first time federal safety regulators have acknowledged there may be a fundamental difference between hauling people and trucking potatoes.

"This is really exciting news," said Victor Parra, president and CEO of the United Motorcoach Association. "We're pleased the FMCSA has listened to the industry and taken appropriate action."

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In this case, appropriate action was no action at all, leaving the hours-of-service rules for the coach industry unchanged.

The American Bus Association called the announcement one of the biggest victories for the motorcoach industry in years.

The basis of the associations'

zeal was the announcement at the end of April that the U.S. Department of Transportation and the Federal Motor Carrier Safety Administration had decided not to change the hours-of-service rules under which the motorcoach industry has operated for decades, and the guidance provisions that enforce the rules.

Rules for drivers' daily logs also

remain unchanged. There had been speculation the FMCSA might initiate a move to adopt electronic log books.

The long-awaited announcement was made by Acting FMCSA Administrator Annette Sandberg, who said there is no evidence fatigue-related accidents are a problem in the motorcoach

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## SARS scare deals blow to Ontario coach operators

Special to Bus & Motorcoach News

TORONTO — The SARS health emergency is having a devastating impact on Ontario's motorcoach and tour operators, with wide-spread cancellations of school, convention and charter trips.

"Our sector of the travel and tourism industry has been hit very, very hard by cancellations as a result of the fear of SARS and the mistaken perception that people could put themselves at risk by visiting Toronto," said Brian Crow, president of the Ontario Motor Coach Association.

A small survey of OMCA members found that 1,266 coaches had been canceled in a matter of days when the SARS crisis began peaking in late April.

The situation is not likely to improve very quickly because of a controversial warning about travel to Toronto issued late last month by the World Health Organization (WHO), which said that

persons planning to travel to Toronto should "consider postponing all but essential travel."

The warning by the London-based health group outraged Canadian health and government officials, and was far stronger than a caution issued by the U.S. Centers for Disease Control and Prevention. The CDC is recommending that U.S. travelers to Toronto observe precautions to safeguard their health, including avoiding areas where SARS is most likely to be transmitted, such as health-care facilities treating SARS patients.

Canadian health officers say the risk of contracting SARS in Toronto remains extremely low. They contend that strong measures are limiting the spread of the disease, making Ontario a healthy destination. They face an uphill battle, however, in trying to restore confidence and undo the damage done by the initial WHO warning.

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8,000 varieties of flowers and plants wowed guests at Florida's famed Cypress Gardens for more than six decades.

## Tourism industry icon Cypress Gardens closes

WINTER HAVEN, Fla. — Cypress Gardens, Florida's first theme park and a tourism industry icon for nearly 70 years, has closed and appears unlikely to reopen in its present form.

The 200-acre "must-see" tropical attraction noted for its beautiful plants and flowers, Southern belles and world-famous water ski

shows, fell victim to all of the negative factors impacting the tourism industry.

"The circumstances dating back to September 11, which brought about an immediate decline in the tourism industry are part of the decision to close," said gardens President and CEO Bill Reynolds.

"Attendance, the park's major source of revenue, has never rebounded from that event. Even with the best entertainment offering in its history, the park's March attendance was down 42,000 visitors from the previous year.

"The ensuing worsening

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The partnership studying tourism bus parking in Washington, D.C., cancels part of its research.

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# Just Arrived...

**50**

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## Forest Service has tools for travel planners

Fed up with the implications of shock and awe? How about a little safe and secure?

That's what the USDA Forest Service is touting as among the benefits of bringing tour groups to federal recreation areas in the United States.

To promote travel to National Forests and a slew of other "special places," the U.S. Department of Agriculture Forest Service has published two informative travel and tourism planning guides.

The 12-page guides, titled appropriately *Special Places*, are specifically designed for travel professionals to assist with itinerary planning. They highlight a range of travel sites and ecotourism recreation areas in the U.S.

The Forest Service says the recreational areas it manages offer everything from dinosaur track-sites in Colorado, to voyageur canoe rides on Lake Superior.

"These are great tourism products for travel-tour planners," says Floyd A. Thompson III, Scenic Byways program leader for the Forest Service.

One issue of *Special Places* includes inviting descriptions of such destinations as:

- Pioneer Mountains National Forest Scenic Byway in Montana. This 44-mile drive offers a window on the pioneering West.

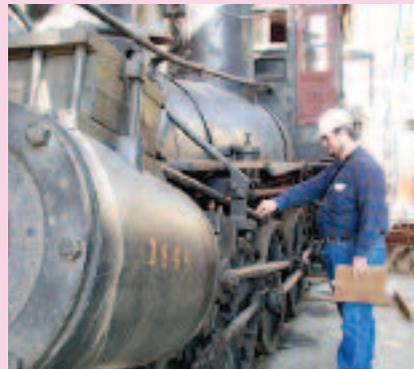
- Land between the Lakes in western Kentucky and Tennessee. History, wildlife, solitude, exploration and natural beauty abound in this largest human-created inland peninsula in the U.S.

- Santa Catalina Mountains and Sabino Canyon Visitor Center in Arizona. Located north of Tucson, the Sky Island Scenic Byway accesses Mt. Lemmon, while a visit to Sabino Canyon offers breath-taking views of towering cliffs.

These and other destinations are concisely described, plus there are details for getting additional information, including contacts, phone numbers, reservation numbers for groups, and Web addresses.

To find a copy of *Special Places*, go to [www.fs.fed.us/recreation](http://www.fs.fed.us/recreation). Look for the "Visit US" logotype. More guides were planned but funding has been suspended.

For information about USDA tourism programs, contact Floyd Thompson at (202) 205-1423, or e-mail at [fthompson02@fs.fed.us](mailto:fthompson02@fs.fed.us).



## Comeback begins at B&O Railroad Museum

**A team of curators from railroad institutions across the U.S., working with members of the staff of the Baltimore & Ohio Railroad Museum, have completed a damage assessment that will guide restoration of locomotives and rolling stock damaged when much of the roof collapsed on the museum's famed 1884 Baldwin Roundhouse in February. The popular Baltimore museum is closed until further notice. It also has been forced to cancel the Fair of the Iron Horse.**



## Steering group is named for Louisiana coach association

Efforts to organize an association of motorcoach operators in Louisiana moved toward reality last month with the formation of a steering committee to guide development of the nascent group.

More than 25 people attended a lunch meeting in Metairie, La., in mid-April to formally kick off plans for the association. Louis Sanders, director of operations at Louisiana Coaches Inc. of Marrero, said the steering committee of five members grew out of the meeting. The event was hosted by Motor Coach Industries.

Also attending the meeting and providing guidance was Linda Morris of Morris Meeting Management in Gladys, Va. Among other things, Morris' firm manages the North Carolina Motorcoach Association.

The next step, said Sanders, is to have a second meeting on May 28 in Baton Rouge, La. Goals of that meeting will be to involve more operators and to begin

addressing key issues in the state. There are roughly 30 private coach companies in Louisiana.

Sanders and other steering committee members are eager to involve operators from across

Louisiana, including those in such areas as Monroe, Jonesboro, Shreveport, Kenner, Lafayette and Bossier City. A goal of the committee is to assure the association is not dominated by operators out

of New Orleans.

Issues facing operators in Louisiana include use of school buses for charter work, soaring insurance rates, fuel costs, and parking and idling restrictions.

## Diesel averages \$1.50

Diesel fuel prices have fallen to their lowest level since late January and are now 27 cents a gallon less than they were at their Iraq War peak.

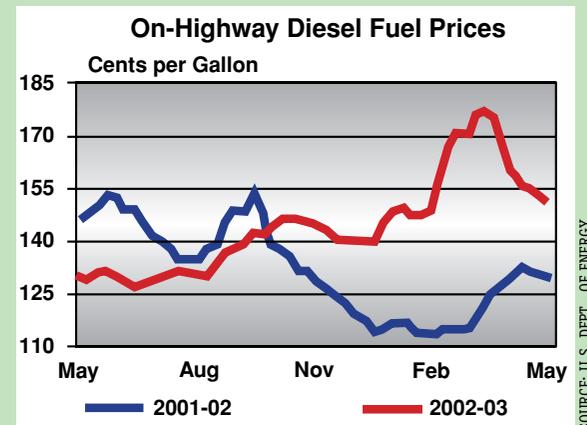
Diesel prices declined 10 cents a gallon last month, according to the latest at-the-pump survey conducted by the U.S. Department of Energy. The U.S. price averages just over \$1.50 a gallon. On March 31, the average price was \$1.60 a gallon; on March 10, it was \$1.77, and a year ago it was \$1.30.

Regionally, the biggest decline in April came in New England, where prices registered a 16-cent-a-gallon drop. New England and the central Atlantic states still have the highest diesel fuel prices in the

U.S., averaging \$1.66 a gallon. On the West Coast, diesel prices dropped an average of 13 cents a gallon in April. The average price in California was \$1.60 a gallon, 4 cents a gallon higher than other coast states.

The lowest prices for diesel fuel remain along the Gulf Coast where it averages \$1.41 a gallon, 25 cents a gallon less than in New England and the central Atlantic states. And the weather is better, too!

While dropping diesel fuel prices are a positive, prices aren't as low as they should be relative to the level of refinery output and imports of crude oil. The reason for the disparity is inventory levels. U.S. inventories of diesel fuel remain extremely low.



## Diesel Fuel Prices

Cents per Gallon	Price	Change from	
		Week Ago	Year Ago
U.S.	150.8	▼-2.1	▲ 20.6
East Coast	156.5	▼-2.6	▲ 25.8
New England	166.2	▼-2.3	▲ 27.1
Central Atlantic	166.1	▼-2.7	▲ 27.1
Lower Atlantic	151.6	▼-2.5	▲ 25.3
Midwest	148.8	▼-1.2	▲ 20.7
Gulf Coast	141.9	▼-1.5	▲ 14.8
Rocky Mountain	153.8	▼-3.2	▲ 18.2
West Coast	156.0	▼-4.6	▲ 17.0
California	160.1	▼-4.6	▲ 17.5

## Milestone

Mabel Shannon, president of Crown Charter Coach in Chicago, is retiring after 36 years in the industry. Crown Charter was founded by Mabel Shannon's husband in 1967.

# THE DOCKET

## D.C. parking survey canceled; costly parking tickets still flow

An important survey expected to help find solutions for the horrendous tour bus parking and traffic problems in the District of Columbia was canceled last month because of reduced motorcoach travel to the nation's capital.

The survey was to be a key component of research being conducted by the District of Columbia Tour Bus Management Initiative, a high-profile, public-private partnership that's supposed to come up with long-term solutions to the capital's bus parking and traffic issues.

David Levy of the National Capital Planning Commission and a member of the Tour Bus Management Initiative advisory board said representatives from the tourism industry informed him and other steering committee members that tour and charter coach traffic was down this spring because of the Iraq war and security concerns. That prompted cancellation of the survey.

"This action will not result in any delay of our work," Levy said. "We have advised our consultant to estimate tour bus visitation levels using other methods.... The tour bus field data collection effort may be rescheduled during the summer or fall peak travel periods if it is determined that a physical count is still required, and if tourism and visitor levels return to a more normal level," said Levy.

Researchers for the Tour Bus Management Initiative had planned to observe motorcoach movements and parking patterns

throughout the District of Columbia. The goal was to determine the origin of buses, travel patterns, destinations and choices of parking areas. The survey data was then to be analyzed and used in conjunction with information already gained from stakeholder interviews to develop long-term tour bus management solutions for the capital.

Levy says all other components of the project will proceed on schedule.

Vic Parra, president and CEO of the United Motorcoach Association and a stakeholder in the Tour Bus Management Initiative, said that cancellation of the survey was not a good sign, but worse was the unwillingness of the District of Columbia to tackle the most pressing issue currently facing coach operators—expensive parking tickets.

"Coach operators are being hit with a triple whammy," said Parra. First, operators continue to struggle to find suitable parking for their coaches in the district. Second, the parking lots that have been identified or designated as being available for coaches are often occupied by District of Columbia vehicles, including police cruisers. Third, district law enforcement officers continue to hand out \$500 parking tickets, which went into effect March 1.

"So far, the district really hasn't done anything to alleviate the problem," said Parra. "There's a lot of finger-pointing, but no one wants to take responsibility."



Victor Parra of the UMA.

Members of the Tour Bus Management Initiative include planners, law enforcement organizations, businesses, convention and tourism organizations, government officials and, of course, motorcoach industry representatives.

The Volpe National Transportation Systems Center has been contracted by the partnership to conduct a comprehensive study of the capital's tour bus issues and to develop long-term recommendations for solving the problems. The study and its recommendations are to be completed and released by the end of next month.

Meanwhile, there's a Web site designed to help operators cope with parking in Washington. It can be found at: <http://ddot.dc.gov/main.shtm>. When the page opens, look under the heading of "Information" and click on "Tour Bus Parking."

Levy of the National Capital Planning Commission can be reached by calling (202) 482-7287, or by e-mail at [david.levy@ncpc.gov](mailto:david.levy@ncpc.gov).

## Federal highway officials refute axle-weight limit

Lawyers at the Federal Highway Administration have thrown cold water on the axle-weight exemption for over-the-road buses adopted by Congress earlier this year.

The FHWA attorneys say an amendment to the Intermodal Surface Transportation Efficiency Act of 1991 approved by Congress in February is not a true weight exemption after all. Instead, they contend the change simply allows states to exempt over-the-road and public transit buses from single- and dual-axle weight limits — if they wish to do so.

The pronouncements by the FHWA are contained in a letter sent to the Commercial Vehicle Safety Alliance by Harry Caldwell, acting director of the Office of Freight Management and Operations at the Federal Highway Administration. The CVSA asked the FHWA in March if the action taken by Congress the month before exempted over-the-road buses from having to stop at state weigh stations. In a word, the FHWA says in its reply, "the answer is no."

The confusion began when Congress was working on the fiscal 2003 omnibus appropriations bill. Language designed to exempt motorcoaches from federal axle-weight limits was inserted into the 1,200-page bill.

After Congress adopted the measure and President Bush signed it, the motorcoach industry went away believing it finally had succeeded in its long struggle to win an axle-weight exemption for over-the-road buses.

The axle-weight exemption language used in the 2003 appropriations bill was in the form of a straightforward amendment to the 1991 law that seemingly granted an axle-weight exemption to transit buses.

The axle-weight exemption provision got into the fiscal 2003 Transportation Department appropriations bill thanks to the persistent work of Sen. Craig Thomas (R-Wyo.).

Thomas' efforts were aggressively supported by the United Motorcoach Association, the American Bus Association, ABC Companies/Van Hool and Motor Coach Industries.

Now it appears no one had ever asked the Federal Highway Administration whether it considered

the language in the 1991 law as actually granting an axle-weight exemption to transit buses.

In its response to the CVSA inquiry, the FHWA says federal law requires states to certify they are enforcing their own laws pertaining

to maximum vehicle size and weight on federal highways. At the same time, the FHWA says states do have the right to exempt buses from state axle-weight limits.

In other words, Congress' action doesn't provide a blanket axle-weight exemption for over-the-road and transit buses, rather it gives states the ability to extend such an exemption, according to the FHWA.

Norm Littler, senior vice president of government and industry affairs for UMA, said Sen. Thomas clearly intended for over-the-road buses to be exempt from ticketing by state weigh stations.

However, rather than challenge the Federal Highway Administration on the issue, the senator's office says he has decided to wait and see whether states continue to stop buses at weigh stations. If they do, the senator may act.

Coach operators should notify the bus associations if their coaches continue to be stopped and ticketed at weigh stations, or are refused entry into a state.

**'The senator has decided to wait and see whether states continue to stop buses at weigh stations.'**

## Four public agencies seek private charter firms

The following public transit providers have informed the United Motorcoach Association of their intent to provide charter service unless willing and able private charter operators step forward to offer their services, or to bid on contract opportunities.

Operators are urged to take the time to respond to these public notices.

**Louisville, Ky.** Deadline: June 13, 2003. Write to: J. Barry Barker,

Executive Director, Transit Authority of River City (TARC), 1000 West Broadway, Louisville, KY. Phone: (502)561-5100.

**Oklahoma City.** Deadline: May 14, 2003. Write to: Randall J. Hume, Administrator, Central Oklahoma Transportation & Parking Authority (Metro Transit), 300 S.W. 7th St., Oklahoma City 73109. Phone: (405) 297-2484.

**Orlando.** Deadline: May 19,

2003. Write to: Operations Support, Central Florida Regional Transportation Authority (LYNX), 445 W. Amelia St., Ste. 800, Orlando, FL 32801. Phone: (407) 841-2279.

**Racine, Wis.** Deadline: May 16, 2003. Write to: Michael J. Glasheen, Transit Planner, The Belle Urban System (The BUS), 730 Washington Ave., Room 304, Racine, WI 53403. Phone: (414) 636-9166.

## Travel poll paints a brighter picture; safety fears ease

FORT WORTH, Texas — A survey of American travelers has encouraging findings for motorcoach operators.

The independent phone poll commissioned by Travelocity, the popular travel Web site, found that most Americans plan to vacation within the U.S. during the next year, taking a combination of short and long trips.

Two in three Americans have made decisions to travel, leaving a third undecided.

The new Travelocity poll shows a significant shift in travel plans since December, when a similar poll was taken. The new poll shows Americans are shifting their attention to the traditional vacations—seeing the country and spending time with family and friends.

Eighty-eight percent plan to travel within the U.S. more than 200 miles from home, up from 82 percent in December, and 61 percent plan to take a trip within 200 miles, up from 42 percent in December. More travelers—42 percent—also have developed specific plans to spend their leisure trips with family and friends. That compares to 28 percent in December. “When considering travel over the next 12 months, it appears Americans have become more inclined to explore their own country and their own backyards rather than exotic international destinations,” said Amy Ziff, Travelocity’s editor-at-large.

Poll respondents who said they are undecided, or do not intend to travel, cited less concerns about the safety and inconvenience of travel than in the past. Instead, those reluctant or undecided about travel say that economics and cost is a primary consideration, with a marked increase in those who plan to stay closer to home (21 percent, up from 7 percent in December).

Because the cost of travel remains low, consumers’ conservatism appears to be more a reflection of their desire to be economically cautious, to search for great values, and to stay inside a smaller geographic comfort zone right now,” said Ziff.

The poll, a random phone

survey of 1,000 respondents was independently conducted for Travelocity by TeleNation, a service of Synovate.

Additional survey findings include:

- 88 percent plan to travel to a

U.S. destination more than 200 miles away, compared to 82 percent in December

- 61 percent plan to travel to a U.S. destination less than 200 miles away, compared to 40 percent in December.

- 24 percent plan to travel to a destination in Canada, Central or South America, compared to 21 percent in December.

- 15 percent plan to travel to Europe, compared to 17 percent in December.

- 25 percent said that the end of the war is the most influential factor in getting them to travel, while 12 percent said they would be most likely to travel when the security alert was lowered to yellow or lower.



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# THE DOCKET

## Illinois license bills continue to progress, State Police weigh in

SPRINGFIELD, Ill. — Bills to revise a state law requiring coach drivers to have Illinois school bus drivers licenses before transporting children on school trips continue to make progress through the Illinois legislature.

Separate bills addressing the problem are being worked in each house of the Illinois General Assembly. The bills moved out of their rules committees and were aired at separate public hearings during the last week of April.

Both bills eliminate provisions of a four-month-old law that requires motorcoach drivers to have a school bus drivers license before transporting school children in a chartered bus. The bills ease the requirement, providing that as long as a driver has a current, valid commercial drivers license, the driver can transport school children.

House Bill 2840 requires schools that contract for charter bus service with Illinois-based

operators to insert a clause in their contracts that indicate the coach drivers providing transportation have been fingerprinted, have had a criminal background check and have submitted to a medical examination, including drug testing.

Out-of-state operators that contract with Illinois school districts must affirm their drivers have submitted to background checks and a medical examination.

These last provisions caught the attention of the Illinois State Police which has asked for minor changes to the background check language. The state patrol has submitted language that spells out how it wants fingerprints submitted and how they are to be processed. Most importantly, the State Police wants to be reimbursed for the cost of processing fingerprint requests. In other words, the State Police intends to charge a fee for handling the fingerprints.

## I-5 restricted in Washington

Traffic is restricted on Interstate 5 through downtown Bellingham, Wash., through October as a result of a construction project designed to get rid of rough pavement.

The construction will replace worn sections of I-5 that have been in place since the 1960's. The goal is to level the road surface, giving travelers a safer, smoother ride.

Washington State Department of Transportation officials said one lane in each direction on I-5 is being closed between 9 p.m. and 7 a.m., Sunday night through Friday morning.

There are to be no lane closures on Friday or Saturday nights.

Exceptions to the schedule will take place the nights of May 10-11 and May 17-18, from 9 p.m. to 9 a.m. On these nights, I-5 will be completely closed to traffic while

construction crews remove an old railroad bridge over the freeway. During these closures, I-5 traffic will be detoured onto James Street in Bellingham.

Removing the bridge will allow taller trucks to use that section of I-5.

The schedule for roadway closures changes in July when I-5 will be reduced to one lane in each direction 24 hours a day on weekdays through August.

Because roadway capacity will be reduced by 50 percent during the day, WSDOT officials expect the greatest impact to traffic during this period.

For updated information, a recorded telephone message about the project is available at (360) 788-7444. A Web site, [www.wsdot.wa.gov/projects/i5sami](http://www.wsdot.wa.gov/projects/i5sami) shtosr542 provides information about the project.

## Black boxes are topic of NTSB session

WASHINGTON, D.C.—The National Transportation Safety Board and the Society of Automotive Engineers will host a symposium on transportation vehicle recorders, June 4-5, in Arlington, Va.

The symposium will bring together a broad spectrum of manufacturers, operators, safety and regulatory officials, and other industry and government specialists to share technical information and experiences in the use of vehicle recorders in all modes of transportation.

"Vehicle recorders are critical tools for providing information in an accident investigation," said NTSB Chairman Ellen Engleman. "These innovative technologies that will be discussed at the symposium should provide us with vital information for future investigations."

Topics that will be explored during the two-day meeting include:

- State of the art in accident recorder technology.
- Accident recorder survivability/crashworthiness requirements.
- Video/imaging recorder technology.
- Data privacy issues.
- Proactive use of data in commercial operations to prevent accidents and improve efficiency.

On the afternoon of the second day there will be a "highway workshop," featuring a panel discussion on event data recorders, focusing on user perspectives on parameters and data accessibility.

The symposium will be at the Hilton Alexandria Old Town in downtown Alexandria. The telephone number is (703) 837-0440.

Further information on the symposium is available on the NTSB Web site at [www.nts.gov](http://www.nts.gov) and on the SAE Web site at [www.sae.org/recorder](http://www.sae.org/recorder).

## Higher fuel taxes win okay in Ohio

On July 1, diesel and gasoline fuel taxes in Ohio begin a three-year climb that will increase the taxes by 6 cents a gallon.

Gov. Bob Taft signed House- and Senate-approved legislation that will increase Ohio's basic fuel tax from 22 cents a gallon to 28 cents on July 1, 2005. The legislation raises the tax by 2 cents a gallon annually for three consecutive years.

Currently, diesel fuel carries an additional 3-cent a gallon highway use tax that the new legislation removes. Two cents of the surtax comes off next year and the remaining penny in 2005.

Proponents of the tax increase said Ohio was facing a crisis in highway construction and maintenance. The higher fuel taxes are expected to raise \$5 billion to help fund a 10-year highway improvement plan Gov. Taft announced at the first of the year.

## South Dakota governor stops road funds shift

A bill that would allow South Dakota's most heavily populated counties to shift some of their road money to pay for sheriff operations has been vetoed by the governor.

Gov. Mike Rounds said that using the money for law enforcement instead of highway and bridge construction would be detrimental to the traveling public.

## Washington state works fuel tax increase

Both houses of the state legislature in Washington continue work on proposals that would boost the fuel tax to pay for highway and other transportation improvements. In the latest action, the state Senate approved a plan that would hike the fuel tax a nickel a gallon.

The Senate envisions a 10-year, \$4.1-billion transportation plan that also includes a .3 percent sales tax on motor vehicles. Senate Highways and Transportation Chairman Jim Horn says the money would create thou-

sands of construction jobs, improve highway safety across the state and make a down-payment on the hugely expensive improvements necessary in Puget Sound.

The Washington House has passed a different version with a 3 cent fuel tax hike and a larger sales tax on new vehicles. The two chambers now will try to work out a compromise.

## Wisconsin governor wants road funds

The Wisconsin legislature is being urged by Gov. Jim Doyle to approve the transfer of \$500 million from the state transportation fund to help support local government fire and police protection.

There is resistance among state legislators to the governor's plan, with many worrying that robbing the highway fund will cripple the state's ability to pay for transportation projects.

Wisconsin faces a \$3.2 billion budget deficit for the period ending June 30, 2005.

## More road money sought in Rhode Island

Gov. Don Carcieri is advocating that more money be allocated to repair roads in Rhode Island that do not cross state lines. The governor wants to increase spending to \$11 million, from the \$1.5 million budgeted.

The roads that would be repaired are not eligible for federal highway money because they do not cross state lines. Most of the money would go for resurfacing and filling potholes.

## Tennessee DOT cuts

Spending for the state Department of Transportation in Tennessee would be cut by \$66 million under a proposal by Gov. Phil Bredesen.

Most of the money earmarked for elimination is used to help communities improve roads, mass transit and other transportation services.

Tennessee DOT has an annual budget of around \$1.4 billion.

**NEW COACH DELIVERIES**



**Daisy Tours  
San Antonio, Texas**

Daisy Tours of San Antonio, Texas, has purchased its first wheelchair-lift equipped coach. The new 2045L Van Hool has a Stewart & Stevenson Bay-lift wheelchair lift and Q-Straint tie-down system. The coach also is equipped with a Detroit Diesel

Series 60 engine, Allison B500 transmission, Carrier-Sutrak integrated HVAC system, and ISRI driver's seat. In March, Daisy Tours was the official carrier for the Miss USA contest in San Antonio, and the company has been awarded three new military transportation contracts. Daisy Tours has been in business since 1980 and is headed by June Bratcher, president.

**England Charter  
Belton, Mo.**

Paul England, president of England Charter & Tours in Belton, Mo., outside of Kansas City, has taken delivery of a new D4000 coach from Motor Coach Industries. England's D-model is equipped with a Detroit Diesel Series 60 engine, an Allison B500 transmission, Jake Brake, National seating and an REI audio-visual system. England has operated his one-coach company since 1990.

**Omnitrans  
San Bernardino,  
Calif.**

Omnitrans of San Bernardino, Calif., the public transit system serving the eastern suburbs of greater Los Angeles, has ordered 12 Thomas Dennis SLF200, 30-foot low floor buses powered by compressed natural gas. The SLFs

are equipped with Cummins B Gas Plus engines, Allison B300R transmissions, Ricon Foldover wheelchair ramps, Twin Vision LED destination signs, Amerex gas and fire detection/suppression systems, Recaro driver seats, American Innovator passenger seating and Tarabus transit flooring. In addition to San Bernardino, Omnitrans also serves Fontana, Loma Linda, Chino, Redlands, Rialto, Ontario and Rancho Cucamonga, Calif.

**Kingston Transit  
Kingston, Ont.**

Kingston Transit has placed two new Thomas Dennis SLF 200 buses into service. The 30-foot, low-floor coaches join a fleet of 36 vehicles, providing fixed-route transit services to the city's 125,000 residents. The 30-foot SLF 200s feature 42-inch-wide, air-operated doors, and an air-ride suspension that kneels. The buses seat 28 passengers.

**Just For The Fun Of It Charters  
Cumberland, Tenn.**

Don and Florida Robinson, owners of Just For The Fun Of It Charters in Cumberland, Tenn., have taken delivery of three D4500 coaches from Motor Coach Industries. The Robinson's D-models are equipped with Detroit Diesel Series 60 engines, Allison B500 transmissions, Jake Brakes, REI audio-visual systems with six monitors and Carrier A/C systems. The Robinsons have operated their central Tennessee tour and charter company since 1997.

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## OPINION

# Unfinished Business

The momentous decision to leave unchanged the hours-of-service rules under which motorcoach drivers operate was spectacular news for an industry that needed it. The announcement was acknowledgement by federal regulators that when it comes to safety, the coach industry is far and away the safest ground transportation sector.

Yet, as important and significant as the announcement was, it clearly wasn't the most critical safety or regulatory issue facing the coach industry. There is, quite frankly, a whole laundry list of safety-related issues weighing on the coach industry that the Federal Motor Carrier Safety Administration should be aggressively addressing.

No. 1 is enforcement. One of the principal criticisms of the FMCSA leveled by safety advocates is that the agency is a paper tiger. The disparagement was heard again last week when the FMCSA issued its modified hours-of-service rules for truckers. The changes are meaningless, said safety advocates, because the FMCSA doesn't enforce its rules and the new rules add no new enforcement backbone.

The advocates' assertions have been supported by any number of investigations by newspapers, universities and others. These investigations have found that truckers routinely ignore or violate hours-of-service rules and escape scot-free.

There are similar concerns in the coach industry, though the focus isn't on the lack of enforcement of hours-of-service rules. Instead, FMCSA enforcement

comes up short in other critical safety and regulatory areas.

For example, there's considerable anecdotal evidence that scores, if not hundreds, of rogue motorcoach companies are operating on U.S. highways. These operators typically don't have the required insurance, their drivers haven't been properly vetted, and their maintenance practices are hit and miss. Such operators not only pose a serious safety threat to their passengers and the other vehicles with which they share the highways, but their business practices assure their operating costs are substantially less than those of competitors who play by the rules. These are the lowest of the low-balls that are the No. 2 cause—behind the economy and consumer security worries—of the industry's precarious financial health.

Other safety-related shortcomings that can be laid at the feet of FMCSA include the need to have more compliance reviews conducted; the need to push states to enforce moving violation laws, especially speeding and following distance; the medical certification mess; the failure to weigh in on the shipper liability issue, and the specter of the agency launching a major safety initiative—the new entrant audit program—with the program's funding left to the discretion of an oft-times fickle Congress.

Now that hours-of-service is largely behind the agency, let's hope it quickly starts tackling these other important issues.

# Tort reform

## Changes may slow insurance hikes

Soaring commercial motor vehicle insurance rates are giving strong impetus to efforts across the U.S. to reform the civil justice system.

The campaign to push so-called tort reform has chalked up some significant legislative successes this year, with a handful of states adopting new laws. The issue is receiving favorable consideration in many other states.

Those pushing tort reform are hoping to slow skyrocketing insurance costs by passing laws that—among other things—limit jury awards, restrict where lawsuits may be filed to halt jury shopping, require damages to equate with liability, and permit judges and juries involved in a trial involving a crash to consider victims' failure to wear seatbelts.

The latest successes came in Arkansas and Idaho, where the governors of those states signed tort reform legislation little more than a month ago.

Idaho's new law limits non-economic "pain and suffering" damages at \$250,000, punitive damages at \$250,000 or three times compensatory damages, whichever is greater, and the size of the bond required to appeal a punitive damage award at \$1 million.

The Idaho law also repeals "joint and several liability," a legal provision—by plaintiff attorneys—that permits defendants to be required to pay a majority of the

**'Idaho's new law limits non-economic pain and suffering.'**

damages even if their liability in the lawsuit is found to be minimal. This provision is generally believed to have resulted in any number of coach companies having to bear the brunt of a lawsuit even though their liability was modest.

The new Arkansas law also includes a joint-and-several-liability repeal and a limit on punitive damages similar to the one in

**'Reducing jury awards eliminates a reason for higher premiums.'**

Idaho but with the addition of an overall limit of \$1 million.

Tort reform legislation also is moving forward in several other states. In Minnesota, Missouri, Montana and Washington, lawmakers in one or both houses of the legislature have moved tort reform legislation forward. Measures have been introduced in many other states.

Last year, reform legislation was adopted in Mississippi and Pennsylvania.

The burst of activity suggests that complaints from commercial vehicle operators are being heard.

No one pushing for overhaul of the tort system is suggesting that adoption of reform legislation is going to mean insurance rates will start tumbling. It's not that simple, of course. However, it is believed that if enough states jump on the tort reform bandwagon it eventually will impact lawsuits and settlements, reducing operator and insurance industry costs. In other words, reducing jury awards eliminates one of the reasons for higher insurance premiums.

Also, limiting punitive damages to an amount that is insurable will allow operators to fight unfair litigation.

Still, tort reform is seen as a long-term battle. More states need to take up the issue, meaning more coach operators need to partner with truckers to push the issue with their legislators.

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Tom  
DeMatteo

## Corporate Governance: Your duties as a director

By Thomas D. DeMatteo  
Vice President and General Counsel  
ABC Companies

One of the hot topics in business circles right now is corporate governance. While I recognize many motorcoach operations are closely held or owned by one individual, it remains important for you to know what the law expects of you in your capacity as a corporate director.

The primary responsibilities of a director are to oversee and promote the best interests of the corporation and its shareholders.

You'll notice that the foregoing sentence does not say in the best interests of employees, officers or family members. Many of you wear all of these hats, but each has different obligations and you must be cognizant of the distinctions.

To be an effective director you should be familiar with many aspects of the business. These include the financial and operational objectives and results of the company, the relative standing of the company in the marketplace, laws that affect the business, company policies and procedures, and material contracts, customers, supply relationships and litigation.

Here's a list of important functions you have as a director:

- Overseeing management of the company for the benefit of the shareholders.
- Selecting the CEO and reviewing the compensation and performance of that individual.
- Reviewing the company financial and operating performance.
- Approving material contracts, mergers, acquisitions and divestitures.
- Approving long-term strategies for the company.
- Reviewing the adequacy of internal controls.
- Ensuring the quality and

timelines of information to the board.

- Reviewing regulatory compliance programs.
- Recommending and approving candidates for board membership.
- Determining executive compensation and the performance of other senior executives.
- Ensuring management succession planning. In addition, there are three more fundamental legal duties or principles you should know about. They are the duty of care, the duty of loyalty and the business judgment rule.

The duty of care is premised on the fact you will make decisions in (1) good faith, (2) using the due care that a prudent person would use in similar circumstances, and (3) with a reasonable belief that your decision is in the best interest of the corporation.

You can meet your duty of due care by being prepared for board meetings, ensuring adequate information is being made available to board members in a timely manner, and by participating in meetings and on board committees on a regular basis.

Sometimes directors ask the question: "Do I have the right to

rely on others?" The answer is yes. A director is entitled to rely on reports, opinions, analyses, financial statements and information presented by officers and employees deemed to be reliable and competent in the matters presented; accountants, lawyers and consultants with appropriate professional experience, and authorized committees of the board.

that if you have a financial or personal interest in a transaction with the company, competing against the company or entering into a transaction where you use company assets for your own benefit, you are considered to be an "interested" director.

Your actions should be reviewed and approved by disinterested directors. You should abstain from voting and—in most cases—leave the meeting while the disinterested directors are analyzing and voting upon the matter.

The corporate opportunity doctrine requires a director to first present business opportunities to the corporation before pursuing them individually. This issue surfaces more than you might think, particularly in small or family-held businesses.

Factors to consider in determining if a corporate opportunity exists are as follows: Does the opportunity relate to the company's current or future business? How did you become aware of the opportunity?

And, would the company reasonably believe the opportunity should be presented to the company? If you answer yes to these questions, you should first present the

opportunity to the company.

The last principle for this article is to understand the business judgment rule. This is the rule that helps a disinterested director escape personal liability for decisions made as a director that ultimately turn out to be unwise or unsuccessful. The courts will not substitute its judgment for that of a director if the director acted in good faith, was reasonably informed and the decision was made with the reasonable belief that it was in the best interest of the company.

Please note that these principles are fundamental to the body of law surrounding duties of directors. This article is not intended to encompass all of the legal responsibilities of a director.

Federal securities laws, new corporate governance principles, audit standards and case law continue to expand this area. However, keeping these principles in mind as you make decisions will improve your bottom line because you will be making better informed decisions.

Footnote: American Bar Association; Corporate Director's Guidebook

Thomas D. DeMatteo also is an adjunct professor of law at Hamline University School of Law in St. Paul, Minn.

## 'Sometimes directors ask: Do I have the right to rely on others?'

The next principle is the duty of loyalty. This requires a director to exercise power in the best interests of the corporation and not in the director's own personal interest, or interest of a family member, friend or other person or organization. Therefore, directors need to be aware of conflicts of interest and a doctrine called the corporate opportunity doctrine.

Basically, this doctrine holds



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## INDUSTRY NEWS



Airport shuttle traffic and attendance at theater events is down in Toronto due to SARS.

## SARS scare

CONTINUED FROM PAGE 1

Toronto, along with Beijing and Shanxi Province in China, has been at the epicenter of the scare over SARS, or severe acute respiratory syndrome.

More than a dozen people have died of SARS in Toronto, where the outbreak has been linked to a single case and its spread has been through person-to-person contact.

There was an emergency meeting of members of the Ontario Motor Coach Association during the last full week of April to discuss ways of dealing with the crisis. Operators attending the gathering in Toronto reported a dramatic drop in their tourist business stemming from the fear of SARS and other factors.

"This is a very severe crisis for many of these companies," said Crow.

## Museum of Bus Transportation sets opening

LEMOYNE, Pa. -- The long-awaited opening of the Museum of Bus Transportation will be next month at its new facility on Route 39 near Hershey, Pa.

The museum's collection of historic and antique buses and bus-related memorabilia goes on public display for the first time Sunday, June 29.

The museum is housed in a separate area of the Antique Automobile Club of America Museum, which also is opening its display of antique automobiles at the same time. Both exhibits will

The OMCA cited a handful of examples of what operators are facing:

- One operator lost \$300,000 of business in just two weeks due to SARS worries.
- Another lost a \$77,000 contract for shuttle services when a major convention was cancelled.
- A small southwestern Ontario tour operator had 52 coach departures to Toronto cancelled due to SARS concerns.
- Coach charters to Toronto Blue Jays games, theaters and other attractions are being cancelled or not being booked as they have been in other years.
- Conventions have been cancelled, so operators have lost the shuttle business for the convention, the airport shuttles and the side tours.

But SARS isn't the only factor hurting coach travel in Ontario, says Crow.

be operated on an ongoing basis thereafter.

Museum of Bus Transportation President J. Thomas Collins said there will be at least one vintage bus on display to represent each decade from the 1910s through the 1970s. The vehicle display will be augmented with a display of historic bus memorabilia, including bus station signs, scale model buses and historic bus photographs.

For additional information about the museum call Vice President John Dockendorf at (717) 787-1220.

"We've had numerous tour operators report cancellations of bookings either as a direct result of the war in Iraq and fears of related terrorist attacks, or because Canadian groups were afraid to travel to the U.S. because they believed Americans might retaliate against them because of anti-American comments made by some (Canadian) federal politicians," Crow said.

The emergency OMCA meeting brought together coach operators, Tourism Toronto officials and representatives of the U.S. Consulate. Crow said they expected 20 or 30 members would show up because they only had a few days to organize the meeting and spread word about it. More than 80 attended. OMCA is one of the largest travel associations in Canada.

"With respect to SARS, operators need up-to-date information and a commitment from city and provincial officials that they will develop major marketing initiatives to help bring tourists back to Toronto," said Crow. "OMCA believes that tours and travel to Toronto will not return without such action by the two levels of government."

There are a number of Web sites with information specific to SARS and travel to Toronto. These include: [www.toronto-tourism.com](http://www.toronto-tourism.com); [www.healthcanada.ca](http://www.healthcanada.ca); [www.hc-sc.gc.ca](http://www.hc-sc.gc.ca); [www.cdc.gov](http://www.cdc.gov), and [www.who.int](http://www.who.int). The Tourism Toronto Web site includes a fact sheet and helpful Q&A. At each Web site, look for links to SARS-related information.

## OSHA issues SARS notice to guide employers, workers

As if the North American motorcoach industry didn't have enough worries, now you can add another—SARS.

The SARS crisis in Toronto is having a devastating impact on coach operators there (see story on Page 1), and there's concern that the disease could effect the industry in the U.S. as well.

Those worries were heightened late last month as a result of a SARS-related episode in Baltimore. A woman flew from Hong Kong to New York and then took a bus to Baltimore. After arriving in Baltimore she developed SARS-like symptoms, including a fever and a cough.

As has been widely reported, airlines, airports and immigration services from China to Canada are implementing protective measures for employees who may come in contact with travelers infected with SARS, or severe acute respiratory syndrome.

Public health experts think SARS is spread by close contact between people. Most likely it's spread when someone who is sick with SARS coughs droplets into the air and someone else breathes them.

The U.S. Occupational Safety & Health Administration has issued a seven-page notice to employers and employees regarding SARS. It seems like prudent reading for the motorcoach industry.

In the notice, OSHA asserts that its information about SARS does not establish new standards or regulations, nor does it create new or independent legal obligations. However, the agency reminds employers they have an obligation under the law to comply with hazard-specific safety and health standards.

Additionally, there's a catch-all clause in the Occupational Safety & Health Act that says employers must provide their employees with a workplace free from recognized hazards likely to cause death or serious physical harm. Employers can be cited for violating this General Duty Clause if they do not take reasonable steps to abate or address such a recognized hazard.

In a nutshell, that means coach operators should be forewarned and

forewarned about the SARS threat.

The notice issued by OSHA and posted on its Web site primarily applies to healthcare workers and facilities; laboratories and their employees; airline flight and cleaning crews and airport personnel, and medical transport workers. Obviously, the airline-related information is applicable to the bus industry.

OSHA recommendations generally follow those of the U.S. Center for Disease Control for airport and airline personnel. The OSHA notice can be found at [www.osha.gov/dep/sars/index.html](http://www.osha.gov/dep/sars/index.html).

### Personal protective equipment

CDC is not yet recommending the use of any personal protective equipment for airline crew members. CDC recommends, however, that airport ground personnel, including cleaning crews, wear gloves but not respirators.

A passenger suspected of being infected with SARS should be separated from other passengers as much as possible and provided with a surgical mask, if available.

**'Managers of cleaning crews should be aware of SARS symptoms.'**

### Hygiene practices

Airline flight crews and airport ground personnel should be aware of the symptoms associated with SARS. All workers should use good hygiene practices, including frequent hand washing with soap and water.

### Cleaning

If a passenger is suspected of having SARS, providing additional information for crews cleaning that airplane is necessary. The CDC has published guidelines for this situation called Interim Guidance for Cleaning of Commercial Passenger Aircraft Following a Flight with a Passenger with Suspected Severe Acute Respiratory Syndrome. It can be found on the CDC Web site, [www.cdc.gov](http://www.cdc.gov). Look for the links.

The CDC also recommends that personnel who clean a plane that carried a passenger suspected of having SARS wear disposable gloves but need not use gowns, masks or respirators.

Managers of airline cleaning

crews should be aware of the symptoms of SARS. Any employee who cleans a plane that transported a possible SARS patient should notify the company's occupational health unit if he or she develops SARS-type symptoms within 10 days of cleaning that aircraft.

The CDC believes the main source of infectious particles will have been removed once an infected SARS patient leaves the aircraft, but it does not know whether transmission of SARS may occur through contact with residual infectious materials on surfaces. Clean-up crews should continue to practice frequent hand washing with soap and water, plus follow these recommended practices:

- Do NOT use compressed air to clean. This may serve to re-aerosolize infectious material.
- Remove or throw away gloves if they become soiled or damaged while cleaning.
- Discard gloves after cleaning (i.e., do reuse gloves that were worn during cleaning).
- If soap and water are not available, use an alcohol-based hand wash to clean hands.
- Frequently-touched surfaces in the passenger cabin (e.g., armrests, seatbacks, tray tables, light and air controls, and adjacent walls and windows) and passenger bathrooms should be wiped down with an EPA-registered low- or intermediate-level chemical household germicide and allowed to air dry in accordance with the manufacturer's instructions.

### Cleaning products

There are no disinfectant products currently registered by the EPA for the viruses associated with SARS. The CDC recommends the use of EPA-registered chemical germicides that provide low- or intermediate-level disinfection during general use because these products are known to inactivate viruses with physical and biochemical properties similar to the suspected SARS agents.

### Employee Training

All employees with potential occupational exposure to SARS should be trained on the hazards associated with that exposure and on the protocols in place in their facilities to isolate and report cases and to reduce exposures.

### Worker symptoms

If an employee experiences a fever and respiratory symptoms after contact with a person known to be infected with SARS, the employee should be kept away from work.

## Hours of Service

CONTINUED FROM PAGE 1

industry.

After making the announcement, Sandberg said in an aside that the exclusion of the coach industry from new rules "reflects your safety record. You work hard to promote safety." She noted that motorcoaches are the safest form of commercial vehicle travel.

Parra said the only note of caution at the announcement was a statement that DOT plans to expand its research into electronic onboard recorders, or black boxes.

While the FMCSA left the bus industry untouched, it made changes to the hours truckers can drive. Beginning Jan. 4, long-haul truck drivers will be allowed one more hour of daily driving, but the total number of hours truckers may work is reduced by one. In addition, truckers will be required to take two more hours off before resuming work.

The decision to have separate rules for bus and truck drivers is momentous because for 64 years bus and truck drivers have shared the same hours-of-service rules despite the vastly different nature of the two jobs.

The motorcoach industry's two major trade groups, the United Motorcoach Association and the American Bus Association, plus countless coach operators have tried for years to convince DOT safety officials of the wisdom of separating passenger carriers from freight haulers in their rulemaking processes.

It now appears the insistent industry drumbeat has finally been heard.

In the 60-page document announcing the revised rules for truckers and the exclusion for coach drivers, the FMCSA indicated that a number of comments from UMA, ABA and others representing the coach industry weighed heavily on its decision.

It specifically cited ABA assertions that bus drivers and truckers operate in entirely different environments and that the coach industry has an exemplary safety record that could be compromised by rules changes. The FMCSA also acknowledged that until last year it had never conducted any fatigue-related research specific to the passenger carrying industry. Significantly, the coach industry research it conducted last year turned out to be a bust.

The absence of coach industry-specific research typically hadn't

**'FMCSA officials revealed at CVSA they had rejected the (Circadian Technologies) study.'**



Annette Sandberg

stopped the agency from lumping over-the-road truck drivers and motorcoach operators together in its 15-year drive to modify the hours-of-service rules.

Two and one-half years ago, the FMCSA proposed new hours-of-service rules for both bus and truck drivers but the agency ran into a torrent of opposition. Those rules—developed during the Clinton Administration—were so offensive, so scientifically shortsighted and so economically unjustified they were swept away in a landslide of critical letters and comments.

Particularly galling to the coach industry was a statement by the FMCSA to the effect that it had no basis to conclude that fatigue affects passenger carrier drivers differently than truck drivers. It made the statement with absolutely no research to back it up.

The backlash to the 2000 rules' proposal was so strong that Congress got into the act, inserting language in the fiscal 2001 DOT appropriations bill that pro-

hibited the FMCSA from issuing any new hours-of-service rules for bus drivers without first conducting a study of motorcoach operations, driver practices and driver fatigue issues.

About two years ago, the FMCSA commissioned such a study to be conducted by Circadian Technologies Inc. of Lexington, Mass. Hundreds of operators are believed to have completed one of the study's four-page questionnaires.

No word on the study's results had surfaced publicly until the middle of last month when FMCSA officials revealed at a Commercial Vehicle Safety Alliance meeting in Toronto that they had rejected the study, saying it had not been based on sound science.

That announcement was the first inkling the motorcoach industry might escape the hours-of-service changes the FMCSA had been preparing for months and was on the verge of announcing. Government affairs specialists for both the ABA and UMA surmised that since the Circadian Technologies' study wasn't of any

value, the only way the FMCSA could comply with Congress' mandate was to remove the motorcoach industry from the hours-of-service rulemaking.

As it turns out, they were right. Under the rules for truckers that go into effect in January, drivers will be allowed to increase their driving time to 11 hours, but they can only work 14 total hours, instead of 15 hours under the current rules. Truckers will need to take 10 hours off between shifts, rather than the 8 hours currently required.

The American Trucking Associations is supporting the rules change, with ATA CEO Bill Graves saying: "This is a package our members can work with. The rule is easy to understand, easy to comply with and easy to enforce."

The reaction among unions and safety groups, however, hasn't been the least bit supportive of the new rules for truckers.

The Owner-Operator Independent Drivers Association said the rules would have a "limited impact" on safety because shippers would still require drivers to wait to load or unload freight and expect them to meet unrealistic deadlines. "After almost 65 years of working with regulatory controls that should have been declared obsolete decades ago, this is a pretty sorry excuse for a revision to address today's problems," said OOIDA President Jim Johnston.

"Basically we're opposed to any increase in hours," said Teamsters spokesman Rob Black. "How forcefully we will oppose this one or how we will oppose it has not been decided at this point."

An official of Advocates for Highway and Auto Safety said the new rules were meaningless because truckers routinely violate the current rules and the new rules provide no new means of enforcement.

The Truck Safety Coalition, including Parents Against Tired Truckers and Citizens for Reliable and Safe Highways, roundly criticized the new rules, saying they do nothing to reduce driver fatigue, improve highway safety or improve enforcement.

The change for truckers is the first significant shift in the hours-of-service rules since 1939. The FMCSA estimates the new rules for truckers will save up to 75 lives and prevent as many as 1,326 fatigue-related crashes annually. Hours-of-service rules govern commercial drivers operating vehicles with a gross vehicle weight rating of 10,001 pounds or more.

## Driver is charged in N.C. crash

WILSON, N.C.—The driver of a motorcoach involved in a multi-vehicle crash along Interstate 95 has been charged with causing the pileup.

Authorities said they charged Donald Harris after several passengers on the coach told them Harris fell a sleep at the wheel.

"The driver fell asleep. He dozed off. He definitely dozed off. I was sitting right behind him. I saw the whole thing coming," passenger Ernest Stukes was quoted as saying.

The crash occurred around 11 a.m. April 17 on I-95, near mile marker 107, at the Wilson/Johnston County line in

central North Carolina. Authorities said the coach drove into a tractor-trailer, which hit a mobile home that was towing a car.

There were 47 passengers onboard the bus. Twenty-seven were taken to Wilson Medical Center where they were treated and released. Twenty were taken to Johnston Memorial Hospital for treatment. One of those passengers required hospitalization.

State troopers said the bus was leased by Carolina Coach Company of Raleigh, N.C., and was on a daily run between Richmond, Va., and Fayetteville, N.C.

## INDUSTRY NEWS

## Cypress Gardens

CONTINUED FROM PAGE 1

economy and the effect on those who rely on interest for their income—the majority of Cypress Gardens' clientele—have also been contributing factors," Reynolds said. "The threat of terrorism and the Iraq threat and ultimate war also impacted the park's ability to sustain itself."

Ultimately, said Reynolds, "this painful decision" was a financial one.

"It is mandated by our lack of funds to sustain the normal operations. These diminished funds have impacted the company and placed it in this faltering and distressed situation. This distressed situation has been created...by the unforeseen factors beyond the control of Cypress Gardens' management and efforts."

Reynolds and his ownership team acquired Cypress Gardens in 1995 from the theme park division of Anheuser Busch. At the time, it was believed that private entrepreneurial ownership would provide new energy for the central Florida park. However, despite the best marketing strategies the owners could come up with and substantial capital investment, the opera-



tion accumulated losses of more than \$6 million.

Reynolds said the decision to close was doubly painful because of the efforts by Cypress Gardens' employees to provide a wonderful experience for guests.

It is not entirely clear whether the shutdown in mid-April closes the book on the one-time tourism Mecca that was marketed as "Florida's original attraction." There is speculation the state may purchase part of the gardens.

Cypress Gardens was developed by a Florida real estate salesman turned New York pitchman, Dick Pope Sr., and his wife, Julie Pope. Julie Pope is generally credited with planting the seed that eventually grew into

dle of a 16-acre marsh. He was dubbed the "Maharaja of Muck" and "Swami of the Swamp." He persevered, however, opening the gardens on Jan. 2, 1936, as a show-place for 8,000 varieties of plants from more than 90 countries. In 1938, the first electric boats began gliding through the tropical canals.

The development of the gardens' famed water ski show was strictly an accident. In 1943, while Pope was serving in World War II, a photo in a local newspaper featured water skiers being pulled by a boat through the gardens.

Several soldiers in the area came to see the "water show," even though none existed. But Julie Pope, ever the consummate businesswoman, rounded up her children and their friends to stage the park's first water ski show. The next weekend, 800 soldiers showed up, and the rest, as they say, is history. Cypress Gardens soon became the "water ski capital of the world"

During its heyday from the late 1940s through the early 1970s, Cypress Gardens became an icon. It expanded during in the '70s and '80s to compete with the new theme parks that were springing up in central Florida.

In June 1985, after almost a half-century of Pope family ownership and involvement, Cypress Gardens was sold to publishing conglomerate Harcourt Brace Jovanovich. HBJ sunk millions of dollars into a new package of attractions, shows and food concessions before selling the facility and four Sea World parks to Busch Entertainment Corp. in 1989. During the next six years, the park again underwent capital expansions and improvements, including the introduction of more attractions, shows, shops and festivals.

After Reynolds' group bought it in 1995, attractions were added, including a spring lights festival, ice skating show, covered floral show and zoo. An authentic paddle wheel boat also was added.

In his statements regarding Cypress Gardens, Reynolds said he always considered his group to be "stewards for this incredible historic attraction." While he sought to broaden the gardens' appeal beyond its senior-citizen base, Reynolds said his team would "continue to emphasize the park's traditional heritage as a world-famous botanical garden and water ski capital."

In the end, it wasn't enough to roll back the tide of events.

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## MCI expands in Winnipeg, marks J-model deliveries

WINNIPEG, Manitoba—The make-over of manufacturing operations at Motor Coach Industries took another giant step forward late last month when the company officially marked the return of start-to-finish coach assembly at its Fort Garry plant here.

Company President and COO Tom Sorrells presided over a day of activities that celebrated the opening of a Coach Delivery Center and a Coach Finishing Facility, as well as the return of coach manufacturing to the company's Winnipeg operation.

"The improvements we've made in Winnipeg underscore our commitment to delivering excellence to our customers," said Sorrells.

The activities were capped with the delivery of four J4500 coaches to Indian Trails, the largest tour and charter operator in Michigan. The J-coaches bring Indian Trails' over-the-road fleet to 53 buses, including 10 J4500s.

MCI is spending \$40 million to reconfigure and expand its manu-

facturing operations in Winnipeg, including consolidating production of its E-, G- and J-models here. The company's E4500 and J4500 models are now being completely assembled in Winnipeg. Previously, they were produced in Pembina, N.D., where MCI continues to build its D-models.

Production of G4500s, which previously were manufactured in Mexico, also is being transferred to the expanded and renovated Fort Garry plant.

MCI's Winnipeg expansion includes the addition of two new buildings, a 62,000-square-foot Coach Finishing Facility and an 8,000-square-foot Coach Delivery Center. The finishing facility houses painting operations, decal installation, air conditioning testing, detailing and inspection of all coaches produced in Winnipeg.

The Coach Delivery Center features four bays for ready-to-be-picked-up coaches, plus a lounge and offices with laptop-computer hookups for customers.

There also is a new Pre-



**Executives of MCI hosted representatives from Indian Trails, buyer of four J-coaches, and from industry organizations.**

Delivery Center where coach electrical and mechanical systems are tested, and a new brake-dyno machine provides testing of brakes and ABS. "We're North America's leading motorcoach manufacturer and we wanted our facilities to be at the leading edge, too," said Sorrells.

Winnipeg is where MCI was founded 70 years ago and the Fort

Garry plant is the company's largest manufacturing facility. Winnipeg also is home to MCI's St. Matthews prime manufacturing department and the Otter Street warehouse, which handles sub-assembly and manufacturing services. The company has 1,450 employees in Winnipeg.

Indian Trails is a long-time MCI customer based in Owosso,

Mich. It is in its third generation of family leadership under President Gordon Mackay, who has headed the company for the past 20 years. It has annual revenues of more than \$10 million and serves more than 250,000 scheduled-service passengers annually. In addition to Owosso, Indian Trails has facilities in Kalamazoo and Detroit, Mich.

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Any private charter operator desiring to be considered willing and able to provide charter service may submit written statements to LYNX by Monday, May 19, 2003. Written evidence includes the following: 1.) a statement the private operator has the desire and physical capability to provide the required vehicle; 2.) a copy of the documents to show that the private charter operator has the requisite legal authority to provide the proposed charter service and meets all necessary safety certification, licensing and other legal requirements. Please include a contact name, address and phone number so we may inform you of the results of the review.

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**CALENDAR OF EVENTS****MAY 2003**

**12-14** National Intelligent Vehicle Initiative Meeting, USDOT/SAE, Washington, D.C. Info: (877) 606-7323.

**12-15** High Speed Ground Transportation Association Annual Conference, Anaheim, Calif. Info: (202) 789-8107.

**17-21** Travel Industry Assn. of America: International Pow Wow, Cervantes Convention Center, Americas Center, St. Louis, Mo. Info: (202) 408-8422 or go to [www.tia.org](http://www.tia.org).

**19-23** Community Transportation: Expo 2003, Pennsylvania Convention Center, Philadelphia. Info: (202) 628-1480 or go to [www.ctaa.org](http://www.ctaa.org).

**30-June 1** MCI Bus Bash 2003, Louisville, Ky. Headquarters hotel: Holiday Inn Clarksville (Ind.). Info: [www.bus-mag.com](http://www.bus-mag.com), click on Bus Bash link. (815) 946-2341.

**JUNE 2003**

**14-18** Pennsylvania Bus Assn.: Annual Meeting, Wisp Mountain Hotel, Deep Creek Lake, Md. Info: (717) 236-9042 or go to [www.pabus.com](http://www.pabus.com).

**19** California Bus Assn.: General Membership Meeting, Ontario, Calif. Info: (800) 664-2877 or go to [www.cbabus.com](http://www.cbabus.com).

**21-24** National Motorcoach Network: 20th anniversary Network Marketing Seminar & Invitational 100, Radisson Hotel, Branson, Mo. Info: (888) 733-5287.

**JULY 2003**

**18-20** Family Motor Coach Assn. Convention, Buffalo, N.Y. Info: (800) 543-3622 or go to [www.fmca.com](http://www.fmca.com).

**29-31** Florida Motorcoach Association Annual Meeting & Show, Ritz-Carlton Golf Resort, Naples, Fla. Info: (407) 647-2491 or go to [www.floridamotorcoach.org](http://www.floridamotorcoach.org).

**AUGUST 2003**

**22-24** Greyhound Birthplace Bus Bash 2003, Hibbing, Minn. Info will be available at: Info: Go to [www.bus-mag.com](http://www.bus-mag.com), click on Bus Bash link., or call (815) 946-2341.

**SEPTEMBER 2003**

**5-9** Virginia Motorcoach Assn.: Annual Convention, Dover, Del. Info: (434) 376-1150, or go to [www.vamotorcoach.com](http://www.vamotorcoach.com).

**10** California Bus Assn: General Membership Meeting, LTBA, Calif.

Info: (800) 664-2877 or go to [www.cabus.com](http://www.cabus.com).

**OCTOBER 2003**

**12-16** APTA: Annual Meeting, Salt Lake City, Utah. Info: (202) 496-4800, or go to [www.apta.com](http://www.apta.com).

**17-22** Busworld, Kortrijk, Belgium. Info: Go to [www.busworld.org](http://www.busworld.org) or e-mail: [info@busworld.org](mailto:info@busworld.org)

**26-28** BusCon 2003, Las Vegas. Info: (310) 533-2556 or e-mail: [info@bobitexpos.com](mailto:info@bobitexpos.com).

**NOVEMBER 2003**

**1-5** California Bus Assn.: Convention & Trade Show, location TBA. Info: (800) 664-2877 or go to [www.cbabus.com](http://www.cbabus.com)

**2-5** Ontario Motor Coach Assn.: Annual Conference & Marketplace,

Toronto. Info: (416) 229-6622. Go to [www.omca.com](http://www.omca.com).

**8-12** Canadian Urban Transit Assn.: Fall Conference & Trans-Expo, Toronto. Info: (416) 365-9800 or go to [www.cutaaactu.ca](http://www.cutaaactu.ca).

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