

# Bus & Motorcoach NEWS

July 1, 2003

THE NEWS RESOURCE FOR THE BUS AND MOTORCOACH INDUSTRY

## Veil is lifted on ugly bus wars in N.Y. Chinatown

NEW YORK CITY — *The New York Daily News* has lifted the veil on what is probably the most sordid aspect of the intercity bus industry in the United States: Chinatown's lucrative and violent discount bus wars.

An estimated 250 coaches, midsize buses and vans transport people in and out of New York's

Chinatown daily, carrying gamblers to Atlantic City and commuters from Flushing, Queens, Sunset Park and Brooklyn. But, according to the *Daily News*, the most profitable runs are to other East Coast Chinatowns, stretching from Philadelphia to Boston.

Fares range from \$12 to \$35, which, in some cases, are roughly

half those charged by Greyhound and other intercity carriers. Authorities told the *Daily News* that the New York to Philadelphia route alone can bring a Chinatown operator more than \$1 million a year.

With such profits, the legitimate coach businesses may have drawn the tentacles of organized

crime — the Chinatown gangsters who prey on fellow immigrants, the *Daily News* reported. The Manhattan district attorney's office is working to build a racketeering case, law enforcement sources told the newspaper.

"We believe there are links to Asian organized crime," one law enforcement official was quoted as

saying. "We are aware of different incidents of vandalism and extortion involving some bus companies."

The Chinatown bus operations have been the subject of widespread coach industry speculation, wonderment and resentment. Both coach owners and industry

CONTINUED ON PAGE 10 ▶



Toronto operators battled the SARS epidemic and travel advisories by health officials all spring.

## Canadian operators fight to overcome problems

TORONTO — Recovery from the sharp cutback in travel to Ontario, Canada's most populous province, is slow — and painful, say motorcoach operators and industry executives.

Six months ago, coach companies in Ontario, like those throughout Canada, were cautiously optimistic 2003 would bring an increase in business — a modest uptick, to be sure, but a gain nevertheless.

Today, with the first half of 2003 now behind them, scores of operators in Ontario are reeling from the worst pasting most of them can ever remember.

"We've never had anything like this hit our industry before," says Mark Hannah, general manager in Toronto for Pacific Western Transportation, Canada's largest motorcoach operator.

A double outbreak of severe acute respi-

ratory syndrome — SARS — in Toronto was devastating to operators throughout the province. Various travel advisories, warnings and bans issued by health authorities outside of Canada produced a 9/11-like impact for the Ontario travel industry. Coach companies in Canada's western provinces largely escaped the brunt of the SARS scare.

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## Would-be operator saves on start-up, but will pay price

TOLEDO, Ohio — A former part-time bus driver and security guard needs to consider finding another way to put together his own charter coach business.

That's because his current method isn't working too well.

For the second time in two years, Derrick Jones of Toledo is in trouble with the law for allegedly stealing a bus from Lakefront Lines and using it to start a charter service.

The latest incident occurred in May when he reportedly took a new \$390,000 coach from the Lakefront garage in Toledo and then pooled it with two coaches he is believed to have rented from another company for a multi-bus charter trip to Mackinaw City, Mich.

Lakefront officials were tipped off about the whereabouts of their bus two days later by a man who said he was hired by Jones to drive the bus on the charter trip. The driver, who was not charged, said he realized he was at the wheel of a stolen bus when a national alert went out to motorcoach operators and drivers throughout the country to be on the lookout for the missing coach.

Police in Toledo said they charged Jones with five felony counts in connection with the theft of the bus and tampering with its identification number, and an unrelated theft of a sport utility vehicle. He is free on bond pending court appearances.

It was believed to be the second time Jones has been involved in the theft of a bus from Lakefront,

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### THE DOCKET

#### Van Rules Coming

Commercial vans that transport 8 to 15 passengers long distances are about to come under Federal Motor Carrier Safety Regulations. **Page 4**

#### Ambitious Plans

A Federal Motor Carrier Safety Administration official outlines the agency's aggressive and ambitious safety plans. **Page 4**

#### Higher Park Fees

Parks Canada announces higher fees starting next year. **Page 5**

#### Crash Study

The FMCSA is considering undertaking a major study of bus crashes. **Page 6**

#### Idling Crackdown

The EPA announces plans to get tough with idling buses and trucks in Massachusetts. **Page 7**

# Just Arrived...

**50**

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# Peter Pan adds Coach USA units

SPRINGFIELD, Mass. - Peter Pan Bus Lines celebrated its acquisition of five regional Coach USA competitors with a luncheon and unveiling of new graphics for its expanded fleet of coaches.

The media event formally acknowledged the completion of Peter Pan's \$40 million purchase of Coach USA Boston, and the Arrow, Bonanza, Pawtuxet Valley and Maine Line subsidiaries of Coach USA.

By adding the five companies, which provide service throughout the northeastern U.S., Peter Pan becomes a more formidable scheduled- and charter-service competitor for operators in those states.

For the 12 months ended April 30, the five Coach USA units had sales of \$49.5 million. Around 40 percent of the revenue came from tour and charter operations, 40 percent from scheduled service, and 20 percent from contract work.

Earnings before interest, taxes, depreciation and goodwill amortization were \$2.8 million. However, the companies produced an operating loss of \$800,000.

Here specifically is what the purchase does for Peter Pan:

- The company size essentially doubles, revenues increase to more than \$100 million annually, the

fleet jumps from 175 to more than 400 coaches, and the workforce goes from 750 to 1,500.

- Line-haul service expands, with Boston-Providence-New York service and Cape Cod and New York service — previously operated by Bonanza — added to Peter Pan's existing line-run business.

- A new presence is gained in the Rhode Island charter market through Pawtuxet Valley.

- Greater visibility is achieved in Boston, as well as in northern New England, with the addition of Coach USA Boston and The Maine Line.

- Bus terminals are added in Providence, R.I., and Farmington, Conn., as well as a major bus garage in Providence.

- Coach USA garage facilities in Massachusetts, Maine, Rhode Island and Connecticut are added with the assumption of leases.

- Charter business expands in Connecticut with the addition of Arrow Line, which also provides extensive contract services to the giant Foxwoods Casino.

"This acquisition allows Peter Pan to enlarge our footprint in New England and virtually doubles the size of our company by adding complementary elements to our core business," said Peter A. Picknelly,



**Peter L. Picknelly Sr., chairman of Peter Pan (left), Ray Dupuis (center left), George Sage (center right) and Peter A. Picknelly, president of Peter Pan Bus Lines, posed at the company celebration.**

president of the company that was founded 70 years ago by his grandfather.

When Picknelly's grandfather, Peter C. Picknelly, died almost 40 years ago, the company had just surpassed \$1 million in annual sales.

"We're going back to the roots of these companies. These companies are going to be American-owned and they are going to be family-owned," Picknelly told the luncheon audience.

Peter Pan bought the five companies from Stagecoach Group PLC of Perth, Scotland, which

had owned them since 1999.

Peter L. Picknelly, chairman and father of Peter A. Picknelly, noted that one aspect of the purchase brings one of the acquisitions full circle.

The first bus company started by his father, Interstate Busses Corp., was sold years after its founding in the late 1920s and became part of Bonanza.

Peter Pan has hired former Bonanza owner George M. Sage, as a consultant, as well as the former owner of Arrow Lines, Ray Dupuis. The pair will serve as part of what

Peter Pan is calling the "integration team," and will assist in managing the two companies they formerly owned.

Sage said he was glad to see the business in the hands of a family again.

"It's absolutely amazing the Picknelly family could pass this on to three generations," he said.

Thomas C. Sorrells, president of Motor Coach Industries, said the sale was a sign that Peter Pan Bus Lines is well run and that many of the consolidations in the coach industry had failed.

# Move to save Cypress Gardens gains momentum

WINTER HAVEN, Fla. — Motorcoach operators who lost a major Florida tourist attraction when Cypress Gardens closed in mid-April may see the property again become a popular draw for charter and tour customers.

The state of Florida and two private businessmen are considering acquiring the 67-year-old park and reopening it with new attractions.

"We certainly can't rule out it could be turned back into a tourist attraction," said Kathalyn Gaither, a spokeswoman for the Florida Department of Environmental Protection.

Dwindling attendance that accelerated after the 9/11 terrorist attacks, and continued this year with the unsettled economy and general travel downturn, forced the closure of the 200-acre park. The park was noted for its extraordinary collection of plants and flow-



ers, its Southern belles and its world-famous water ski show.

The closure sparked an immediate interest by the state, which expressed concern that the property could be lost to a developer. Hoping to keep that from happening, the

Florida Acquisition and Restoration Council voted 9-0 last month to recommend the property be added to the state's priority list of land acquisitions.

The recommendation has gone to Gov. Jeb Bush and his cabinet for

approval next month. An appraisal of the property is underway and due to be completed before the meeting. Estimates have ranged from \$14 million to \$17 million.

Gaither said the state is interested in buying the actual garden area of the park and likely would not acquire the entire facility, which includes shops, restaurants, attractions and assorted other facilities.

Under the Florida Forever program, the state can purchase property that has historical or cultural value or contains rare plants and endangered animals that need protection. Land acquired under the program cannot be disturbed or developed, but it can be leased to private individuals or businesses.

Private interest in the property has come from Central Florida time-share mogul David Siegel and amusement park owner Kent Buescher.

Siegel, who has turned two failing resorts in Polk County into financially successful time-share properties, told the acquisition and restoration council at its meeting that if the state buys the property, he would like to obtain a 99-year lease for use of the land. He said he would maintain the gardens and the water ski show, but would add a series of educational programs and unique museums and exhibits ranging from sports memorabilia to beauty pageant gowns.

Buescher, owner of Wild Adventure theme park in Valdosta, Ga., said he would like to buy the park and sell the state a conservation easement so the historical value of the property could be preserved. He, too, would keep the gardens and water ski show, but would add a number of new amusement park rides in hopes of widening its audience appeal.

# THE DOCKET

## New aggressiveness is signaled by top FMCSA official

TAMPA, Fla. — The Federal Motor Carrier Safety Administration has embarked on an aggressive and ambitious program to reduce commercial vehicle crashes and fatalities, the agency's No. 2 official said here last week.

Warren Hoemann, acting deputy administrator of the FMCSA, said the agency needs the help and cooperation of the motorcoach industry if it is to rid the highways of motor carriers who don't care about regulatory and safety compliance.

"The FMCSA wants to be actively engaged with your industry," Hoemann told directors of the United Motorcoach Association meeting here last week.

Hoemann said that reducing truck and bus crashes and fatalities is a tough challenge "because commercial vehicle miles of travel are increasing at a rate faster than passenger car miles."

Still, Hoemann is encouraged that commercial vehicle safety has shown improvement in recent years. "During the last four years, there has been a downward trend in truck-related fatalities," he said. To continue that trend, the FMCSA is focusing its attention on four areas:

- Improving highway safety data
- Strengthening enforcement
- Issuing overdue regulations (see related story on this page)
- SAFETEA reauthorization (see stories in the June 1 and 15 issues of Bus & Motorcoach News)

Obtaining better highway safety data and getting it faster is the FMCSA's "highest near-term safety priority" because "it will save lives," said Hoemann. That's because good data will help FMCSA administrators

and safety officials make smarter program and enforcement decisions.

"Numbers are important in determining what is occurring, where it is occurring and what we're going to target," he said.

Currently, it is estimated that information on only 70 percent of commercial vehicle accidents make it into FMCSA databases. Of the data that gets reported, it has been discovered that only about 85 percent of it is accurate. And, it takes an average of 106 days before crash data gets from the roadside to FMCSA computers.

"We have to have 100 percent of the information to have an accurate picture," said Hoemann (whose last name is pronounced "hey-man"). "We have to instill (in local and state law enforcement agencies) that this is really important."

Stepped-up enforcement is No. 2 on the FMCSA safety hit parade.

"Enforcement is key to maintaining compliance with regulations," said Hoemann. "There has to be a level playing field," meaning all commercial vehicles must comply with safety rules and regulations equally. "We know there are operators on the road that are threatening your business. We must get those carriers off the road," Hoemann asserted.

At the same time, the former trucking executive readily acknowledges that will be no easy task. Part of the difficulty, he says, will be overcoming tradition and past practice not only within FMCSA but at state law enforcement agencies. Too much emphasis remains on checking vehicles for mechanical shortcomings rather than focusing on issue No. 1 — driver behavior, he said.

"We know, as you know, most accidents are not caused by mechanical failure. Driver behav-



**'We know there are operators on the road that are threatening your business. We must get those carriers off the road.'**

ior is the key, whether it is passenger car drivers or truck drivers or bus drivers. And enforcement against the environment in which buses and trucks operator is critical."

A major focus in the enforcement area, said Hoemann, will be on new carriers. Studies show that "new entrants have more accidents and a higher degree of non-compliance," he said. FMCSA's New Entrant program that went into effect Jan. 1, is designed to combat that situation by accessing the safety operational readiness of the 40,000 to 50,000 new carriers that enter the industry each year.

The New Entrant program will evaluate three key areas of new operations:

- Knowledge and applicability of safety regulations
- Safety management systems
- Safety readiness

Failure in any one of those areas will trigger a performance review, which will turn into an enforcement action, which can keep a new operator off the road, said Hoemann.

The new transportation and highway reauthorization bill contains \$17 million to support the New Entrant program.

When it comes to new rules, Hoemann said the FMCSA is committed to not unduly burdening "carriers who want to do the right thing" as the agency goes after those carriers who will do anything but the right thing.

## New rules for vans, 'camionetas' are said to be close

TAMPA, Fla. — It has taken nearly 30 years, but the Federal Motor Carrier Safety Administration is on the verge of issuing rules that will bring many operators of 8- and 15-passenger vans under Federal Motor Carrier Safety Regulations.

Warren Hoemann, the No. 2 official at the FMCSA, said the new rules could be issued early this month but certainly within "the next several weeks."

It has been nearly four years since Congress ordered the FMCSA to develop safety rules for vans used in interstate commerce, including those operating across the U.S.-Mexican border called "camionetas." The Congressional mandate was included in the law that created the FMCSA on Jan. 1, 2000.

Long before the FMCSA set up shop, however, the United Motorcoach Association was advocating the inclusion of commercial vans under federal safety regulations. As far back as 1995, the association began urging Congress and regulators to crack down on commercial and school van operators whose safety record was little better than atrocious.

Hoemann, speaking to members of the board of directors of the United Motorcoach Association meeting in Tampa late last month, said the proposed regulations to be issued by FMCSA will bring vans under Federal Motor Carrier Safety Regulations "when they are directly compensated for their services, and the vehicle is beyond a 75-air-mile radius from the driver's normal work reporting location."

The rule is just one of several the new leadership at the FMCSA has moved to the front burner. Hoemann, whose title is acting

deputy administrator, said his boss, Acting Administrator Annette Sandberg, has made cleaning up the rule-making mess at the FMCSA a top priority.

The first chore was to issue new hours-of-service rules for the trucking industry. Sandberg announced those rules at the end of April, marking the first major rewrite of federal hours-of-service rules in more than 60 years.

"We were pleased not to change the hours-of-service rules for your industry," Hoemann told the UMA board. "You told us you work well within the existing rules and you backed that message up with data."

Also in the rule-making pipeline are regulations that would

**'We're going to improve your ability to hire good, safe drivers.'**

establish the minimum safety information that new and prospective employers must seek from former employers during their investigation of a driver's employment record. The goal, of course, is to help prospective employers obtain

the information needed to make informed and intelligent hiring decisions. "We're going to improve your ability to hire good, safe drivers," said Hoemann.

Another proposed rule expected by the end of the year would incorporate the driver physical into the CDL. This would "make the CDL a living document," said Hoemann, allowing for the elimination of the requirement that commercial vehicle drivers carry a separate medical certificate.

Hoemann said the industry should expect FMCSA rule-makings more frequently in the future. "We're no longer going to let rules sit there for 60 years," he said. "When the data indicates a problem, then we're going to reopen that section for comment."

## Commercial tours to see fee hikes at Canadian parks

HULL, Quebec — Parks Canada has announced a series of increases in commercial group entry fees for national parks and historic sites throughout Canada. The heavily advertised fee hikes begin taking effect in October of next year.

All revenues from the higher fees will be used to maintain and improve visitor services and facilities in Canadian parks and historic areas where the fees are collected.

The fee hikes range widely in amount. Some increases are as low as 8 percent, going from \$2.75 to \$3. Others double, going from \$2 to \$4.

The first increases begin Oct. 1, 2004, with the second batch

**'We understand the challenges the tourism industry is facing.'**

taking hold April 1, 2005.

In announcing the changes, Parks Canada acknowledged that the increases come at a rotten time for the motorcoach travel industry.

Earlier this year, Parks Canada officials began laying the groundwork for the increases by consulting with commercial group tour operators, as well as tourism executives.

"We learned there was widespread acceptance of the need to raise fees in order to reinvest in visitor facilities and services," Parks Canada said in a statement. "However, we were told that due to the continued downturn in the tourism industry, a longer phase-in period should be considered and that advance notice of fee increases was more important than ever.

"To provide as much lead time as possible for operators to develop new package pricing, we are holding back price increases for the travel trade until Oct. 1, 2004.... We understand the challenges the tourism industry is facing and this deferral is Parks

Canada's contribution to help get the industry through this difficult year," the statement concluded.

Parks Canada offers volume discounts for commercial groups. Starting Oct. 1, 2004, the discounts will be:

- 5 percent for annual volumes of 500 to 2,000 visitors
- 10 percent for annual volumes of 2,001 to 3,000 visitors
- 15 percent for volumes greater than 3,000 visitors

Discounts will be based on the

number of visitors brought by a commercial group operator during the previous year and can be confirmed at the offices where operators pay their fees.

For a comprehensive list of the current and new fees, go to:

[www.parkscanada.gc.ca/visit/voyagistes-traveltrade/testfees\\_e.sap](http://www.parkscanada.gc.ca/visit/voyagistes-traveltrade/testfees_e.sap). All prices are listed in Canadian dollars and include all taxes applicable to the province or territory in which they are charged.



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# THE DOCKET

## Public transit hijacking drill has meaning for industry

POMONA, Calif. — Across the U.S., public transit agencies are working with police and fire departments to simulate emergency situations that carry important implications for the motorcoach industry.

A recent example occurred here in Pomona, where Foothill Transit teamed up with the city police department and the Los Angeles County Fire Department to create a mock bus hijacking.

The goal of the simulation was to improve the reaction and response of multiple public safety agencies. Such practice situations can only help to prepare first responders to deal with real-world events that could, of course, involve motorcoaches and intercity buses.

In the exercise run in Pomona, police formed a ring of blue-clad officers around City Hall, listening to squawking radios and glaring at a Foothill Transit bus idling in the otherwise empty parking lot.

An armed man had taken control of the bus and its 23 passengers, and was demanding to see the mayor.

Fortunately, it was all part of the drill.

To fund the exercise, Foothill Transit secured a grant from the Federal Transit Administration and then went looking for agencies that wanted to take part. The Pomona Police Department, for one, took Foothill up on the offer.

"We were looking for an emergency preparedness exercise that was broad in terms of training and when this one came to me I said it was perfect," said Lt. Ron McDonald of the Pomona police. "It involves a hostage situation, the safety of the public, and it involves injuries. It was broad in scope and that was why we jumped on it."



**A Los Angeles County firefighter treats a simulated casualty during a multi-agency disaster preparedness drill coordinated by Foothill Transit.**

The four-hour scenario began with a busload of volunteer "customers" riding a bus through the streets of Pomona on a serene Friday morning in June. At one stop, they picked up a burly man in a stocking cap and sunglasses who was carrying a large plastic case. The man rode for several blocks, before yelling at the bus driver, pulling a fake gun and demanding to be taken to City Hall.

Bus driver Robert Marin covertly turned on emergency lights that flashed outside the bus and displayed a "Call 911 - Emergency" message on its head sign. The message was read by a passing patrolman, and several Pomona police cruisers followed the bus to City Hall, where the standoff ensued.

"Why are there so many police around? Did you sound an alarm?" the hijacker asked Marin. Marin shook his head and said, "No, sir."

Once the bus arrived at City Hall, police evacuated the build-

ing, formed a perimeter around the parking lot, brought in a SWAT team and began negotiating with the hijacker.

To treat simulated injuries, emergency crews set up a triage area behind City Hall where hostages were evacuated. Several victims were fitted in makeup and latex injuries, and emerged from the bus wailing and distraught.

After the exercise, spokespeople from the agencies held a mock press conference outside Pomona City Hall. Representatives from the involved agencies then got together to discuss lessons learned.

Julie Austin, executive director of Foothill Transit, said the training was invaluable for all involved.

"This was a unique opportunity to bring together all of the agencies that would actually be responding to a crisis like this," Austin said. "This exercise will go a long way toward ensuring the safety of the public in case of a real threat."

## FMCSA may study bus crash causes

WASHINGTON, D.C. — The Federal Motor Carrier Safety Administration is considering conducting an extensive study to determine the causes of bus crashes.

The study would be similar to a major truck crash study that has been under way for two years. That study, also conducted under the aegis of the FMCSA, is not expected to be completed for another year.

In mid-June, the FMCSA conducted a two-day Bus Crash Causation Feasibility Study Meeting in Alexandria, Va., to get a fix on how difficult such a study would be to conduct, how well existing reporting systems identify bus crashes and where they occur, and how field investigations of bus crashes are conducted.

The FMCSA hired a consulting firm, Accident Research & Analysis Inc. of Maine, to conduct the meeting and to develop a feasibility plan for conducting such a study, using input gained at the meeting.

A diverse group of roughly 25 people attended the sessions in Alexandria, including bus and transportation safety experts and representatives from the United Motorcoach Association and the American Bus Association.

The FMCSA study of large truck crashes is breathtaking in its scope and detail. The multiyear study was mandated by Congress in 1999 when the FMCSA was formed. One goal is to closely scrutinize nearly 1,000 truck crashes.

It is anticipated that the study will eventually help the FMCSA identify effective crash countermeasures by providing more accurate information than is currently available in police crash reports. The study involves the dispatching of FMCSA investigators to the

scene of crashes involving big trucks where they conduct interviews, perform Level I inspections, and document damage and other physical evidence.

While the data collected by the study is not expected to be analyzed and coded until next year, preliminary information has trickled out. One of the major conclusions so far has been that driver error is the main cause of the truck crashes studied by the FMCSA investigators.

But the numbers also show that drivers of automobiles and other vehicles were responsible for more

than twice as many car-truck accidents as truck drivers. Distraction, aggressive driving, poor judgment and failure to perform due to fatigue or illness by operators of other vehicles were identified as critical reasons for 70 per-

cent of one group of crashes included in the study. Truck drivers were found to have acted similarly in the remaining 30 percent of the crashes.

Those figures were in line with an AAA study that was released last year that said motorists tend to contribute much more to car-truck crashes than do truckers.

One area uncovered by the preliminary results that surprised some in the trucking industry was the problem created by prescription drugs taken by truck drivers. A number of the crashes involved prescription use by trucker drivers, while operators of other vehicles were impaired by prescription drugs in smaller numbers.

Unfamiliarity with roads was another problem the early study results pinpointed.

A likely outcome of the large truck crash causation study would be that FMCSA will devote more of its future resources to checking drivers and fewer inspecting trucks.

**'A number of the crashes involved prescription use by truck drivers.'**

# Crackdown on idling in Massachusetts

BOSTON — It must be summer, the U.S. Environmental Protection Agency has cranked up its annual crackdown on “unnecessary idling” by diesel-powered buses and trucks.

The regional EPA administrator for New England, Robert W. Varney, has sent a “Dear Bus Fleet Operators” letter, saying his office “is working to ensure that all bus fleets are aware of and comply with Massachusetts laws and regulations that prohibit unnecessary idling.”

Massachusetts has some of the nation’s toughest anti-idling laws, regulations and zealous enforcers. The Massachusetts rules prohibit the “unnecessary idling of all motor vehicles that are stopped for a foreseeable period of time over five minutes.”

Varney’s letter says his office has issued Notices of Violation to 10 fleet operators and 2 transportation authorities. He said one company has paid a penalty of \$20,580, and “EPA New

England is pursuing actions against other violators.”

The letter didn’t identify any of the violators, nor indicate where the EPA is fishing for violators. One operator suggested that Boston’s Logan Airport may be a favorite target, as well as other areas where coaches tend to congregate.

A year ago, a similar anti-idling crackdown netted at least one huge fish. A Notice of Violation went to Boston’s public transit agency, Massachusetts Bay Transportation Authority, which the EPA said was routinely allowing its buses to idle for extended periods at its bus yards.

## Man faces prison for CDL scheme

Robert Ferrari, a former Pennsylvania Department of Transportation worker, faces up to two years in prison after he pleaded guilty to charges he sold fake commercial driver’s licenses to foreigners, the Pittsburgh Post-Gazette reported.

Previously, Ferrari pleaded

Penalties for violating anti-idling laws in Massachusetts can result in an initial fine of as little as \$100 when issued by a local or state agency, and up to \$27,500 in civil penalties per violation imposed by Varney’s agency.

Along with the letter, Varney sent a two-page “fact sheet” that “provides tips to help bus drivers and fleet owners comply with the idling rule.”

The City of Boston Transportation Department also has developed “Tour Bus Parking Guidelines” that are available online at: [www.cityofboston.gov/transportation/tour\\_bus.asp](http://www.cityofboston.gov/transportation/tour_bus.asp).

guilty to numerous federal charges in connection with the sale of counterfeit licenses.

Ferrari cooperated with authorities, leading to the arrest of 20 men in Pennsylvania, Illinois, Michigan, Missouri, Tennessee, Texas and Washington state. None of the men had terrorist ties.

tion/tour\_bus.asp.

Among other things, the fact sheet addresses the issue of buses getting too hot (or too cold) when drivers aren’t allowed to idle the engine and keep the air conditioning system operating.

“On a case-by-case basis, enforcement personnel may use their discretion to account for heating and cooling in extreme temperatures,” the fact sheet states.

“To assure compliance, bus operators should consider installing auxiliary power units to maintain comfortable interior temperatures without idling,” the fact sheet adds.

Finally, the fact sheet states that “in most cases, the five minutes of idling allowed under state law is enough to ensure that passengers will be comfortable when they reach their seats.”

To obtain a copy of Varney’s letter and the fact sheet, call (888) 372-7341.

The letter, printed with vegetable oil-based inks on recycled paper, will be mailed to you.

## 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:

Glen Rose, Texas.  
Deadline: July 7, 2003. Write to: Barbara Perry, General Manager, The Transit System Inc., Glen Rose, Texas 76043. Phone: (254) 897-2964.

Texarkana, Texas.  
Deadline: July 9, 2003. Write to: Ken Smithson, General Manager, Texarkana Urban Transit District, Texarkana, Texas 75501. Phone: (903) 794-0435.

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## OPINION

# FMCSA: Underachiever

In its relatively short life, the Federal Motor Carrier Safety Administration has largely been a disappointment. When it was created on the first day of the new millennium, there was hope it would quickly establish itself as an aggressive, independent agency with a status and drive equal to the Federal Aviation Administration, the National Highway Transportation Safety Administration and others.

For a variety of reasons and in any number of ways, it has failed to live up to expectations. Congress created it but didn't give it enough money. The planning that went into setting up the agency was inadequate. It was born with a bad case of bureaucratic inertia. The top three leadership positions have never been filled simultaneously. It stumbled badly getting out of the blocks on key initiatives.

So, when the agency's No. 2 official appeared before the board of directors of the United Motorcoach Association last week there was plenty of reason to be skeptical of his message that a new day had dawned at FMCSA.

Deputy Administrator Warren Hoemann said the new management team at FMCSA, headed by Administrator Annette Sandberg, is committed to taking new approaches, finding new solutions and working closely and effectively with the motorcoach and other industries to achieve a higher level of highway safety.

The message back from the UMA board was summarized best by UMA President and CEO Victory Parra: "We're encouraged by what you've said, but we're all from Missouri." In other words, Mr. Deputy Administrator, show us your stuff and make it happen.

Parra's comments unleashed a torrent of polite but pent-up frustrations expressed by UMA board members. "Your enforcement has been a joke," said one. "Your follow-up is nonexistent, and fear of repercussions (for non-compliance with safety regulations) is nonexistent. Motorcoach safety is a time bomb waiting to go off. The safety risk is increasing, not decreasing" because of inadequate FMCSA enforcement.

Another noted that when the FMCSA sends out an order shutting down a bad operator, it does nothing to assure compliance with its order. The agency simply assumes the operator has gone away, end of case. It doesn't verify anything.

Board members also complained about rouge companies that operate by simply slapping an automobile license plate on the back of a bus.

Or, they avoid registration by painting the name of a church on the side of the bus. And when legitimate operators report such egregious behavior to regulators, nothing happens.

Hoemann took all this in, acknowledging that bad operators are putting both lives and legitimate operators at risk, and driving up insurance rates for all. He maintained his credibility by not promising instant solutions. After all, most highway safety enforcement is in the hands of state agencies whose priorities are frequently invested elsewhere.

Finally, Hoemann gave everyone in the room his direct office telephone number with an invitation to call when operators see problems that aren't being addressed. Maybe one of the UMA board members will share that number with you.



Tom DeMatteo

## Old Question: Contractor vs. employee?

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

The use of independent contractors in the workforce continues to increase dramatically.

There are various reasons for this phenomenon, from cost cutting and downsizing, to contemporary workers wanting more flexibility in hours or to work from home.

While I recognize that many bus drivers are independent contractors, the purpose of this article is to help you understand the various legal tests that courts or the IRS will use to evaluate the distinction between an employee and an independent contractor in a more traditional setting.

When workers are treated as independent contractors rather than employees, employers avoid the cost of employment taxes, wage withholding responsibilities, costs related to pension plans, health insurance and other fringe benefits, worker compensa-

tion, and state rules relating to employment taxes and regulation of the workplace.

Unlike "employees," independent contractors are not entitled to worker compensation and reemployment insurance benefits, and may not seek protection from mistreatment by employers under antidiscrimination statutes such as the Americans with Disabilities Act, Title VII, and the Age Discrimination in Employment Act.

Courts have tended to focus on the following factors to determine whether there is an employer/employee relationship:

- Degree or extent of control that the employer may exercise over details of the work.
- Whether the employer has the right to discharge the worker.
- The worker's opportunity for profit or loss.
- Investment by the worker in the tools and facilities for the work.
- Whether the individual or the employer supplies the tools and places to work.
- The degree of skill required.
- The permanency and duration of the relationship.
- The method of payment (whether by time or job).
- Whether the work is part of the employer's regular business.
- The parties' belief as to the form of the relationship they have entered into.

The IRS has identified 20 similar factors it looks at in helping with classifications. Some additional items considered by the IRS include:

- Is the person paid by the hour, week or month, and paid at the same time as regular employees?

- Does the person have the ability to hire and fire on behalf of the company?

- Does the person work for others at the same time?

According to a recent IRS training guide, the Internal Revenue Service is moving away from its 20-factor test and focusing primarily on (a) the extent of control over the behavior of the worker; (b) the extent of the financial control of the worker, and (c) how the parties view their relationship.

The misclassification of employees has been deemed a serious problem by the IRS. The agency has set up an audit program which focuses on small companies with few employees but with significant revenues or assets. IRS research indicates there is more noncompliance in this area.

In addition to back taxes and penalties levied by the IRS, employers could find themselves being sued by a misclassified employee for back bonuses, pay, vacation time or other benefits. The bottom line is, get advice when classifying your workforce.<sup>1</sup>

<sup>1</sup> Neal Bueth, Minnesota State Bar Association Continuing Education, April 2000.

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

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## First hybrid MCI coach delivered

NEWARK, N.J. — The most significant experiment in over-the-road bus propulsion technology in almost 50 years officially got under way late last month when New Jersey Transit took delivery of a hybrid electric cruiser coach.

Motor Coach Industries of Schaumburg, Ill., is building four hybrid electrics for New Jersey Transit. The first one will be put into revenue service within the next few weeks.

Those pushing hybrid technologies think it could revolutionize over-the-road commuter and transit bus service by greatly improving fuel efficiency and significantly reducing emissions.

Not since gas turbine engines were experimented with in the 1950s has such a revolutionary propulsion system been developed for over-the-road buses.

The MCI hybrid cruiser is a modified D4000 coach powered by an Allison EP 50 electric-drive propulsion system that was installed by ISE Research of San Diego.

Driving the coach are two electric motors and a small diesel engine. The sophisticated Allison propulsion system blends the power of the diesel engine and electric motors for optimum performance and efficiency. The electric motors also serve as alternators, recharging an onboard battery pack as the bus coasts or approaches a stop.

"MCI is proud to have played a leadership role in this cooperative effort," said Harold Zuschlag, MCI executive vice president of engineering. "It's a promising step in energy recovery and energy efficien-

cy, and we have great expectations for emission reductions and better fuel economy."

MCI will deliver the second New Jersey Transit hybrid coach by the end of the year, with the third and fourth vehicles to follow early next year.

"With hybrid electric buses, we hope to find better fuel and financial efficiencies that would further

squeeze operating costs," said New Jersey Transit Executive Director George D. Warrington.

Separately, New Jersey Transit is about to wrap up its record \$500 million contract with MCI that purchased 1,371 conventional diesel cruiser coaches.

The last of the cruisers are being delivered this month. They are operated on commuter routes.

## UMA unveils Safety Store offering helpful programs

The United Motorcoach Association has set up an on-line "safety store" where members can access a variety of award-winning safety and security training programs.

The store was developed for UMA by SPS Enterprises Inc., a Tomball, Texas-based company that specializes in programs that improve employee performance, especially drivers'. Since it was founded 10 years ago, SPS has offered training programs, plus custom incentive award programs.

SPS produces its video training materials in its own state-of-the-art video and sound studio. It also offers interactive computer-based training courses that are available in disc format (to run on a personal computer) or on-line via the Internet.

All of the products and the various formats are available at the UMA Safety Store on its Web site, [www.uma.org](http://www.uma.org).

"The Safety Store helps us fill an industry need for current, fresh and technically accurate programs capable of positively effecting employee performance," said Victor Parra, president and chief executive of UMA.

"We are committed to providing

the highest quality employee training and incentive award programs available, and doing it via the Internet so anyone can access these programs anywhere," Parra said.

"SPS is helping UMA make life a little easier for its members by providing an accessible place for people to go for their safety and security training needs, as well as employee safety incentive award programs," said Peter Van Beek, president of SPS Enterprises.

Users of the UMA Safety Store can sample the Web-based courses and preview the array of safety and security training videos before purchasing.

"UMA member companies can rest assured their drivers are receiving the most up-to-date and affordable training on the market," said Christina Moody Davis, marketing manager at SPS.

Parra said UMA is committed to making sure the Safety Store offers good value. "Where else can company supervisors find an excellent driver training program for \$2 per employee/per month?" he asked. "That's less than the individual cost of buying Cokes and snacks for employees attending a meeting."

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## INDUSTRY NEWS

## Chinatown

CONTINUED FROM PAGE 1

observers have more questions about the Chinatown operators than they have answers, however.

There has been speculation that companies may be ripe for — or function as — money laundering operations. Others wonder where they are dumping their lavatories, and still others observe that as far as they know none of the coaches operated by the Chinatown companies are ADA compliant or wheelchair-lift equipped.

## Plenty of violence, too

In May, a man the *Daily News* described as “a player” in the Chinatown bus wars, was chased down and riddled with bullets, dying around the corner from where Chinese immigrant workers, college students and tourists board idling buses with exotic names like Dragon Coach, Lotus Tours and Fung Wah.

The night-time shooting of De Jian Chen, 27, was the culmination of years of violence surrounding the Chinatown bus business, sources told the *Daily News*. Investigators said he was an enforcer for a ruthless extortionist, while his business partner said he was a family man and a good friend.

The homicide is unsolved and the motive still mysterious — and that sends a chill through the bus companies. “We are scared, we might be the next targets,” said Jack Ho, De Jian Chen’s partner at Today Travel.

Several days after the slaying, one of his drivers was assaulted in Washington at the end of a trip, Ho said. As they beat him, the attackers said, “If we want you to run the buses you run the buses; if we don’t want you to run the buses you don’t,” according to Ho. He said the driver filed a complaint with Washington police.

*Daily News* reporter Patrice O’Shaughnessy reported that observing the rivalry among bus companies on Forsyth Street at East Broadway, adjacent to the Manhattan Bridge, appears to be nothing more than spirited competition.

Ticket sellers with schedules in Chinese sit under umbrella stands at the bus stop. Hawkers vie for customers and insult competitors as coaches squeeze in and out of three spots at the populous intersection.

Other publications have reported that people who ride the buses say the drivers frequently are aggressive and breakdowns occur more often than on Greyhound and other established companies. However, the Chinatown buses also make fewer stops and, of course, are cheaper.

## Fares, scene attract riders

The colorful scene, as well as cheap fares, appears to have increasingly attracted English-speaking passengers to buses that previously had been shuttling Chinese restaurant workers among the Chinatowns in New York, Philadelphia, Washington, Boston, Richmond and Atlanta.

As the competition grew more aggressive, with everything from undercutting fares to stealing a Web site, some companies began employing strong-arm tactics, authorities told O’Shaughnessy. In offices above the sidewalks is a tangle of companies with changing names and owners.

“These companies merge, unmerge. ... They were whacking people over the head with pipes, slashing tires, breaking windows,” said one investigator. “None of these [incidents] were making the police blotter because the people don’t want to report it.”

Then, in May of last year, the feuding escalated to a new height of viciousness. De Jian Chen, driving a vehicle for the Farewell bus company, was at the Forsyth Street stop and allegedly accelerated in reverse, smashing his vehicle into a New Century bus, pinning New Century owner Lun Dong Chen between the buses, according to a criminal complaint.

Witnesses said De Jian Chen backed up three times. Lun Dong Chen suffered a fractured pelvis, internal bleeding and other severe injuries, according to the complaint. De Jian Chen was charged with assault, menacing and reckless endangerment. The case was still pending when he was killed.

## The Enforcer

Police sources said De Jian Chen acted as an enforcer, making sure parking spaces were available to his company’s buses. But there was apparently another reason for the assault on Lun Dong Chen.

“It all started with a New York to Philly van company; it was frequented by gangster boys from the Fukien Flying Dragons — De Jian ran with them,” said an investigator. “That is the first time law enforcement got involved.”

Lun Dong Chen was a witness in a federal extortion case against an associate of De Jian Chen, a reputed member of the Flying Dragons named Xiang Chen. In 2000, Xiang Chen and other defendants stabbed and beat Lun Dong Chen and other employees of the Min Yun van service, which ran between Chinatowns in New York and Philadelphia. That forced Min Yun out of business.

Xiang Chen, 24, of Queens, was arrested in March 2002 for extortion and on separate federal charges of robberies in Chinatown in which he used a machine gun.

Despite his injuries, Lun Dong Chen testified in Manhattan Federal Court during the extortion trial last year, and Xiang Chen was convicted. In March, he was sentenced to 70 months in prison. Last month, Xiang Chen was convicted in the armed robberies. He faces up to 100 years in prison.

Meanwhile, De Jian Chen had been working for Dragon Coach, a company formed in August 2000 by Edward Ho. But three months ago, De Jian Chen and Ho’s son, Jack, became partners and struck out on their own, forming another but similarly named company — Dragoncoach USA.

“Chen was the bus scheduler, the primary contact with the Web site [where tickets were sold], and

he was able to capture that Web site for the new company,” said Edward Ho’s lawyer, Laurence Olive. As a result, Dragon Coach’s business suffered drastically, Olive said.

## Dragoncoach USA

Edward Ho filed suit to stop his son and De Jian Chen from using the name. Now the breakaway company is called Today Travel but some of the signs still read Dragoncoach USA. Olive said detectives investigating De Jian Chen’s murder have interviewed Edward Ho.

At Today Travel, Jack Ho, 26, sat at a desk behind a metal security gate eyeing a video surveillance camera. “It’s frightening,” he said. Asked whether he thought his partner was killed in retaliation for the alleged assault, Ho said, “Maybe, we don’t know.”

But he said De Jian Chen was not associated with Xiang Chen or criminal elements. The slain man left a wife and one-year-old daughter, and investigators said his wife described him as a good provider and father who worked hard and did not drink.

“We won’t let it go, we’ll make sure the police follow up,” Ho said. “We’re walking carefully, driving carefully, watching our backs.”

He said the company has hired a private investigator and is contributing with the Fukienese Association to add \$18,000 to the \$2,000 reward money offered by the city to find the killer.

Capt. James McCarthy, commander of Chinatown’s 5th Precinct, said cops formed a task force a year ago to deal with 100 companies moving buses and vans through the congested area.

Working with the Taxi and Limousine Commission, the Department of Transportation and the Manhattan Traffic Task Force, they confiscated 20 buses for safety violations. They stopped vehicles from taking layovers on Forsyth Street, established pickup points and held meetings with the major companies.

Things had quieted down and then De Jian Chen was killed, the only murder in the precinct in 18 months. McCarthy said that not one complaint related to the buses has been generated since the slaying.

But some law enforcement sources doubt that De Jian Chen’s death will end the violence. “Someone will take his place, because there is a lot of money to be made,” said one investigator.

## Stolen bus

CONTINUED FROM PAGE 1

which is based near Cleveland and is the largest private motorcoach operator serving Ohio, Michigan, Indiana and Kentucky.

Lakefront’s Toledo terminal manager Mike Schmuhl said Jones, while working last year as a part-time driver and security guard for the company, took a coach from Lakefront’s terminal in Cleveland. Jones used the coach for a one-day charter trip to Soaring Eagle Casino in Mt. Pleasant, Mich., he had arranged. “We found these pamphlets advertising the trip on our buses and wondered what it was all about,” said Schmuhl.

He said Jones returned the bus that evening but instead of putting it back in the garage where the theft might have gone unno-

ticed, he left it on the street in front of the garage. Jones later was charged with taking the bus and was placed on probation and ordered to pay \$4,000 restitution.

The two Lakefront buses had not been altered to hide their Lakefront identity. Nor were they seriously damaged, although the second one had rear-end scratches and small dents caused by backing into something.

Toledo Police Sgt. Paul Hickey said Jones also is believed to have been involved in the theft of another coach from Ground Transportation Specialists in Taylor, Mich., about three weeks before the second Lakefront bus was stolen.

That bus was found abandoned in the parking lot of a Toledo city park the day after the Lakefront bus was recovered.

Schmuhl said the Ground

Transportation decals had been removed from the bus and it was carrying new decals and signs advertising it as a New Tours bus.

“We saw the bus being driving around town for a couple of weeks and were wondering what this new company was all about,” said Schmuhl. “Later we found out the coach had been stolen and just given new decals.”

Sgt. Hickey said the Michigan bus appeared to have been used for charter work, too, including transporting a lacrosse team from Toledo to Hudson, Ohio. He said the driver of the bus later abandoned the team in Hudson, but he did not know why. “It might have had something to do with nonpayment of the charter fee or something like that,” he added.

No charges have been filed in connection with the theft of the Michigan bus, although Toledo

Police and Michigan State Police are working together to determine if additional criminal charges should be filed against Jones.

Sgt. Hickey said Jones added to his legal troubles when he showed up at the police station in a stolen vehicle after detectives asked him to come in for an interview during the early stages of the investigation of the Lakefront bus theft.

Hickey said someone noticed that the suspect arrived in an expensive sport utility vehicle and suggested police check it out. They did and discovered that the identification number on the vehicle had been altered and the vehicle later was found to have been stolen.

“The investigation is still open and we’re seeing what else we might find here,” Hickey added.

## Barometers indicate travel is gaining momentum

WASHINGTON, D.C. — A handful of national indicators suggest that leisure travel in the United States may finally be on the rebound.

According to the AAA Travel Barometer, travel bookings have almost returned to levels of a year ago, a most welcome sign for the travel industry.

The National Travel Barometer showed overall travel agency bookings — cruises, tour packages, car rentals and hotels — in June were just slightly under those of June 2002.

AAA also reports that bookings have been running as much as 50 percent higher than they were at the start of the U.S.-Iraq war. The AAA barometer is based on a sample of 13 clubs representing more than half of the association's 46 million members. It is intended to help gauge the strength of the leisure travel market.

At the same time, CNN reports that other travel industry organizations and professionals have noted a steady uptick in leisure travel and are hopeful the trend signals the onset of recovery for an industry that has been bashed by the

sluggish economy, fear of SARS and threats of terrorism.

According to CNN, travelers who remain defiant in the face of the economic, security and health anxieties are buoying the hopes of people in the travel industry.

The Travel Industry Association says its surveys show that travelers are determined, but they're not clueless. Travelers have noted the economic conditions and made adjustments, says the TIA. Among other things, travel-

ers have cut their travel time from last year and are generally watching their pennies, the TIA notes.

Key measurements from AAA's National Travel Barometer include:

- Tour packages were 112 per-

cent of their 2002 level.

- Hotel bookings totaled 91 percent of their 2002 level.
- Car rental reservations were at 97 percent of their 2002 level.
- Cruise bookings were at 108 percent of their 2002 levels.

# Don't let the big one get away!



## SARS recedes as travel threat

SARS, the "other" war that wreaked havoc on the worldwide travel and tourism industry this past spring, has all but been won, according to global health officials.

The SARS scare was particularly damaging in Toronto and Ontario, where two outbreaks resulted in warnings urging people to avoid travel to the popular tourist destination. The U.S. war with Iraq also depressed travel levels.

In recent days, however, the World Health Organization has said that the spread of SARS, or severe acute respiratory syndrome, has been contained. At the same time, health experts warn that both Toronto and China are "just one case" away from a new outbreak.

The more optimistic outlook for SARS is in sharp, sharp contrast to the picture painted by health officials last March and April, when they were warning of a global epidemic.

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## INDUSTRY NEWS

## Canada

CONTINUED FROM PAGE 1

However, operators all across Canada report they are being adversely impacted by many of the same factors facing operators in the United States — high insurance premiums, inflated diesel fuel prices, reduced coach values, a sluggish economy and even the war in Iraq.

**Challenges keep coming**

Were all of that not enough, a new issue surfaced just over a month ago that has the potential to seriously harm cross-border travel.

Canada has introduced federal legislation that removes criminal penalties for possession of small amounts of marijuana. The proposed law has been sharply criticized by U.S. officials who fear an increase in smuggling of powerful hydroponically grown marijuana if Canada adopts the bill.

Numerous Bush Administration officials have said the law likely will result in much more stringent border checks between Canada and the U.S., resulting in travel delays.

Right now, though, the No. 1 challenge for Canadian coach operators, particularly in Ontario, is the daunting task of rebuilding and regaining the confidence of SARS-scared travelers in one of the world's leading tourist destinations — Toronto.

"The number of canceled tours to Toronto is slowing down," says Brian Crow, president of the Ontario Motor Coach Association, which is based in Toronto. "However, even with the ban lifted, people don't automatically flock to Toronto. It'll take a year — if not more — to recover."

Crow says that one large Canadian operator lost an estimated \$2 million (Canadian) during the April-May period when the SARS scare was at its worst. Total losses for the industry are in the tens of millions.

**Warnings do damage**

"The SARS warning (by the World Health Organization) destroyed tourism to Toronto," says Hannah, who is a director and former chairman of OMCA. "Lifting the advisory has done nothing. For spring, we probably lost 40 percent of our revenue. We're nervous for fall because people are making their decisions for travel now."

In central Canada, Dale Janzen, president of Fehr-Way Tours and Beaver Bus Lines in Winnipeg, Manitoba, says only five or six groups canceled because of SARS.



*Operators like Central Bus Lines in Vancouver are largely unaffected by the SARS scare.*



**Mark Hannah**

These groups typically opted to travel to Calgary or Edmonton in Alberta, instead, adds Janzen, who is chairman of Motor Coach Canada, the national industry association.

Further west, in Vancouver, British Columbia, Charter Bus Lines reports it has been relatively unaffected by SARS. "The war affected us more than SARS," says Sheldon Eggen, president and CEO. Eggen is a director of Motor Coach Canada.

"In April, we lost some business but in May sales were higher than last year. Though we saw a decrease in business during the war, it was not life altering."

Eggen notes that virtually all Canadian operators providing service into Toronto have been hit substantially harder by SARS.

Canadian coach operators also have been hurt by curtailed travel by one of their bread-and-butter customers — schools. April, May

and June are traditionally huge months for Canada's educational tour market.

**More canceled trips**

Shortly after the SARS warning was lifted for Toronto, labor problems surfaced in scores of Canadian school districts, resulting in canceled trips. Teachers in many districts are employed on what is called work-to-rule status, meaning they teach classes but can't be involved in out-of-classroom activities such as field trips until the labor issues are resolved.

"Recently, we had \$44,000 (Canadian) in canceled business in one day from one school," says Hannah.

Earlier in the spring, Canadian coach operators were hurt by the war in Iraq. Much of the war impact was ascribed to an anti-Canadian backlash in the United States resulting from statements made by Canadian Prime Minister Jean Chretien opposing the U.S.-led war.

Isolated incidents aimed at Canadians traveling in the United States were widely reported by the media in Canada. This heightened fear among Canadians, resulting in the cancellation of trips to the U.S.

"You can have thousands of motorcoaches drive from Canada into the United States and everyone has a great time but nobody hears about it," says Crow. "When you have a couple of Canadian coaches in the United States and



**Brian Crow**

someone sees the license plates and starts making comments and flattens the tires, that's what makes the news.

"Americans didn't like our prime minister's position on the war with Iraq, and many Canadians didn't agree with it either. Most operators say they are treated like royalty when they travel to the United States."

**Canadians find value**

A factor believed to be pinching coach travel moving the other way — that is, from the U.S. to Canada — has been the exchange rate. The U.S. greenback has weakened by more than 16 percent against the Canadian dollar, meaning it's more expensive for Americans to travel in Canada than it was a year ago.

"This makes it more economical for Canadians to go to the United States and less economical for United States' residents to come to Canada," observes Crow. "Will that

affect business? Probably."

Like their U.S. counterparts, Canadian operators also are facing hours-of-service issues. Canada recently released proposed hours-of-service changes, including mandating a 24-hour rest period every 14 days.

"This means that for a two-week tour you'd need a supplemental driver for the 14th day, even if the driver only did a short shuttle on the previous day," says Crow. "We are trying to get the government to make changes and make the rules based more on fatigue, rather than pure hours. Or, like the United States, to separate buses and trucks."

**A heavy toll**

The accumulation of challenges facing Canadian coach operators has taken its toll in terms of reduced employment, new coach purchases and fleet size. And Crow fears the worst may not yet be over for a few operators.

"There's no doubt in my mind we will lose more than one carrier and tour operator before the year is out," he says. "We thought we had seen it all but now there's a feeling among tour operators that they don't know how much more they can take."

Adds Hannah: "There will be some industry cleansing. Strong companies will survive and the weak ones will not. You'll see a lot of changes from a strategy perspective, with companies looking for additional revenue streams.

"We need to focus on the services and experiences we offer our clients, and those ancillary services that provide benefits and additional income," he says.

Despite the turmoil, there remains a glimmer of hope among Canadian coach operators that the summer travel season will improve, pulling them out of the financial doldrums.

"Many are praying we'll have a half-decent summer," says Janzen of Fehr-Way Tours in Winnipeg. "But right now the phones just aren't ringing. I know we'll all be doing more marketing, but we also have to watch how much money we spend on marketing versus the return."

Crow says an "awareness marketing" plan is needed to bolster motorcoach travel to Toronto. "We have to get the message out there that there's very little risk involved in coming to Toronto," he says.

The group Crow heads, the Ontario Motor Coach Association, has taken the first step in developing such a plan. (See related story on next page.)

# OMCA proposes plan to build Toronto travel

TORONTO — The Ontario Motorcoach Association has grabbed the bull by the horns and developed a seven-point plan designed to lead a recovery of group travel in Canada.

The Road to Recovery plan is OMCA's response to the devastating impact that the SARS epidemic and the World Health Organization travel advisory has had on the tourism, hospitality and travel industry in Toronto and elsewhere in Ontario.

The plan calls for a partnership between OMCA's 200-plus operator members and the Ontario Tourism Marketing Partnership (Ministry of Tourism), Tourism Toronto and other associations.

"Our industry needs to be aggressive in implementing plans to rebuild our industry," said OMCA Chairman Greg Hammond of Hammond Transportation Ltd., in Bracebridge, Ont. "We are proposing these initiatives to bring attention to the group travel market."

Fundamentally, the plan seeks to promote group travel to Ontario and Toronto through seven initiatives:

- A "Focus Ontario" trade show for domestic and inbound tour operators. The goals of the show would be to communicate that Toronto is "open for business" and to promote Ontario and Toronto attractions to tour operators specializing in groups and tour packages.
- An Ontario school board awareness program. The objective would be to encourage schools and school boards to immediately reinstate field trips, educational tours and travel to Toronto.
- Creative materials to promote group travel. The goal is to create marketing materials that can be picked up by various groups and used to promote travel.
- Free-standing inserts promoting group travel. Promotional information would be provided to group leaders and tour operators across Canada and the U.S., show-



**Greg Hammond**

casing Toronto packaged group tour products.

- An Ontario Tours Web page for consumers and operators.
  - Moving billboards. Graphics promoting Toronto would be developed for coaches that travel Canadian and U.S. highways.
  - Advertising in trade publications. The objective would be to reach tour operators and group leaders in Canada and the U.S., informing them that Toronto is open for business.
- Brian Crow, OMCA president, said it is important that such a program be implemented quickly, adding that OMCA members are eager to contribute intellectual and capital assets to initiate such a plan.

# Corporate conversion model is aimed at coach operators

CORINTH, Miss. — Senators Coaches Inc. is targeting a Corporate Coach Buyers Program, featuring rebuilt 45-foot Prevost XL conversion shells, at motorcoach operators.

Spokeswoman Debra Mintz said charter operators are generating \$1,600-\$3,000 per day from corporate-style coaches, which she said are perfect for movements involving corporations, sports fans, government agencies, wedding parties and students.

For its corporate conversions, Senators Coaches is taking 1993-96 Prevost XL shells and installing new corporate interiors specifically designed for fleet operators and heavy charter usage, said Mintz.

All coaches also have remanufactured Detroit Diesel engines, rebuilt Allison transmissions, new generators and new satellite systems. Complete coach maintenance histories are included, along with warranties on all major components.

Other features include front and rear ice chests, Corian countertops, overhead and under-



**1993-96 Prevost XL shells are being rebuilt as corporate coaches.**



counter storage space, galley with built-in microwave and coffeemaker, upright dual-voltage refrigerator, front and rear lounge Dolby surround sound, and stereo and CB radio in driver's area.

"These corporate coaches are available...at incredibly low prices starting at \$325,000," said Mintz. Low-interest, 60-month financing is available for qualified buyers.

More information is available by calling (561) 995-6948, or by e-mail: DebraMintz@aol.com.

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**CALENDAR OF EVENTS****JUNE 2003**

**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).

**20-22** Georgia Motorcoach Operators Assn.: Annual Meeting & Marketplace, Marriott at Perimeter, Atlanta. Info: (404) 589-8783.

**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**

**9-12** Pennsylvania Public Transportation Assn.: Summer Meeting and Roadeo, Erie, Pa. Info: (717) 234-7176 or go to [www.ppta.net](http://www.ppta.net).

**10-12** Alabama Motorcoach Assn.: Annual Meeting & Marketplace, Wynfrey Hotel, Birmingham, Ala. Info: (336) 495-4970.

**11-17** International Motorcoach Group Inc.: Strategic Alliance Meeting, Keystone Resort & Conference Center, Keystone, Colo. Info: (913) 906-0111 or go to [www.imgcoach.com](http://www.imgcoach.com).

**17-20** South Carolina Motorcoach Assn.: Annual Meeting & Marketplace, Westin Resort, Savannah, Ga. Info: (336) 495-4970.

**22-24** Greyhound Birthplace Bus Bash 2003, Hibbing, Minn. Info will be available at [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 Sheraton, 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.cbabus.com](http://www.cbabus.com).

**14-16** Kansas Public Transit Assn.: Annual Conference and Expo, Overland Park, Kan. Info: (913) 491-9094 or go to [www.ktransit.com](http://www.ktransit.com).

**OCTOBER 2003**

**11-12** The Motorcoach Bus Society: Annual Convention, Boston, Mass. Info: e-mail Jerry Squier, vice presi-

dent conventions, at [glsquier@pacbell.net](mailto:glsquier@pacbell.net) or go to [www.motorbussociety.org](http://www.motorbussociety.org).

**12-16** American Public Transit Association: 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, Doral Palm Springs Resort, Cathedral City, Calif. 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, or go to [www.omca.com](http://www.omca.com).

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