

# Bus & Motorcoach NEWS

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## Court ruling shoots down hours rule for truckers

### Uncertainty for coach industry?

WASHINGTON — The Federal Motor Carrier Safety Administration is weighing its options in the wake of a stunning appeals court decision that trashed

the new hours-of-service rules for truckers.

The United States Court of Appeals for the District of Columbia issued an order last month vacating the rules the FMCSA put into place just eight months ago.

While the court said the rules

were arbitrary and capricious and should be revised, the decision is not immediately effective. The rules will remain in effect until the FMCSA chooses what legal or administrative route it intends to pursue.

The agency has a number of options, including seeking a rehearing from the appeals court that

handed down the ruling, appealing to the U.S. Supreme Court, and requesting a stay from the Supreme Court as part of an appeal.

If any of the legal maneuvers fail, the FMCSA must start a new rulemaking process. It has 45 days to respond to the court ruling.

Or, the agency could simply

decide not to appeal the decision and initiate a new hours-of-service rulemaking.

The \$64 question, however, is what rules will be in effect during the time needed to complete a new rulemaking — the old or the new? The consensus among regulatory

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## Operators in border states see business potential in Mexico

SAN DIEGO — The Supreme Court ruling that will eventually open U.S. highways to Mexican commercial buses and trucks probably will have little impact on the U.S. motorcoach industry unless Mexico responds to the decision by relaxing some of its own border crossing restrictions.

If it does, then some carriers in the United States — particularly those in the border states of Texas, Arizona and California — could possibly pick up new business.

"We're hoping that's just what happens," said Barry Fennell, sales manager for San Diego-based Sundance Stage Lines Inc., one of the few California companies with credentials to transport passengers

into Mexico.

He said if the U.S. opens its borders to trucks, then Mexico might respond by backing off some of what he claims are retaliatory restrictions it has on U.S. coaches entering Mexico.

"Right now our industry is just a political football," he said, adding that he believes the Mexican government is striking back against U.S. coaches in retribution for the U.S. not complying with the decade-old North American Free Trade Agreement by allowing Mexican trucks and buses full access to U.S. highways.

Mexican commercial vehicles were to have gained full access under NAFTA almost five years



Coaches from Sundance Stage Lines in San Diego line up at the cruise ship terminal in Ensenada, Mexico.

ago, but the Clinton Administration, under pressure from labor unions and environmentalists, and then federal courts, blocked implementation of the agreement.

Meanwhile, says Fennell, Mexico tightened its regulations for U.S. buses and has even been talking about the possibility of adding

another restriction that would ban U.S. coaches older than 1995 from the country.

The possibility of the situation improving stems from the U.S. Supreme Court ruling in June that said the federal government may open its highways to Mexican commercial vehicles under

NAFTA even though the environmental effects have not been extensively studied. The decision overturned a Ninth Circuit Court of Appeals ruling, made in January 2003, that effectively stopped the government from complying with the access provisions of the trade

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## New coalition champions coach industry initiatives

WASHINGTON — A potentially powerful new organization has been formed to push private-sector passenger transportation initiatives on Capitol Hill — the Coalition of Private Transportation Associations.

The ad hoc group quietly coalesced as the battle over the new

six-year highway and mass transportation bill became more heated and focused in recent weeks.

The organization will be an important ally in the motorcoach and over-the-road bus industry fight to keep public transit agencies from expanding into the charter service business.

"This is significant in that it's the first time we have all come together to actually take the offensive against the transit groups, rather than continuing to play defense like we have trying to protect out charter business," said Victor Parra, president and CEO of the United Motorcoach Association.

UMA and the American Bus Association are members of the coalition that includes seven other national, regional and state associations. The other charter members are the:

- Alabama Motorcoach Association
- American Transit Services

Council

- California Bus Association
- National School Transportation Association
- Taxicab, Limousine and Paratransit Association
- Taxicab Paratransit Association of Calif.

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## Greyhound cuts felt by many in region

DALLAS — Reverberations from the looming restructuring of Greyhound Line's sprawling north central and western region, which becomes effective in two weeks, continue across the U.S.

- Residents of rural areas in 17 states are scrambling to locate alternative transportation, sometimes finding it thanks to smaller intercity carriers willing to take over soon-to-be abandoned Greyhound routes. Many more communities apparently are coming up empty, however.

- Greyhound employees, especially drivers, are bracing for a much shrunken system.

- Greyhound is being accused of being the "old" Greyhound, the bull elephant of the bus industry.

- And the company is busy wrapping up the details of pulling out of 260 communities, eliminating 150 jobs, relocating drivers and closing their hubs, and reducing the fleet by 100 buses — even as it begins moving toward the next round of cuts.

Greyhound announced at the end of June it was discontinuing service to dozens of small towns between Chicago and Seattle in an effort to cut costs and focus on its most profitable routes.

From Oregon, to Colorado, to North Dakota, to Wisconsin, communities by the score are preparing for life after Greyhound, with local officials, civic organizations and residents scouring the countryside for bus companies, shuttle services and van operators to fill the void that will be created by Greyhound on Aug. 18.

Porter Stage Lines of North Bend, Ore., is likely to fill some of the gaps when Greyhound elimi-

nates nine stops on U.S. Highway 101 along the west coast of Oregon.

Two small bus services are looking at the soon-to-be abandoned 672-stretch between Omaha, Neb., and Denver. Communities like Sterling, Colo., are worried both about the daily impact of no Greyhound service and the long-term consequences — on growth and development — of a town without daily bus service.

No operator has been found to take over the route between Winona, Minn., and La Crosse, Wis.

However, Jefferson Lines of Minneapolis has been signed up to take over service along two greater Minnesota routes being eliminated by Greyhound. Jefferson is getting a \$153,000 federal grant through the Minnesota Department of Transportation to operate and market the routes through the end of this year.

"Without this support, these routes would not be economically viable," said Bonnie Buchanan, Jefferson Line's vice president for marketing.

The service includes a 289-mile route between Minneapolis and Sioux Falls, S.D., which serves about 200 riders each week in communities such as Litchfield, Willmar, Granite Falls, Marshall, Pipestone and Luverne.

The second route is a 383-mile run between Minneapolis and Grand Forks, N.D., which serves more than 300 riders weekly in communities like Little Falls, Pine River, Cass Lake, Brainerd, Bemidji and Crookston.

In Montana, Tom Forseth, owner of Rimrock Trailways of

## Back to the drawing board

### Takeover of N.Y. bus services is delayed

NEW YORK CITY — The city of New York and the Metropolitan Transportation Authority have gone back to the drawing board in an effort to develop a strategy for taking over the service that seven private bus companies have been providing daily to more than 400,000 New Yorkers.

Stymied by the failure of state lawmakers to agree on a takeover plan, city and transit officials now are looking to create a separate entity within the MTA — a public benefit corporation — that would operate the service.

"We've had to go back to stage

one and all of the old concessions no longer apply," said MTA spokesman Tom Kelly.

The city, which has contracted with private companies to operate the city-subsidized routes between Manhattan and the Bronx, Queens and Brooklyn since 1974, had announced it would turnover the service to the MTA on July 1.

The proposal was the idea of New York Mayor Michael R. Bloomberg who has maintained the MTA could provide better and more efficient service than the private operators.

However, Bloomberg's plan fell

through when the state legislature passed conflicting bills that would have allowed the takeover and then was unable to agree on a compromise, effectively killing the issue.

Still wanting to see the MTA operate the routes and not wanting to interrupt service by letting the private companies go, Bloomberg extended the contracts with the private operators until Dec. 4, and proposed the public benefit corporation solution, which requires only the approval of the MTA board, a willing partner in both the initial and new arrangements.

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# THE DOCKET

## UMA lawsuit seeks court review of new driver rule

ALEXANDRIA, Va. — The United Motorcoach Association has filed suit to review a new federal rule that requires expanded training for beginner over-the-road bus and truck drivers.

The suit was filed in U.S. District Court and named the Federal Motor Carrier Safety Administration, which announced the new rule in May, as defendant.

The suit asks the court to review the rule to determine whether it is arbitrary and capricious.

Earlier, UMA had filed a petition for reconsideration with the FMCSA, requesting the agency to correct "fatal flaws" in the rule. The agency has yet to rule on the petition. UMA said it reluctantly initiated the legal action to avoid abandoning future legal recourse

should its petition for reconsideration fail.

UMA contends that motorcoach and school bus industry compliance with the entry-level training requirements of the new rule are neither practical, sensible, nor in the public interest. Plus, it will work an unreasonable hardship on small motorcoach operators, says UMA.

The new rule requires training in four areas for new drivers: driver qualifications, driver wellness, hours-of-service, and whistleblower protection.

UMA maintains the rule has no standards for the required training, ignores the fact there aren't enough qualified trainers to provide the training required by the rule, and has an unreason-

able time frame for implementation. The rule went into effect July 20.

UMA wants the FMCSA to work with the motorcoach industry to develop a more comprehensive training program for entry-level drivers that will have meaningful outcomes. It would prefer to see such a program made part of the CDL program.

## Maryland registration fees jump under highway plan

ANNAPOLIS, Md. — The annual cost of renewing motor vehicle registration plates in Maryland shot up more than 40 percent last month for motorcoaches and more than doubled for school buses.

The increases will help pay for a \$237 million plan by Maryland Gov. Robert Ehrlich to improve the state highway system.

Fees for trucks and trailers also skyrocketed, while the cost to register most passenger vehicles of 3,700 pounds or less increased to \$128 from \$81. Owners of so-called multipurpose vehicles weighing more than 3,700 pounds, which typically are SUVs, will now pay \$180 annually, up from \$108.

The new registration fee for buses with seating for 36 or more is \$888.50, up from \$625, plus a \$13.50 fee to pay for Maryland's emergency medical services system.

Buses with a seating capacity of 21 to 35 now pay a registration fee of \$538.50, compared to \$350 previously. Small buses, those seating 20 or less, have a new fee of \$288.50, versus an old fee of \$175.

The EMS fees also apply to the medium and small buses.

School buses, which previously paid fees of either \$27 or \$81, now have an annual registration fee of between \$64.50 and \$163.50, plus the EMS surcharge.

Carol Joyce of Jubb's Bus Service in Glen Burnie, Md., and an officer of the Maryland Motorcoach Association, said the association and its lobbyist fought the changes, including sending a delegation to Annapolis to speak against the increases.

Among other things, the operators pointed out that registration fees in Maryland are now the highest in the region, which does nothing to help the competitiveness of companies based in the state.

Maryland also boosted fines and fees for drunk-driving convictions and other moving violations. Operators using Interstates 70, 83, 95, 97 and 695 in Maryland should beware.

The registration fee increases were the first in Maryland since 1987.

## Kansas Turnpike tolls climb

TOPEKA, Kan. — Tolls on the Kansas Turnpike increase an average of 5 percent Aug. 1.

A trip along the entire length of the turnpike will now cost a three-axle motorcoach \$11.75, up from \$11. A two-axle coach will pay \$8.75, up from \$8.25.

Turnpike officials said the additional revenue would be used to add a lane in each direction between Topeka and Lecompton, Kan. The agency also said it plans to replace several bridges over the Kansas River near Lawrence and

improve interchanges in that area.

Turnpike spokeswoman Lisa Callahan said traffic on some stretches of the highway had increased 25 percent during the past six years, and additional capacity was needed.

The 236-mile turnpike stretches from Kansas City, Kan., to the Oklahoma border. It comprises Interstate 70 from Kansas City to Topeka; Interstate 335 from Topeka to Emporia, and Interstate 35 from Emporia to the Oklahoma border.

## Five transits seek private charter firms

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

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

**Bridgeport, Conn.** Deadline: Aug. 6, 2004. Write to: Director of Planning and Service Development, Greater Bridgeport Transit Authority, One Cross St., Bridgeport, CT 06610-3263. Phone: (203) 798-8687.

**Danbury, Conn.** Deadline: Aug. 6, 2004. Write to: Richard Schreiner, Director of Service Development, Housatonic Area Regional Transit District (HART), 62 Federal Rd., Danbury, CT 06810. Phone: (203) 744-4070.

**Painesville, Ohio.** Deadline: Aug. 8, 2004. Write to: Ray Jurkowski, General Manager, Lake County's Regional Transit Authority (LAKETRAN), 555 Lakeshore Blvd., Painesville, OH 44077. Phone: (440) 350-1000.

**Madison, Wis.** Deadline: Aug. 9, 2004. Write to: Manager, Madison Metro Transit, 1101 E. Washington Ave., Madison, WI 53703. Phone: (608) 267-4904.

**Norwalk, Conn.** Deadline: Aug. 19, 2004. Write to: Louis Schulman, Administrator, Norwalk Transit District, 275 Wilson Ave., Norwalk, CT 06054. Phone: (203) 852-0000.

## Virginia tax changes may have big impact

RICHMOND, Va. — Massive changes to Virginia tax laws that go into effect next month will impact not only Virginia-based motorcoach operators but also out-of-state companies that do business in the state.

Under the legislation, the rate of the general sales and use tax in Virginia will rise to 5 percent from 4.5, and the exemption for the purchases of common carriers will be eliminated.

This change does not affect the rolling stock exemption for the purchase of heavy vehicles, which continues unchanged. The amendment affects purchases of parts.

Purchases or leases entered into before March 2, however, are subject to the exemption as long as the property is put into service by Sept. 2.

Among dozens of other items in the omnibus tax law is a "pass-through filing requirement" for taxable years beginning Jan. 1, 2004. The requirement could potentially create nexus issues for out-of-state owners of pass-through entities doing business in Virginia.

Pass-through entities, including Subchapter S (closely-held) corporations and limited-liability companies and partnerships, will be required to file information

returns with the Virginia Department of Taxation, identifying, among other things, their nonresident owners. The return must be filed on or before the 15th day of the fourth month following the close of its taxable year.

These entities may apply to the department to file combined returns for such owners.

The information returns could expose the out-of-state owners to the risk of an audit in Virginia.

A pass-through entity that fails to file a return will be subject to a penalty of \$200 if the return is no more than one month late, with an additional penalty of \$200 for each additional month.

A pass-through entity return that is more than six months late would be subject to a penalty of 6 percent of the tax due, and fraudulent returns would be subject to a penalty of up to \$1,000.

The tax legislation, which will raise \$1.3 billion during the next two years, was adopted by the Virginia General Assembly during its extended 2004 session. Debate and action on the legislation was so divisive that it split the state Republican party and caused a rift with many of the state's largest businesses.

## Tennessee rule limits licenses

NASHVILLE, Tenn. — Tennessee has implemented new requirements that limit driver licenses for both commercial and passenger vehicles to U.S. citizens or permanent residents.

State officials say its new requirements are the strictest license policies in the nation.

The law specifically bars non-citizens and non-residents from

obtaining Tennessee commercial driver licenses. Previously, non-citizens and non-residents could obtain commercial driver licenses provided they met the state's standards.

Also, Tennessee will not renew existing CDL licenses held by non-citizens when they expire, and will not issue new ones to applicants who are not citizens or permanent residents.

# California air board restricts bus, truck idling

LOS ANGELES — The California Air Resources Board approved a new rule late last month that limits how long and where diesel-powered buses and trucks can idle.

Essentially, the board voted to ban buses from idling more than 10 minutes when boarding passengers. Trucks can idle 5 minutes at any one location.

CARB said the regulation applies to more than 400,000 trucks and buses registered in California, and all out-of-state buses and trucks operating in the state.

The rule will take effect in about six months pending a tech-

nical review by the state's Office of Administrative Law.

An exception to the rule would allow buses to idle continuously to keep heating or air conditioning running when passengers are on board.

Other exceptions are allowed for adverse weather conditions, mechanical difficulties, queuing in the normal course of conducting business, and when directed by a law officer to keep an engine running.

"Diesel operators often let their engines idle for long periods of time because of fears their vehicles might not start well when cold or in bad weather. However, newer engine and fuel technologies have eliminated that problem," CARB

said in a statement.

The responsibility for enforcement would fall to about 10 teams of resource inspectors. The California Highway Patrol and other agencies could issue \$100 citations for violations.

## N.J. to step up enforcement of anti-idling law

TRENTON, N.J. — Environmental officials in New Jersey have put the bus and truck industries on notice that the state intends to step up enforcement of its anti-idling law.

Peg Hanna, diesel risk reduction manager for the New Jersey Department of Environmental Protection, said 75 enforcement officers would target areas where diesel-powered vehicles congregate.

Among specific areas to be targeted are public entertainment venues, bus staging areas and retail centers.

## Texas to offer internet access at reststops

AUSTIN, Texas — The Texas Department of Transportation is expanding its program of providing wireless internet access at state rest areas and travel information centers.

Companies willing to provide free wireless internet were being solicited by TxDOT.

Texas became the first state to provide free internet access at rest areas when it launched a pilot program by installing Wi-Fi hotspots at four rest areas along U.S. Highway 287.

TxDOT also has plans to install special kiosks where motorists can swipe a credit card and use internet-enabled computers in 15-minute increments.

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## THE DOCKET

# New rule for riders requesting accessible service

WASHINGTON — The U.S. Department of Transportation has issued a new rule designed to make it easier and faster for coach operators to confirm a request for accessible bus service.

Under the accessible-service rule the USDOT issued in February 2001, operators are required to complete a *Service Request Form* whenever a passenger with a disability asks for an accessible bus or equivalent service.

The operator is to fill out the first nine lines of the form and send it to the customer no later than the next business day following the service request.

On the scheduled date of the trip, the operator providing the service completes lines 10 and 11 of the form.

Under the new rule, operators may respond to a request for accessible service in one of three ways:

- A copy of the *Service Request*

*Form* can be mailed to the passenger by the next business day after the request is made.

- If the person making the request has e-mail access, the operator can provide a confirmation number, verifying the *Service Request Form* has been filled out electronically and the passenger will receive a paper copy when he or she arrives for the service.

- If the passenger has access to a facsimile machine, operators can fax a copy of the *Service Request Form* within 24 hours after receiving the request.

If service is denied when the passenger arrives, then a completed form indicating the denial of service must be given to the passenger at that time.

If service is denied before the passenger shows up for the requested service, then a completed form indicating the denial of service is to be transmitted by mail, fax or

e-mail.

Motorcoach providers that have not adopted a *Service Request Form* as part of their operation are out of compliance with the DOT rules governing accessible bus service.

The form has 11 elements and operators can create their own. A sample accompanies this story.

For more information about the new rule, contact: Linda C. Lasley, Office of the Assistant General Counsel for Regulation and Enforcement, DOT, 400 7th St., SW, Room 10424, Washington, DC 20590. Phone: (202) 366-4723.

The rule was published in the Federal Register on July 7, pages 40794-40796.

To obtain a copy of the complete DOT rule for accessible service by over-the-road buses, call the DOT Office of Regulation and Enforcement at (202) 366-4723.

## Service Request Form

Form for advance notice requests and provision of equivalent accessible bus service.

1. Operator's Name \_\_\_\_\_
2. Address \_\_\_\_\_
3. Phone Number \_\_\_\_\_
4. Passenger's Name \_\_\_\_\_
5. Address \_\_\_\_\_
6. Phone Number \_\_\_\_\_
7. Scheduled date(s) and time(s) of trip(s) \_\_\_\_\_
8. Date and time of request \_\_\_\_\_
9. Location(s) of need for accessible bus or equivalent services, as applicable \_\_\_\_\_
10. Was accessible bus or equivalent service, as applicable, provided for trip(s)? Yes  No
11. Was there a basis recognized by U.S. Department of Transportation regulations for not providing an accessible bus or equivalent service, as applicable, for the trip(s)? Yes  No   
If yes, explain \_\_\_\_\_

## The Travel Institute launches curriculum in 'accessible travel'

WELLESLEY, Mass. — The Travel Institute has introduced a new travel specialist course that offers certification in "accessible travel."

The course is the first in a new line of specialist courses offered by The Travel Institute that reflect trends in consumer travel planning, including adventure travel, diving, golf, honeymoons and destination weddings, luxury travel and spas.

A survey conducted two years ago by Harris Interactive revealed that nearly 20 percent of the U.S. population has some type of disability, and that millions of these individuals would travel one or two more times per year if their needs were better met.

The Travel Institute's new accessible travel course, written in collaboration with Roberta Schwartz, director of education for the Society for Accessible Travel and Hospitality ([www.sath.org](http://www.sath.org)), covers the size and scope of the market, the proper etiquette for serving travelers with disabilities, and what to look for in assessing various modes of transportation, lodging, destinations and attractions.

The course also provides marketing techniques and travel preferences designed to help travel agents, tour operators, suppliers or destinations meet the needs of this market to establish a loyal,

repeat customer base.

"Accessible travel is a niche market that cuts across all niche markets. If you learn to serve the accessible travel market, it can help in every other area of travel sales. Accessible travelers' needs cross all types of travel and all destinations," said Schwartz.

The Travel Institute offers two levels of lifestyle specialist designations for each segment. By preparing for and passing a standardized test, travel professionals will earn a "specialist" designation for that niche. Those specialists then have an opportunity to become a "certified specialist" by demonstrating advanced knowledge through relevant business experience in that segment. This two-level structure applies to each of nine courses being launched this year by the Travel Institute.

Experiential criteria for certification include: attaining at least one year of relevant travel industry experience, completing a required number of related business activities from a checklist, and maintaining the certification every five years.

For more information on the accessible travel and other specialist programs go to [www.thetravelinstitute.com](http://www.thetravelinstitute.com).

The Travel Institute serves travel professionals with education programs.

## UTU bosses get prison time

HOUSTON, Texas — Two former presidents of the United Transportation Union have been given prison terms and ordered to pay \$200,000 in proceeds gained from racketeering activities.

U.S. District Court Judge Sim Lake sentenced Byron Boyd, 57, of Seattle, and Charles A. Little, 66, of Leander, Texas, to two-year prison terms, without parole, and ordered them to pay \$100,000 each. They also were fined \$10,000 each.

Judge Lake further ordered that each man is to be supervised for a period of three years following his release from prison.

"The thousands of hard-working UTU members deserve the justice served today," said U.S. Attorney Michael Shelby. "These sentences end a sad chapter in UTU's history and represent a new beginning for the current UTU leadership to reform a corrupt designated legal counsel program."

The UTU is an international labor organization based in Cleveland, with more than 120,000 members consisting of bus, railroad, airline and mass transit employees and retirees.

Two other lower-level UTU officials also were sentenced. Ralph Dennis, 52, Boone, Iowa, former director of insurance for the UTU Insurance Association, was sentenced to three years probation, fined \$2,000, and ordered to forfeit

to the United States \$45,000 in proceeds generated by his involvement in the racketeering enterprise.

John Rookard, 58, Olalla, Wash., a former UTU Insurance Association field representative and project coordinator for Byron Boyd, also was sentenced to a three-year term of probation with two special conditions — home confinement and electronic monitoring during the first six months of the probationary period. Rookard

"The sentences reflected the court's consideration of their cooperation with federal law enforcement and regulatory officials."

was also ordered to forfeit to the United States \$45,000 in racketeering proceeds.

Upon conviction, Boyd, Little, Dennis, and Rookard were disqualified from employment with labor organizations or employee benefit plans, or from service as a labor relations consultant for a period of 13 years after the completion of their prison terms.

Boyd resigned as UTU president following his conviction in March.

All four men were indicted by a Houston federal grand jury last year for conspiring to violate federal mail and wire fraud statutes, interstate transportation in aid of racketeering through commercial state bribery by using their positions to solicit and collect cash payments and other things of value from attorneys doing business or seeking to do business with the union, and embezzlement from a labor organization between June 1994 and July 2003.

All of the charges resulted from an investigation into the UTU Designated Legal Counsel program. A designation as counsel for the UTU was a highly coveted position for attorneys who practiced Federal Employment Liability Act personal injury law. It allowed attorneys' access to the union members and to receive the lucrative business associated with representing injured rail workers in lawsuits against rail employers.

The quartet would solicit and collect cash payments and other things of value from attorneys doing business or seeking to do business with the union and directing other union officials to do the same.

All four were convicted as a result of pleading guilty to the racketeering conspiracy. The sentences reflected the court's consideration of their cooperation with federal law enforcement and regulatory officials.

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## OPINION

# Doing more

There are small but disconcerting signs that the safety performance of the motorcoach industry is not all it could be.

The most obvious came during Roadcheck 2004, the Commercial Vehicle Safety Alliance's massive annual roadside inspection exercise, where an army of inspectors checks more than 50,000 commercial vehicles during a 72-hour stretch.

Nearly 600 over-the-road buses were inspected this year and the out-of-service rate approached 10 percent, meaning that nearly one out of 10 of the coaches checked shouldn't have been on the highway.

At the same time, the number of drivers put out of service climbed by nearly one-third from last year.

Clearly, this is not good news.

Out-of-service rate increases can cause the industry big problems with the U.S. Department of Transportation, the Federal Motor Carrier Safety Administration and state road safety officials when the industry argues about its "exemplary" safety record. Industry credibility simply goes flying out the tail pipe.

There is a widespread sense among responsible coach operators that there are a growing number of unsafe and illegal operators on the road that are giving the industry a black eye. There is no easy way to prove or disprove this notion but, as Brian Crow of the Ontario Motorcoach Association recently noted, visible, effective enforcement by DOT, FMCSA and states and provinces could do much to level the playing field, assuring everyone is abiding by the rules.

But as this publication and its predecessor have noted before, living up to the rules simply isn't

enough. Higher out-of-service rates auger for going beyond the mandates of the law to help assure a safe future for your passengers, as well as your company.

Here are five ways operators can go beyond the rules:

**Set your own standards.** By conducting a diligent background check for every driver, you have the right to refuse employment when the results don't match your criteria. Suspicious gaps in employment may mean someone was drying out, coming down, or getting off.

**Get more involved.** Drivers deserve to have a private life, but their choice of a career is fulltime. That means you have a right to know where and when they work at a second job, and it means you have a right to be concerned about their lifestyle – diet, wellness, physical fitness. Don't be bashful about offering help.

**Empower your safety director.** An experienced, skeptical and hard-nosed safety director can be one of your best protections against deception, deceit and shoddy medical exams.

**Retain your own reviewing physician.** Find your own medical review officer to examine all driver long forms, looking for inconsistencies and red flags.

**Review the long form.** You have a right to require the submission of the driver's medical examination long form. Familiarize yourself with all the disqualifying medical conditions (found in the FMCSR Part 391, Subpart E.) Make sure the examining doctor understood all of the rules.

Going beyond the mandates of the law should be part of the daily routine.

# Fundamentals

## Worker compensation recoveries



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

There are three basic categories of recovery that are common to all worker's compensation statutes: medical and related expenses; disability benefits, and death benefits.

Medical expenses, such as doctors, nurses, hospital, rehabilitation and drugs, are recoverable.

Disability benefits provide for loss of earnings or earning power

as a result of the injury. The amount of disability benefit is determined by state statutory formulas that are based on either a medical loss or wage loss theory. That is why you can have different recoveries for the same type of injury in different states.

Death benefits are also based on statutory formulas and/or paid to the beneficiaries.

Disabilities are classified into four categories: temporary partial, temporary total, permanent partial and permanent total. Each category contains the severity of injury plus a duration of time.

Temporary partial disability means an injured employee cannot perform the job he/she had when injured but can engage in gainful employment. When healed, this person returns to his/her old job.

Temporary total disability means the employee cannot work at all – but only for a temporary

period. Following recovery, the person returns to work.

Permanent partial disability means the injury is permanent but the employee can still be gainfully employed.

Permanent total disability occurs when the injury is permanent and the employee cannot be gainfully employed for an indefinite time. The amount of disability benefits is designed to compensate the employee for lost wages and/or the reduction in earnings capacity.

You should feel free to actively manage the claim with your insurance carrier by staying in close contact with your claims adjuster to return the employee back to work as soon as possible.

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

**Footnote:** Hood, Jack B., Hardy, Benjamin A., Lewis, Harold S., *Worker's Compensation and Employee Protection Laws*, West Publishing, 1990.

## Air carriers try guerilla marketing tactics, can Greyhound Bus drivers be far behind?

WASHINGTON – *The Washington Post* reports that US Airways employees hit the streets in Washington, handing out Krispy Kreme doughnuts and pumping free gas in McLean, Va., to draw attention to the carrier's lowered fares.

Delta Air Lines flight attendants were on the streets of Boston and New York to spread the word about Song, the carrier's fledgling low-cost operation. The Delta employees

gave away free round-trip tickets to anyone engaged in what they described as a random act of kindness. They looked for people who held a door for someone or who returned a dropped \$20 bill. The airline gave away 1,000 tickets.

The older airlines are adopting the so-called guerrilla marketing tactics that have helped vault low-cost operators, such as Southwest and JetBlue airlines, to success. With

low-fare carriers now expanding service at all three Washington airports, the traditional airlines are hustling to keep up: They're slashing fares, changing the way they get their message across, pushing Internet ticket sales, and attempting to hold down costs.

The offbeat promotions are an attempt to show travelers that the traditional carriers are, well, traditional no more.

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## Kerry hunts for support in key states via coach

BOSTON — John Kerry officially became the Democratic president nominee last week and will be heavily campaigning by motorcoach as he makes a strong push for rural voters.

In closely contested states that are considered crucial to winning the election, Kerry will be traveling on chartered coaches in rural parts of Missouri, Ohio, West Virginia, Pennsylvania, Minnesota, Iowa, Wisconsin and other states.

The Kerry campaign says President Bush's policies have hurt farmers and sportsmen and left

rural America behind economically. The campaign also says rural communities have more people called up by the Reserve and National Guard for duty in Iraq than urban areas.

Republicans, of course, refute the charges from the Kerry camp, saying Bush's tax cuts have helped small towns, and the Medicare law Bush pushed through Congress has increased government reimbursements to rural hospitals.

Kerry will carry his arguments to voters in rural parts of swing states via leased coaches.



One operator that has supplied the Kerry campaign with one of its Prevost coaches is Lamers Bus Lines in Green Bay, Wis. Lamers, which is marking its 60th year in business, is one of the largest operators in the upper Midwest.

Coaches used by Kerry are related to the Real Deal Express.

Claude Picard, vice president

of marketing at Prevost Car, said politicians like to campaign by coach because it can be transformed into a comfortable and functional space, allowing the candidate to be on the ground, closer to the electorate and able to move quickly. Moreover, says Picard, coaches can be wrapped to give the campaign a moving billboard.

## Profits surge at Cummins, Caterpillar

Two leading diesel engine makers, Caterpillar and Cummins, have reported sharply higher earnings for the second quarter of this year.

Caterpillar said its second-quarter net income was \$554 million, or \$1.55 per share, compared with \$399 million, or \$1.15 a year earlier. Total revenues for the quarter were \$7.56 billion, up 27 percent from the second quarter of 2003. Engine sales totaled \$2.26 billion, an increase of 23 percent.

Cat also said its sales gain was strongly influenced by a 37 percent increase in sales of on-highway engines in North America.

Meanwhile, Cummins said its net income for the second quarter was \$82 million, or \$1.76 per share, compared with \$14 million, or 34 cents a year earlier. Sales reached a record \$2.12 billion, a 38 percent increase from the second quarter of 2003.

Cummins said its engine sales rose 57 percent to \$1.4 billion, led by higher sales in North America for heavy-duty highway engines.

## Trailways adds members in key regions

FAIRFAX, Va. — Trailways Transportation Systems has added three new members, including its first member-operator in eastern Canada.

Joining Trailways' association of independent coach operators is First Priority Trailways of District Heights, Md., a suburb of Wash-

ington, D.C.; Central States Trailways in St. Louis, and Great Canadian Trailways of Kitchener, Ont.

First Priority is a charter and tour company headed by company President Marcia Milton. Charlie Neal is her partner in the six-year-old business.

Central States, which was founded nine years ago by company President Gary Deeken, operates a fleet of 20 vehicles and provides charter services to a wide variety of groups and organizations.

Great Canadian Trailways is a family-operated business owned by Larry and Lorna Hundt. They

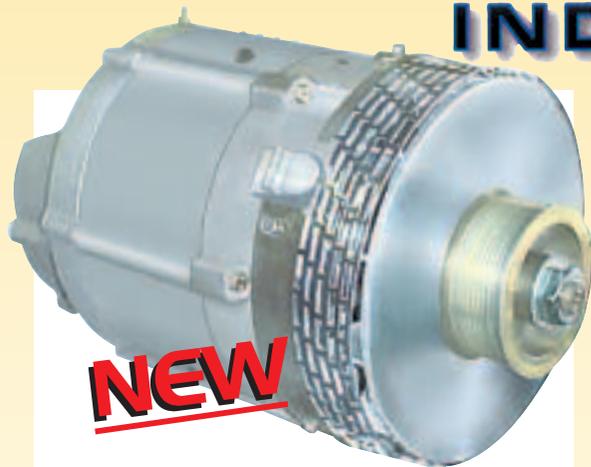
operate a fleet of 21 Prevost coaches with the company's signature slogan, "Traveling at 100 Smiles an Hour," on the back of each one.

Trailways' President Gale Ellsworth said the three companies help strengthen the Trailways system in three important areas of North America.

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## INDUSTRY NEWS

## Border opening

CONTINUED FROM PAGE 1

agreement.

It was not known how soon it will be before the U.S. opens its highways in response to the court decision, although some government officials have indicated that it could be several months.

Once that happens, Mexican-domiciled motorcoach companies could apply for operating authority in the U.S. and then would be able to make tour and charter runs from Mexico to just about anywhere in the country.

NAFTA regulations, however, require that Mexican carriers have a drug and alcohol-testing program for their drivers and that their buses pass safety inspections, have valid U.S. insurance and enter the county only at commercial crossings and only when a safety inspector is on duty.

Because of those restrictions, many border observers do not believe Mexican buses pose the safety or environmental threat that some have predicted. Insurance is expected to be a key issue for Mexican operators. U.S. insurance companies will not insure a Mexican driver unless he or she has experience driving for a U.S. operator.

Currently, most Mexican buses are allowed to drop off and pick up passengers only within special commercial zones that vary from 20 miles to 100 miles, depending on the population of the area near the border crossing, according to federal Department of Transportation spokesman David Longo.

He said coaches operated by U.S.-owned Mexican carriers – and there are a handful of those – and nine Mexican companies that were grandfathered, currently have full access to U.S. highways, although their buses are subject to various inspections and insurance requirements and require U.S. licenses.

U.S. coaches currently have more freedom in Mexico, being allowed to cross the border and travel throughout the country with special permits. However, obtaining the permits is a challenge. The permits require that American operators carry specific amounts of property damage and liability insurance, get weighed, and pass smog and mechanical inspections. Such requirements can cost a company upwards of \$1,000 a year for each coach.

Additionally, coaches from either country are not allowed to deadhead into the other's country, a requirement that's designed to

prevent carriers from taking business away from one another.

"What the Mexican government makes us go through now is just shy of ridiculous," observed Steve Bernier, president of Arizona Coach Tours Inc. in Tucson, Ariz., which has two buses certified for Mexican travel. "I think it's a tit-for-tat thing right now."

Like Fennell, he's also hopeful the Mexican government will relax some of its regulations so trips across the border become easier. "Maybe they'll have less hoops for us to jump through," he said.

Because of the cost and the hassle of getting a permit for travel in Mexico, few U.S. carriers do much regular business south of the border. Instead, most of them simply transport passengers to the border where they are met by Mexican coaches that take them south.

Even if Mexico were to relax some of its restrictions, security concerns likely would keep many companies from making regular runs into the country, suggests Mike Waters, president of the California Bus Association and owner of Pacific Coast Bus Lines in San Francisco.

"Opening of our borders to Mexican buses probably will turn out to be a one-way deal," he said. "The Mexican operators probably would have unfettered access to the U.S. and the U.S. operators by in large would continue to be reluctant to go into Mexico because of safety and security reasons."

Fennell, however, thinks some carriers will jump at the new opportunities that a more open Mexican border would offer. "A lot of them would like to get some of that business," he said.

Perhaps the biggest opportunity, he said, would be serving cruise ships that, because of federal sailing regulations, are required sometimes to discharge or take on passengers in Ensenada, Mexico, rather than in San Diego or Los Angeles.

## Security nags at internet purchasers

NEW YORK CITY – An internet monitoring service says two-thirds of consumers are using the internet to make travel arrangements, and they are very satisfied customers.

Among those actually using the net to complete travel plans, the level of satisfaction runs high, with 88 percent saying they are "extremely" or "somewhat" satisfied with their travel arrangements.

The findings are from the



### U.S.-Mexico Border Crossings

## Obstacles stymie border opening

WASHINGTON – Although nearly two months have passed since the Supreme Court cleared the way for the federal government to allow Mexican buses and trucks to operate in the U.S., industry and government officials say significant barriers remain, meaning the border will not open anytime soon.

The court ruled June 7 that the U.S. Department of Transportation did not have to complete an environmental impact review before allowing Mexican trucks and buses into the United States.

Even though the ruling allows

the border to be opened, some of the statutory restrictions Congress imposed in 2002 prevent the government from simply allowing Mexican buses and trucks to operate freely in the United States.

"The fact is that plans are not quite settled on what we're doing," said DOT spokesman Brian Turmail. "At one point we were close to opening the border two years ago."

Meanwhile, a California lawmaker has introduced legislation that would bar Mexican trucks and buses from traveling throughout the Golden State unless they have met federal air pollution

standards.

The bill by Assemblywoman Fran Pavley would require Mexican trucks and buses to meet the same federal air pollution standards for their model years as their U.S. counterparts in order to come through California.

Pavley said she would not attempt to require Mexican vehicles to meet California's tougher state air pollution standards. However, legal experts say that a state law requiring Mexican trucks and buses to meet federal pollution standards would likely face legal challenge.

"The ships sometimes need 70 or 80 buses at one time to accommodate their passengers and they usually can't find enough of them," he said. "I think some U.S. carriers would like to get some of that business."

Additionally, he said U.S. carriers also could begin new line runs into Mexico and possibly take tour and charter groups from the U.S. to seaside resorts along the Mexican coast and tourist attractions in other parts of the country.

Even Greyhound Lines says it might consider opportunities in Mexico if the opportunity arises.

Spokeswoman Kim Plaskett said the company supports NAFTA as long as the rules regarding motorcoaches are applied equally in both countries. "This would open the possibility of our going into Mexico," she said. "It certainly would be an option for us, although we have not made any decisions."

Greyhound has a partnership with Mexican-owned Grupo

Estrella Blanca that allows passengers in Mexico to take a bus to the U.S. border and transfer to a Greyhound coach. Tickets for travel on Greyhound buses in the U.S. also are available in Mexico through travel agencies associated with the Dallas-based carrier.

Bernier, meanwhile, said he sees few problems with Mexican buses traveling beyond the commercial zone in the U.S., despite safety and pollution concerns raised by NAFTA opponents, some of whom contend that the bus fleets operated by many Mexican companies are old and unsafe.

"Some of the larger companies in Mexico have money and are buying some of the finest coaches in the world," he said. "It is going to be expensive for them to permit a bus into the U.S., so they are not going to do it with a 25-year-old bus, but a brand new one or one that is just two or three years old."

Plus, he said, the buses will be required to pass safety inspections – the same ones U.S. coaches must pass – to obtain authority for a U.S. border crossing and access to the country's highways.

Consumer Internet Barometer, a quarterly measure of who's doing what on the internet, which is produced by TNS NFO, the second-largest market research organization in the world, and The Conference Board, a business research organization.

However, security concerns continue to prevent a significant number of consumers from purchasing products and services online, says Lynn Franco of The

Conference Board. "In order for companies to realize their market potential, they must address and communicate to consumers what internet security measures they have in place. If they fail to get their message across, the gap between researchers and purchasers will continue."

Overall, men seem to be taking to online travel research and booking more than women, the research indicates.

# Greyhound's performance brightens during quarter

NAPERVILLE, Ill. — Laidlaw International Inc. reports that fiscal third-quarter financial results for its Greyhound Lines subsidiary were sharply improved over the same period last year.

Greyhound reported revenue of \$299.7 million for the three months ended May 31, up from \$291.4 million for the same period in 2003. Revenue for the nine months ended May 31, totaled \$881.1 million, compared to \$847.5 million during the period a year earlier.

Earnings at Greyhound before interest, income taxes, depreciation, amortization expenses and accounting rules changes was \$15.6 million for the 2004 quarter, versus \$3.4 million during the prior year quarter, or a swing of \$12.2 million.

For the nine months ended May 31, 2004, EBITDA earnings at Greyhound were \$38.3 million, up from \$5.8 million in the period ended May 31, 2003, or \$32.5 million better.

EBITDA is commonly used as a measure to evaluate a company's ability to service or incur debt.

Laidlaw said the 2.8 percent increase in revenue for the third quarter and 4 percent increase for the nine months ended May 31, 2004, was principally due to a favorable foreign currency exchange rate and, to a lesser extent, an increase in tour and charter revenue due to new contracts.

Had there been no change in the exchange rate, reflecting Greyhound's Canadian and Mexican operations, revenue would have

"...management believes that there is no longer a going-concern risk (for Greyhound) in the near term."

increased 1.5 percent and 1.4 percent during the three and nine months ended May 31, 2004.

Greyhound's improved profitability, as measured by EBITDA, was primarily due to the company's continuing focus on improving revenue per mile, and reducing operating costs. The modest increase in

revenue, combined with a reduction in miles operated and workforce size, were major factors in the profit upswing.

Laidlaw also announced Greyhound had amended its revolving loan agreement, extending the maturity for two years to Oct. 2006. The amendments require Greyhound to jump through financial hoops that are the same as or more restrictive than its previous agreement.

However, Laidlaw says that improvements in Greyhound's business and financial picture bode well and, in fact, "management believes that there is no longer a going-concern risk (for Greyhound) in the near term."

That is significant because for months Laidlaw has been saying

that Greyhound's poor performance cast doubt on its ability to continue as a going concern.

Still, Greyhound has tons of capital needs, plus heavy debt service, meaning it must continue to show improvement in its operating and financial results.

As a combined company, Laidlaw International reported third-quarter revenue of \$1.24 billion, up 3.1 percent from the \$1.2 billion for the prior year period. Much of the revenue growth came from Laidlaw's healthcare companies.

Operating income for the third quarter of 2004 was \$89.5 million, compared to operating income of \$73.7 million for the prior year quarter principally reflecting the improved performance of Greyhound.

# Coach USA '04 results show sales, earnings gains

PERTH, Scotland — The parent company of Coach USA says its North American bus and motorcoach operation posted improved operating results for the year ended May 31.

Stagecoach Group PLC of Perth said that Coach USA revenue from continuing operations for the 12 months ended May 31, was \$382.6 million, up \$377.3

million, or 1.4 percent, from fiscal 2003 revenue.

Operating profit from continuing operations at Coach USA for the year ended May 31, 2004, was \$25.4 million, up from \$21.8 million for the prior period.

Coach USA's operating profit margin was 4.4 percent for fiscal 2004, versus 2.3 percent in 2003.

During the past year, Stage-

coach largely completed makeover of Coach USA, selling large segments of the business resulting in an operation that today is focused largely in three areas: the northeast and north central United States and Canada.

Stagecoach said that its re-vamping of Coach USA cost it \$10.45 million in restructuring costs, which were charged against

operating profit.

"We have grown operating profit despite the significant reduction in turnover arising from a number of business disposals," said Stagecoach Chief Executive Brian Souter. "This increased profit has been achieved by growth in our continuing businesses and a managed reduction in overheads."

Capital spending by Coach

USA during fiscal 2004 totaled \$42.36 million, up from \$39.42 million in fiscal 2003.

Stagecoach also announced that it plans to payout more than \$458 million to stockholders as a result of its improving financial position. The payout will be in the form of redeemable shares. The proposal must be approved by shareholders at Stagecoach's annual meeting later this month.

## Greyhound cuts

CONTINUED FROM PAGE 3

Billings, is trying to figure out how he can fill some of the holes left when Greyhound abandons its run between Fargo, N.D., and Billings.

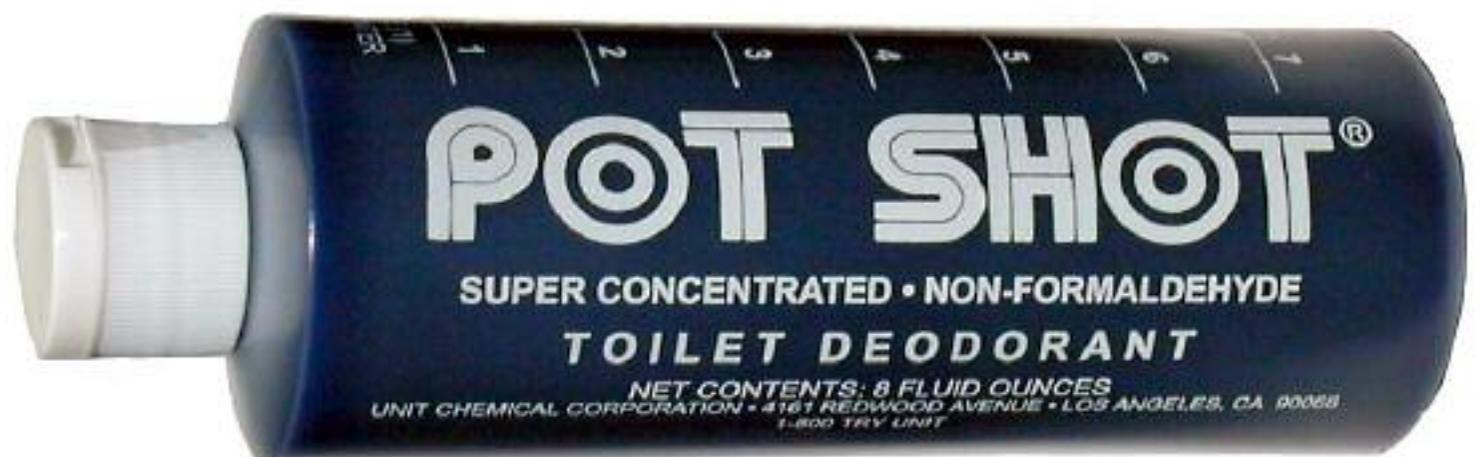
Forseth was among a group of regional operators who met in Minnesota the middle of last month to discuss Greyhound's departure from their region and how they might plug the service holes. Shortages of buses, drivers and other personnel, plus scheduling issues and a tight time frame are some of the issues the operators are attempting to cope with.

The abruptness of the shutdowns, and the attendant scheduling difficulties have not endeared Greyhound to the regional operators.

As part of its restructuring, Greyhound is closing four driver locations — Des Moines, Iowa; Cheyenne, Wyo.; Billings, Mont., and Eugene, Ore.

Greyhound's union is telling its members that the next areas on the chopping block are California, the southwestern U.S., and Texas.

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## INDUSTRY NEWS

# Creative Mobile Interiors delivers custom Sprinter vans

COLUMBUS, Ohio - A five-year-old bus and specialty vehicle modification company has become one of only a handful of conversion

companies in the U.S. installing upscale interiors in Sprinter cargo vans built for Freightliner and Dodge by Daimler-Chrysler in

Europe.

Creative Mobile Interiors of Grove City, Ohio, a suburb of Columbus, has begun delivering what it calls Sprinter PLVs (personal luxury vehicles). The company is installing upscale interiors in the 21.6-foot vans that are 75 inches wide and have a 6-foot-3-inch ceiling.

The Sprinter PLV seats up to 10 passengers and is powered by a Mercedes-Benz 2.7-liter, turbo-charged diesel engine.

One recent Sprinter PLV conversion featured European leather seating, maple hardwood floors, honey-colored laminate walls and Corian countertops. The driver and right-front seats were uphol-

stered in leather and the vehicle included an outdoor entertainment center, two 37-inch Panasonic plasma TVs, a 22-inch Panasonic LCD TV, an in-motion satellite receiver, and a DVD/CD/MP3 player.

Other amenities included an onboard microwave, cook top and lavatory. The unit seated eight and can be serviced at any of the 140 Freightliner service centers across the U.S.

"I was attracted to the Sprinter PLV because it offers conversion coach-quality amenities in a vehicle that's easy to maneuver, park and drive," said Arthur Hyde, the owner of the new vehicle. "I also like how having over six feet of

interior height feels. It's very spacious and comfortable."

While CMI declines to disclose the price of the unit, President Owen Connaughton said similar vehicles sell for about \$150,000.

"We're finding people like how unobtrusive the Sprinter is on the outside, and yet how luxurious and comfortable it is inside," Connaughton said.

CMI operates a 10-bay, 10,000-square-foot facility in Grove City. The company modifies coaches, trailers and specialty vehicles of all types and sizes. Additional information is available at (614) 539-4600 or by going to [www.creativemobileinteriors.com](http://www.creativemobileinteriors.com).



## Court ruling

CONTINUED FROM PAGE 1

attorneys appears to be that the old rules would prevail.

That possibility has state regulators, enforcement agencies and the trucking industry in an uproar. The Commercial Vehicle Safety Alliance, which is composed of organizations that enforce the rules, has announced it may petition the court to keep the new rules in effect during the redrafting process.

And, the American Trucking Associations said it would encourage the FMCSA to seek a stay to minimize the confusion, as well as adverse safety consequences, that would result from putting the old HOS rules back in place for some interim period.

In its decision, the appeals court said it was vacating the rules because the FMCSA failed to consider the effect of the rules on drivers' health.

The new rules increased the number of hours a trucker can drive in a single workday to 11 from 10, and cut the total workday, including time spent on work-related but non-driving activities, to 14 hours from 15. The mandatory rest period was increased from 8 to 10 hours.

Since the rules went into effect in January, DOT has adopted a

"soft enforcement" approach to compliance, as drivers grappled with increased parking problems and driving pressures associated with the new time constraints.

While the turmoil over the court decision does not directly impact the motorcoach industry, it does create uncertainty about the future of hours-of-service rules for all commercial vehicle drivers, and that is not good.

When the FMCSA announced in April 2003 its overhauled hours-of-service rules, it decided for the first time to establish separate rules for bus and truck drivers. The rules for bus drivers were left unchanged, while those for truckers were revamped.

When the FMCSA made the announcement, it was considered a major victory for the over-the-road bus industry. It was seen as an acknowledgement by regulators that there were fundamental differences between hauling people and trucking potatoes.

Two factors would seem to suggest the motorcoach industry might avoid being dragged into the maelstrom over revising the hours' rules. First, it would be difficult for the FMCSA to reverse the position it took in April 2003, vis-a-vis the over-the-road bus industry when it announced the changes for truckers.

Second, the lawsuit that led to last month's decision did not take issue with the FMCSA decision to exclude the coach industry from the revised rules for truckers.

The decision to overturn the rules was based on the court's view that FMCSA had not fulfilled a 1935 statutory mandate to consider "the impact of the rule on the health of drivers." The court said FMCSA may conclude that the new rules do not cause driver health problems or that any such problems are outweighed by other factors (cost issues, etc.), but that it was incumbent on the agency to affirmatively address those issues and explain its conclusions.

Some analysts say the agency's failure to expressly consider driver health consequences is more of a technicality than a significant flaw in the rules. These observers hope the agency will be able to show that the fatigue-reducing measures in the new rules will also have a beneficial effect on driver health.

There was speculation the decision by the U.S. court could delay the announcement of new hours-of-service rules in Canada. The Ottawa government has been working for months to overhaul Canada's commercial vehicle hours-of-service rules and an announcement was expected this month.

## HOS problems are fewer than anticipated

DALLAS — The costs of lost productivity and higher driver wages resulting from new federal hours-of-service rules for drivers were lower than truckload carriers originally anticipated, analysis by fleet officials and American Trucking Associations indicate.

However, industry representatives caution that several factors make it difficult to assess the macro

impact of the HOS' changes that went into effect in January.

"The improving economy and tight capacity have made the impact of the hours-of-service changes hard to determine," said Dave Osiecki, vice president of safety and operations for the American Trucking Associations. "Truckload has not seen a huge impact so far. We were getting

reports early on about utilization declines. But that seems to have come back. We're getting positive reports. But the effects may be masked."

Osiecki said the economic and capacity effects could linger even if the Department of Transportation changes some parts of the regulation. His comments were echoed by several fleet executives

## Congress suspends work on highway, transit bill

WASHINGTON - Official action on a new six-year highway and mass transportation bill has been suspended for the next six weeks while Congress has its summer recess for the political conventions.

Before adjourning, however, Congress adopted and President Bush signed the fifth temporary extension of the old highway law, which expired last September.

Under the new stopgap measure, highway programs will continue to be funded at previous levels through Sept. 24.

News organizations reported congressional negotiators had narrowed their differences over a new bill but it wasn't clear they were close to getting White House support.

The original Senate-passed bill called for \$318 billion in spending. Late last month, Sen. James Inhofe, R-Okla., proposed a compromise figure of \$301 billion, with \$289 billion in guaranteed spending.

The House proposed spending almost \$299 billion on a new bill. The actual spending under that proposal would be nearly \$284 billion after voiding roughly \$15 billion in contracts that have not been carried out.

Senate negotiators agreed to consider the House offer during the summer recess.

The White House for months has threatened to veto any bill that exceeded \$256 billion, stressing the need to control the rising federal budget deficit.

## Coalition

CONTINUED FROM PAGE 1

- Virginia Taxicab Association

The coalition says it represents more than 17,000 companies that provide intercity bus, charter bus, paratransit, school bus, taxicab, limousine, airport shuttle and non-emergency medical transportation services to more than 10 billion passengers annually.

A half-dozen provisions of the highway and public transit bill have been identified as "critical issues" that the coalition has unanimously endorsed and is enthusiastically supporting.

No. 1 on the coalition hit parade is improved administration and enforcement of the charter service rules that prohibit transit

agencies from providing charter bus service, and other protections against unfair competition from public transit services.

Also high on the coalition's priority list are:

- Labor protection provisions.
- Greater private-sector participation in public transit planning.
- Enhanced enforcement of rules covering private-sector participation in federal transit programs.
- Allowing private operators to be secondary recipients of federal transit grants.

In one of its first actions, the coalition thanked Sen. Richard Shelby, chairman of the Senate Banking, Housing and Urban Affairs Committee, for his efforts in pushing key private-sector provisions in the Senate version of the highway bill.

# MCI lengthens warranty period for E/J coaches

SCHAUMBURG, Ill. — Motor Coach Industries has extended the warranties on its flagship models, extending its responsibility for manufacturing defects for a year for its top model and six months for its best-selling coach.

The E4500, MCI's premier model, will now carry a three-year warranty, up from two years.

The top-selling MCI J4500 will now carry a 30-month warranty.

MCI says both warranties are the longest in the industry.

"We invested \$40 million to make our Winnipeg (manufacturing) facility state-of-the-art and it's paying off," said Tom Sorrells, MCI president and CEO.

New manufacturing processes, workforce training, workplace redesign and stricter supplier standards have significantly improved the quality of MCI coaches, Sorrells said.

Additionally, "the lean manufacturing processes we've adopted have led to greater efficiencies on

the E/J/G line. The investment in advanced laser technology produces quality parts with closer tolerances, leading to a better fit and finish," Sorrells said.

Phil Stevens, MCI manager of quality systems, says the company is auditing quality on every coach at every step of the assembly process. "Our workers' involvement in the quality assurance process gives them a sense of ownership, and it gives us quality and consistency from start to finish."

Photo by Robert Ferrone



MCI's best-selling J-model now has a 30-month manufacturer's warranty.

## New York

CONTINUED FROM PAGE 3

The mayor said the new approach will allow service to continue uninterrupted, and will allow the improved service and efficiencies that a reorganized bus service under a full takeover by the MTA would have provided.

"I am committed to maintaining this needed bus service for New Yorkers," Bloomberg said, "This solution means the transportation

that the riding public depends on to get to school, work and around the city will continue. The public must come first."

MTA Chairman Peter Kalikow agreed, although he expressed concern about how the new plan would work.

"The very purpose of the MTA is to provide coordinated transportation services throughout the New York metropolitan region," he said. "To simply add seven more separate bus operations to our already frag-

mented system further compounds the difficulties we face in meeting our customers' transportation needs. Nonetheless, I concur with the mayor that the private bus customers must come first."

The private companies had worried about what would happen to their employees, including union bus drivers, some of whom had talked about a possible strike if they were not welcomed as part of the MTA under the initial takeover plan.

Kelly said concessions given

the private companies during months of negotiations no longer apply and new talks between the city and the owners of the companies will have to include those issues once again. The MTA had agreed earlier on issues involving employment, fringe benefits and bus routes.

Bloomberg said the city hopes to complete negotiations with the private companies in the next few months while the MTA establishes the new company. It then will

begin subsidizing the MTA for the increased costs it will have running the new company and operating the 80 bus routes now operated by the private businesses.

The private companies holding the contracts are Command Bus Co., Green Bus Lines, Jamaica Buses, Triboro Coach Corp., New York Bus Service and Liberty Lines.

Some of the companies have indicated they will be put out of business if they lose the contracts with the city.

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**INDUSTRY NEWS**

# Virginia motorcoach company expands travel operation

BLACKSBURG, Va. — The owners of All America Tours, a Blacksburg-based motorcoach company, have expanded and renamed their travel agency.

University Travelmasters, formerly University Travel Consultants, is a much expanded agency serving the New River and Roanoke valleys with offices in Roanoke, Blacksburg and Christiansburg, Va.

In April, Bill and Sara Ortega, principals of All America Tours and University Travel Consultants, purchased the Travelmasters agency in Roanoke. During the past three months they have integrated the two travel services into one agency serving universities, corporations and individual travelers.

"We're really pleased to have retained all of the main staff in this integration and are now poised to

grow by meeting and exceeding customer needs," said Bill Ortega, president. "This acquisition has doubled the sales to approximately \$8 million annually," Ortega added.

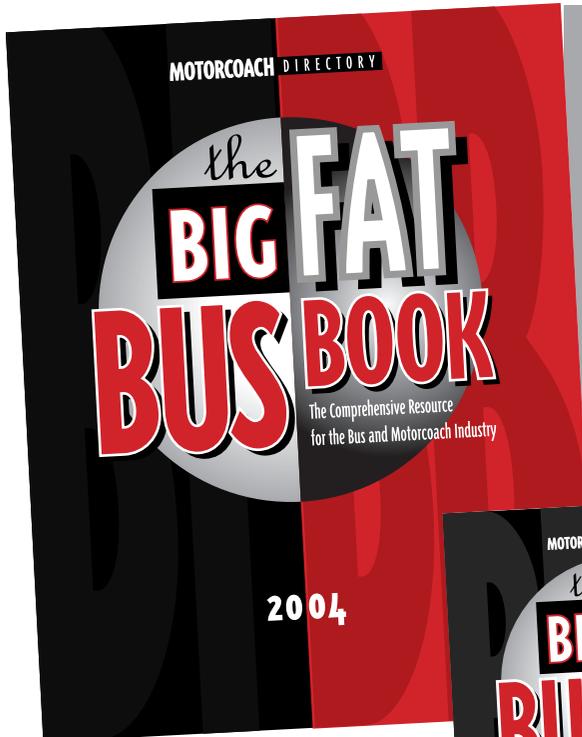
Travelmasters had been owned and operated by Gene Swartz since 1972. His wife, Nancy, has remained as manager of the Roanoke office; Mr. Swartz retired. Richard Marchal remains vice pres-

ident and manager of the Blacksburg location, with oversight of the Roanoke and Christiansburg locations. Additionally, Rosemarie Sawdon has been hired as manager of the Christiansburg office.

Other changes included an updated phone and computer system, new Web-enabled Amadeus computer reservation services, and a redesigned Web site, featuring online booking engines for vaca-

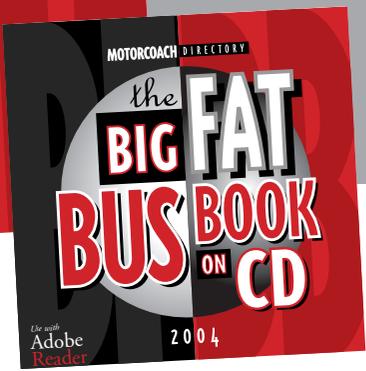
tions, cruises, airline tickets, hotels, car rentals and shore excursions. The web address is [www.UniversityTravel.com](http://www.UniversityTravel.com).

"This will enable clients to book their own trips, while still having contact with a professional travel agent for advice and recommendations, in essence, having the best of both worlds," said Sara Ortega, agency executive vice president.



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Three motorcoach industry stalwarts have been named by *Metro* magazine to a list of the 50-most influential individuals who have helped shape today's public transportation. Honored in *Metro's* centennial issue were **Frank Martz Henry**, chairman of the Martz Group of coach companies based in Wilkes-Barre, Pa.; **Peter L. Picknelly**, chairman of Peter Pan Bus Lines of Springfield, Mass., and **William A. Luke**, founder of *Bus Ride*, executive director of Buses International Association, and member of the editorial board of *Metro*.

The U.S. Senate has unanimously confirmed the nomination of **Rear Adm. David M. Stone**, USN (Ret.), as assistant secretary of homeland security for the Transportation Security Administration. Admiral Stone was appointed TSA's acting administrator late last year. He retired from active duty in the U.S. Navy in 2002.

**Deborah Hersman** is the newest member of the National Transportation Safety Board. Before joining the board, Ms. Hersman was a staff member of the U.S. Senate Committee on Commerce, Science and Transportation. She was a key staff

### South Carolina coach association meets this month

MYRTLE BEACH, S.C. — The 2004 Motorcoach Association of South Carolina Annual Meeting and Market Place will be Aug. 15-17 at the Marriott Resort at Grand Dunes in Myrtle Beach.

The program for this year's meeting will focus on information sharing, education, networking and selling. Plus, area attractions will showcase their products.

The meeting opens Sunday, Aug. 15, with a series of social activities that include golf, fishing, shopping and a beach party. The agenda for Monday includes a series of marketplace events, a panel discussion and regulatory update.

On Tuesday morning, Peter Pantuso, president of the American Bus Association, and Victor Parra, president of the United Motorcoach Association, will provide a state and national industry update, to be followed by networking and seminar sessions on topics ranging from security to student travel.

The meeting concludes Wednesday with round table discussions.

For information about the meeting and marketplace, call (803) 794-5233 or go to [www.scmotorcoach.org](http://www.scmotorcoach.org).

member involved with the *Motor Carrier Safety Improvement Act of 1999*, which created the Federal Motor Carrier Safety Administration.

**June Bratcher**, president of Daisy Tours in San Antonio, Texas, has been honored by the North San Antonio Chamber of Commerce as the Overall Outstanding Small Business Leader of the Year. Ms. Bratcher's company offers sightseeing, charter and convention services. It has a fleet of 14 motorcoaches with annual sales of \$3.2 million.

ABC Companies has announced the appointment of **Jay Oakman** as account executive for the company's



Frank M. Henry Peter L. Picknelly

southeast region. Based at ABC's Winter Garden, Fla., facility, Oakman will be responsible for coach sales in Tennessee, Kentucky and West Virginia. An employee of ABC since October, Oakman at one time worked at National Coach Works, managing the parts inventory.

**Barbara Wayman** has joined



William A. Luke June Bratcher

Creative Mobile Interiors of Grove City, Ohio, as director of marketing, with responsibility for public relations, advertising, promotion and marketing. Ms. Wayman formerly was manager of communications for Custom Coach Corp. of Columbus, Ohio.

KVH Industries of Middletown,



Jay Oakman Barbara Wayman

R.I., has appointed **Robert Riedford** as director of business development.

The National Tour Association has named **Cheryl Ealy** as director of sales and sponsorship. Ms. Ealy formerly was vice president of sales for the Quad Cities Convention and Visitors Bureau in Moline, Ill./Davenport, Iowa.

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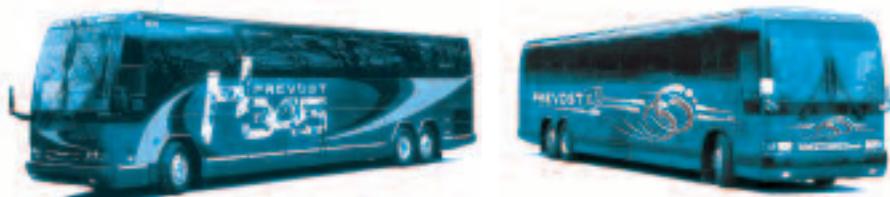
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