

# Bus & Motorcoach NEWS

WHAT'S GOING ON IN THE BUS INDUSTRY

## Coach council kicks off drive to gain support

DENVER — The newly formed organization that hopes to boost motorcoach travel in the United States and Canada by highlighting its many benefits is gaining support from throughout the industry.

The Motorcoach Council says it has signed on more than a dozen operators, three major coach manufacturers and a state association in just the first few weeks of its initial marketing effort.

And, according to spokeswoman Heather O'Hare Horton, as many as 200 other companies have notified the organization they are interested in the group and its goals, and many of them are expected to sign up soon or during a much broader recruitment program that will be unveiled in the next few months.

Currently, she noted, the council is marketing what it calls its Founding Partnership Program that allows operators, suppliers and state associations to get on-board with a \$2,000 payment and manufacturers and national associations to join for \$10,000.

"We're encouraging everybody to get engaged and help mold the future of our industry," she said.

In addition to some perks, — paid-up membership dues through 2010, discounts on marketing materials and recognition on the group's Website among them — the founding partners will be able to help the council's board of directors put together the public advertising campaign that will become the hallmark of the organization.

In addition, they will be

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## Crashes put focus on safety, oversight

A trio of major motorcoach crashes over a three-day period last month has focused new attention on the industry's safety shortcomings and the failure of federal and state regulators to police the industry effectively.

By far the worst and most outrageous incident was the crash of a charter coach carrying a group of Vietnamese Catholics from Houston, Texas, to Carthage, Mo., for a religious festival.

Twelve people died at the scene and five more died at hospitals near Sherman, Texas, where the crash occurred.

Within hours of the disaster it was learned that the coach was operated by a rogue outfit that had been ordered shut down in June because of safety violations but popped up in business under a new name a few days later.

After uncovering details of the outlaw operation and its sham, the Federal Motor Carrier Safety Administration froze all approvals for new bus companies across the U.S.

FMCSA Administrator John H. Hill said the freeze would stay in place "until I get my

hands around this." Hill said his agency would be checking the addresses, fax numbers and other details of all bus company applicants to verify they were new companies and not reincarnations of outfits recently shutdown by regulators.

FMCSA ordinarily approves about 100 new companies a month.

The Sherman crash highlighted the FMCSA's widely criticized record of enforcing federal safety regulations for trucks and buses, as well as the poor communications link between federal regulators and state motor carrier safety agencies and law enforcement departments.

The coach that crashed belonged to a Houston man, Angel de la Torre, who was operating charters under two corporate names, according to the FMCSA. de la Torre started a new com-



John Hill

pany, Iguala Busmex, three days after federal investigators shutdown his other company, Angel Tours, after it failed a safety review. (Iguala is a town in the mountains north of Acapulco, Mexico.)

Hill said de la Torre has denied any connection to Iguala Busmex.

After the crash, when FMCSA investigators went to the headquarters of de la Torre's operation, they were "thrown out of the premises by the owner and his attorney," Hill reported.

The U.S. Department of Transportation Inspector General, which has subpoena power, later gained access. Among other things, investigators are attempting to document interstate trips made by the company after the shutdown; each can carry an \$11,000 fine and criminal penalties, said Hill.

There has been widespread talk by Texas prosecutors of bringing criminal charges against de la Torre.

Federal attorneys brought a slew of crimi-

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## Seatbelts for motorcoaches may be on the way, feds hint

WASHINGTON D.C. — Federal safety regulators are close to wrapping up the second phase of a series of bus crash tests that could be the prelude to a requirement that all new motorcoaches be equipped with three-point passenger restraints.

Although the National Highway Traffic Safety Administration insists it is too early to announce any conclusions about pursuing such a measure, there are indications a rulemaking procedure for a safety restraint requirement could be in the offing.

"Any such discussion would be premature at this time," insists NHTSA spokesman Rae Tyson.

However, there have been reports that a lead official involved

in the crash tests acknowledged at a Bus Industry Safety Council meeting in July that the agency will almost certainly issue a notice of proposed rulemaking for three-point safety belts sometime in early or mid 2009.

Tyson, who would not directly comment on the reports, emphasized that researchers will review all of the data from the first two phases of the three-part tests before making any decisions on future plans or actions.

"We expect to have enough data from the crash and sled tests to make a decision on a rulemaking, but I don't expect a decision until sometime later this year or early next year," he stressed.

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## Retreads: Reviving a debate that's become topical again

*Note: The blowout of a recapped tire mounted on the steer axle has been identified as the primary cause of a bus crash in Sherman, Texas, last month that tragically killed 17 people (see story above). Bus & Motorcoach News columnist Dave Millhouser discusses the use of retread tires on buses and motorcoaches.*

By Dave Millhouser

It seemed an easy trip: Drive an empty Scenicruiser from Buena Vista, Colo. to Phoenix — 700 miles of beautiful scenery and no real responsibility. I had three days to make an easy two-day trip.

For the young among you, a

Scenicruiser was unusual because it had 10 tires on the ground, plus a spare, two more than today's coaches. I needed them ALL.

By the time I rolled into a Phoenix tire facility, late on Day Three, the coach had six tires on the ground and five in the luggage bay. There was a 700 mile trail of blown tires and chunks of rubber.

There were all sorts of lessons to be learned about tire maintenance, air pressure, heat and speed, but among the many (unpleasant) lessons this trip taught, one regarded retread tires. Analysis of the coach's rubber trail, however, indicated the retreads failed at about the same rate as

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# ABA, Greyhound, union push ADA measure into law

WASHINGTON — President Bush has signed into law a controversial measure that compels federal safety regulators to beef up motorcoach industry compliance with the Americans with Disabilities Act.

The law requires the Federal Motor Carrier Safety Administration to deny operating authority to existing and new operators that willfully fail to comply with federal accessibility rules. (See Jan. 2008, and Dec. 1 and Dec. 15, 2007 issues of *Bus & Motorcoach News*.)

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

The intent of the legislation is to force the FMCSA put compliance with ADA on par with compliance with federal safety rules.

The measure was pushed through Congress by the American Bus Association, Greyhound Lines and the Amalgamated Transit Union. The United Motorcoach Association opposed the measure.

## Coalition working to resolve access issues to U.S. Capitol

WASHINGTON — Progress is being reported by the motorcoach industry coalition that's working to gain direct access for tour buses to the new Capitol Visitor Center.

The group has made a number of proposals, such as visiting with empty luggage bays, to gain acceptance for tour buses to drop off passengers near the visitor center.

The visitor center is a \$550 million complex that, as its name implies, will become the central access point for the three million tourists who enter the U.S. Capitol annually. It's schedule to open Dec. 2.

The industry coalition working

## 'Passport cards' in full swing

WASHINGTON — Federal officials have announced that the new U.S. Passport Card is in full production and being distributed.

The passport card is a wallet-sized document for land and sea travel between the United States and Mexico, Canada, the Caribbean, and Bermuda. It is not valid for international travel by air, however.

Beginning next June, all travelers will be required to present a single Western Hemisphere Travel

FMCSA officials reportedly are none too happy about the measure's passage either.

While the law is primarily aimed at those competitors of Greyhound, Peter Pan Bus Lines and other intercity carriers that fail to meet ADA requirements, it applies to all companies that operate motorcoaches.

"This legislation will ultimately increase access and mobility for disabled Americans, and will help our operators serve more customers," said ABA Senior Vice President for Government Affairs Clyde Hart. "It also helps to distinguish between responsible, law-abiding motor carriers that characterize ABA-member companies, and the rogue operators (that) disobey the laws and deny the disabled access to motorcoach transportation," Hart added.

UMA and other industry opposition to the bill was based on the belief the new law will require a rulemaking by the FMCSA, raising the specter of additional paperwork requirements for operators, plus tougher penalties when a paperwork or actual ADA violation occurs.

There also is worry about pos-

sible administrative nightmares for companies that operate mixed fleets of line-run buses, where ADA requirements are more stringent, and tour-and-charter coaches, which have different ADA rules.

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

on the issue is comprised of the Youth Travel Association, United Motorcoach Association, National Tour Association and American Bus Association.

The group has met with the Capitol Police, which has jurisdiction and says it's willing to work with motorcoach operators.

Government officials had proposed earlier that motorcoaches unload at Union Station, where passengers would transfer to city circulator buses for a \$2 roundtrip or walk almost a half mile to the visitor center. (See May 1 *Bus & Motorcoach News*.)

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# THE DOCKET

## State legislators want fuel tax hike

NEW ORLEANS — The nation's state legislators want Congress to increase federal fuel taxes.

At its annual Legislative Summit in New Orleans, the National Conference of State Legislatures approved a new Surface Transportation Federalism policy that calls for a narrow, focused vision for the next multi-year federal transportation bill.

"Our current method of collecting revenue and paying for transportation projects is broken, especially at \$4 per gallon gas

prices," said Oregon state Sen. Bruce Starr, who helped draft the policy and leads the conference's Surface Transportation Reauthorization Working Group.

"Our policy calls on Congress to maintain the Highway Trust Fund, which is depleting at a rapid rate, and to do this they will have to increase the federal (fuel) tax."

Federal fuel taxes fund the nation's transportation system, but have been diminishing in value in recent years as motorists buy more fuel efficient autos, alternative

fuels enter the market, hybrid vehicle sales increase, people drive less, and the economy slows. All of those factors have decreased the revenue generated by per-gallon fuel taxes.

Federal fuel taxes were last increased in 1993.

In the short term, a fuel tax increase would assure the Highway Trust Fund remains solvent, but the legislators' policy encourages Congress also to move toward new funding strategies.

One such concept is the vehi-

cle-miles-traveled fee that charges a vehicle based on the number of miles driven. The NCSL encourages Congress to explore the vehicle-miles-traveled-fee concept, including the necessary vehicle-based technology to implement it as a new user fee to fund federal highway programs.

It seems a bit ironic for an organization composed of state legislators to be urging Congress to hike federal fuel taxes when the people doing the urging won't vote to increase fuel taxes in their own states.

## San Francisco is considering congestion fee

SAN FRANCISCO — City leaders here are considering establishing a traffic congestion fee in certain parts of San Francisco during rush hour.

Saying such a fee would fight gridlock and reduce smog and global-warming gases, officials want San Francisco to become the first city in the nation to impose congestion-management fees during rush hour to drive into — and possibly out of — the busiest downtown areas.

Fees from \$1 to \$4 are being examined in an 18-month study of congestion pricing by the San Francisco County Transportation Authority, an agency governed by the San Francisco Board of Supervisors. The money would be invested in public transit and other congestion-reducing measures.

"We're trying to manage a scarce resource, our roads," said Tilly Chang, the transportation authority's deputy director for planning. "There are power and gas rates that put a premium price on use during peak demand. Why not roads, too?" she asks.

Congestion fees for drivers have reduced rush-hour traffic in London, Rome, Stockholm and Singapore by 20 to 30 percent, according to an authority report.

An effort to adopt such a plan for lower Manhattan in New York City failed earlier this year. (See May 1 *Bus & Motorcoach News*.)

The authority has conducted four public meetings on the plan. Initial recommendations are due in the fall, with a decision expected next year by the San Francisco Board of Supervisors.

Under one option, the city would hire a contractor to electronically collect fees in a four-square-mile area that includes the Financial District, Civic Center and the large South of Market neighborhood. Those without an electronic tag would be identified by a license plate photograph and billed.

Under another option, fees would be collected from drivers entering the city during rush hour. The fees would be in addition to bridge tolls.

## Two reports point to state budget troubles

NEW ORLEANS — A new report from the National Conference of State Legislatures says the aggregate budgets of all 50 states were \$40 billion out of balance in June, more than three times the corresponding figure for a year ago, and the states' financial woes are much more widespread than in fiscal 2008.

More than one-third of the \$40 billion deficit is attributable to one state — California, of course.

Most states, with the notable exception of California, appear to be making progress on closing

their budget gaps and, here's the best part, doing it without big tax increases for businesses.

California, with its whopping \$15 billion deficit, is having more difficulty closing its budget gap.

The majority of states that need more money are getting it by reducing spending or spending the reserves they built earlier in the decade. About one quarter of the states have frozen state hiring or actually cut employees. Very few states are raising taxes.

At the same time, states with natural resources are doing well.

To read the state budget report, go to [www.ncsl.org](http://www.ncsl.org).

Meanwhile, a report issued by the Rockefeller Institute of Government, part of the State University of New York, broadly agrees with NCSL's conclusions that state budgets are in trouble.

During the first quarter of this year, nominal state tax revenues rose by 1.7 percent, the slowest growth rate in five years. Adjusted for inflation, revenues have been down three quarters in a row. For the past nine years, average state revenue increases have been near-

ly 5 percent per quarter.

The institute does not see things getting much better for the states this calendar year. It points out, however, that some regions are better off than others, with New England tax revenues as a whole growing the fastest, and states with oil and gas, such as Alaska and North Dakota, doing particularly well.

State budgets in places with the worst housing markets are, in general, among those doing the worst.

The institute report can be found at [www.rockinst.org](http://www.rockinst.org).

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# Minnesota further expands biodiesel-fuel requirement

ST. PAUL, Minn. — Minnesota, the only state that requires the use of biodiesel fuel, is beefing up its mandate.

Currently, the state requires all diesel fuel sold in Minnesota to be a 2 percent biodiesel blend. Under legislation enacted this year the requirement increases to 5 percent biodiesel in May.

In May 2012, the requirement goes to 10 percent, eventually reaching 20 percent biodiesel, commonly known as B20, after May 1, 2015.

The law also requires that biodiesel used in the blends meet ASTM (formerly America Society for Testing and Materials) standards for B100 biodiesel, and its producers must be certified by the National Biodiesel Board.

In later years, only B5 (5 percent biodiesel) will be required from November through March because of the propensity of biodiesel blends not to behave well in cold weather.

The law also allows the mandate to be suspended if the supply

of biodiesel — or its quality — is insufficient to meet state needs.

Minnesota's requirement does not apply to all fuel used in the state, only to the diesel sold there.

## Mass. OKs biodiesel

BOSTON — As part of a new law designed to encourage the growth of a biofuels industry in the state, Massachusetts will require the use of biodiesel.

The legislation requires biofuel content in all diesel and home heating fuel sold in the state, plus

it gives preferential tax treatment to non-corn-based alternatives to ethanol, and proposes a new fuel standard for the region that will encourage a range of emissions-reducing technologies for cars and trucks.

The Clean Energy Biofuels Act requires a minimum of 2 percent biodiesel in 2010, ramping up to 5 percent by 2013.

## Va. 'green truck stop'

MARTINSVILLE, Va. — A truck stop has opened on U.S. 220

that conducts a "farm-to-fuel" operation, using canola seed to make biodiesel.

Red Birch Energy, in Henry County, Va., said it contracts with area farmers to grow canola on idle fields during winter.

The meal byproduct produced when canola seed is crushed — to extract seed oil — is used as a farm animal feed supplement.

The seed oil extracted is refined and blended into biodiesel and sold at the company's truck stop, which is north of Martinsville.

# Idaho governor pushes roads

BOISE, Idaho — The governor of Idaho is out beating the bushes trying to drum up public support for a program to improve state roads.

When the 2008 Idaho legislature failed to increase road funding, Gov. C. L. 'Butch' Otter, a Republican who has made improving the state roadways a priority, decided to take his show on the road.

In an effort to make people aware of the condition of the state roads and bridges and to develop suggestions for how to pay for repairs and improvements, Otter began conducting a series of public meetings across the state.

At the meetings, Otter described the dilemma of escalating highway construction costs, de-

clining revenue and unprecedented demand on the transportation system in a state that has the fourth fastest growth rate in the nation.

Otter and his entourage also met with elected officials, business and industry leaders, and highway district representatives to solicit their opinions on the best way to rejuvenate the state highway fund.

According to Idaho Transportation Department Director Pam Lowe, one mile in five of state highways in poor condition by engineering standards, and nearly half of Idaho's bridges are nearing their 50-year life expectancy. At the same time, the state is looking at an approximate \$240 million yearly shortfall in roadway funding.

# Pa. to borrow for bridges

HARRISBURG, Pa. — Pennsylvania plans to borrow \$350 million so it can speed up repairs on more than 400 bridges throughout the state.

The state general assembly approved legislation — that was signed by Gov. Ed Rendell, authorizing the borrowing as part of the budget process that gets the state moving on the backlog of about 6,000 state-owned bridges determined to be structurally deficient or functionally obsolete.

The total expenditure needed to fix all bridges is estimated to be more than \$11 billion.

Combined with existing state

and federal funds, the borrowed money will allow Pennsylvania to spend \$1.7 billion on bridge repairs this year.

Rendell said the state would advance toward adequate funding of all needed bridge and road repairs partly through a lease deal for the Pennsylvania Turnpike. Turning over the roadway to a private group could bring in \$12.8 billion for the state, the governor said.

So far, few lawmakers have been willing to advocate legislation that would allow private operators to take control of the turnpike.

# I-26 work begins in Charleston

CHARLESTON, S.C. — A \$66 million project on a 2.9-mile section of Interstate 26 will disrupt traffic in Charleston for the next three years.

The construction zone is between I-526 and Ashley Phosphate Rd. The project is converting the roadway from 6 to 8 lanes and is

expected to increase capacity by 16,000 vehicles per day.

Although no lanes will be closed during the daytime on the congested stretch of highway, the speed limit in the work area will be reduced to 45 mph.

I-26 runs from the Virginia/Tennessee border to Charleston.

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## Seatbelts

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The crash tests were concluded in December, while the sled tests are ongoing and are expected to be finished by the end of September. The third phase of the testing program, which is not due to start until next year, will involve bus fires and are not expected to impact decisions on the passenger restraint issue.

Preliminary results of the crash tests indicated that motorcoach passengers using lap and shoulder restraints are likely to fair better in a front-end collision than those who are either unrestrained or using only lap belts.

The data obtained from controlled 30-mile-per-hour crashes of coaches showed that while crash dummies equipped with three-

point restraints suffered signs of some low head and neck impact, those with less or no restraints recorded much higher impacts to their heads and other parts of their bodies.

Engineers working on the tests have said they were not surprised at the results, especially since other crash tests using automobiles and school buses have shown similar results.

The latest tests are the first done by the federal government using motorcoaches and come at the urging of the motorcoach industry. Operators and others in the industry have for some time maintained that the government should conduct extensive tests on coaches before proposing any type of safety measures for new coaches such as passenger restraints and structural modifications.

## Coach council

CONTINUED FROM PAGE 1

encouraged to sit on committees that will be formed by the board to help move the organization and its goals forward.

She said the new members will be invited to Denver Sept. 15-16 when the board begins a review of the bids it received from 20 national public relations firms that hope to be hired to develop and manage the public advertising blitz.

The board plans to trim the candidate list to three finalists and invite them in for personal interviews before selecting one.

In addition to the founding partners effort, the board also is inviting interested operators and others in the industry who support the cause to make cash or in-kind donations.

Initially called the Green Op-

erators Motorcoach Council when it was introduced to the industry at the United Motorcoach Association's Expo in San Francisco in January, the council wants to educate the traveling public about all facets of motorcoach travel.

Council President Todd Holland of Ramblin Express said despite the name change, the group will continue to emphasize motorcoach travel as an environmentally responsible service, but also will push many of its other benefits, including comfort, selection, usage and safety.

Holland serves on the board with Brian Annett of Annett Bus Lines; Callen Hotard of Calco/Hotard; Jack Wigley of All Aboard America; Gladys Gillis of Starline Luxury Coaches, and Steve Haddad of Bieber Tourways.

To join the organization or learn more about it, visit [www.MotorcoachCouncil.org](http://www.MotorcoachCouncil.org).

# New charter rule irks U.S. senator

## But does he have a clue?

WASHINGTON — The junior U.S. Senator from Nebraska has written a letter to the administrator of the Federal Transit Administration, saying the new charter service rule “goes too far” in restricting charters by public transit agencies and it “does a disservice to the general public.”

In his letter to FTA Administrator James S. Simpson, Sen. Ben Nelson, a Democrat, also labeled the charter service rule — that took effect April 30 — as “counterproductive.”

“In fact, I believe this regulation will provide uncertainty to those cities which not only operate public transit systems, but also plan community events,” wrote Nelson. “I can foresee popular citywide special events being cancelled because private providers have invoked their charter rights, but are unable to come through with sufficient service at competitive rates.

“The rules also do not take into account some of the other safety factors which city-run public transit systems may be providing while transporting passengers,” Nelson continued.

“For example, the city of Lincoln, Nebraska’s StarTran service provides shuttle buses for home football games at the University of Nebraska’s 85,000-seat Memorial Stadium. These buses serve a number of vital purposes on game day in addition to transportation, including providing safety barriers around the stadium to prevent incursions and heating/cooling stations during extreme weather.

“The buses are also prepared

to quickly evacuate attendees from the area in the event of an emergency. These are some of the factors which should also be considered by the FTA during its waiver process.

“The city of Lincoln’s public transit football games shuttle has been allowed to operate this year because no charter provider was willing to provide service, but the city will have to go through the same wait-and-see process every single year.

“It is my view that this regulation accomplishes nothing more than requiring needless red tape. I believe the FTA should review this policy so the communities and their activities are not unnecessarily hindered as a result of this rule,” Nelson’s letter concluded.

Judging by the letter’s statements, as well as e-mails written by the staff member who handled the issue for the senator, neither the senator nor the staff member understand or appreciate the charter service issue, the bus industry, or the damage that has been inflicted on private bus operators during the past 20 years because of unfair competition from publicly funded transit systems and the failure of FTA regional administrators to enforce the charter rules that were already on the books.

The letter’s suggestion that only public transit buses can serve as safety barriers, provide emergency evacuations, or operate as temporary heating and cooling stations is as ludicrous as it is inane. The senator seems to forget that it wasn’t public transit buses that provided emergency evacuation of tens of thousands of individuals during Hurricane’s Katrina and Rita, the largest forced relocation of American citizens in history.

At the same time, the senator

also ignores the fundamental reality of community special events, whose primary purpose is usually to foster economic activity. Retail outlets, restaurants, hotels, attractions and entertainment venues all benefit from these events and activities.

Why should private passenger transportation operators be precluded from economic participation? Does Sen. Nelson think the cost of a Big Mac ought to be regulated, or room rates at the local Holiday Inn, to avoid a special event promoter from going elsewhere?

In the grand scheme of things, the economic and security cost and complexity of all these economic components are much greater than the transportation component.

Clearly, all the years of the FTA ignoring the damage being inflicted on the private bus sector by allowing transits to operate illegal charters resulted in private operators not being part of the larger equation and conversation.

As a result, the private bus industry has a lot of catching up to do but it cannot do it without strict enforcement of the new charter service rule so confidence is restored and private capital is invested in the business opportunities that rightfully belong with the private sector.

The FTA should tell the REAL story to Congress, and begin with Senator Nelson. Nebraska private operators should reinforce that message as well.

The biggest fear of public transit agencies is that the economic efficiencies of private operators will become known and the enormous subsidies required from taxpayers to operate public transit will come to light.

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## Bus crashes

CONTINUED FROM PAGE 1

nal charges against the owner of the coach that caught fire three years ago, during the Hurricane Rita evacuation, killing 23 people, but they bungled the prosecution so badly the operator barely got his hands slapped. (See Feb. 1, 2007, *Bus & Motorcoach News*.)

In any event, it was a de la Torre-connected coach that hit a guard rail after a retreaded right front tire blew and the driver lost control, according to officials with the National Transportation Safety Board. Retreaded tires cannot legally be used on a steer axle. (See related article on page 1.)

The driver of the coach also has a checkered history, having been stopped in the past for drunken driving, speeding and other violations.

Hill acknowledged that enforcement of FMCSA orders shutting down companies has been inconsistent.

The federal government relies on state police agencies to take buses off the road if they stop one that federal regulators have ordered out of service.

This failure by the FMCSA to aggressively enforce its cease-op-

erations orders has long been a sore point with the motorcoach industry and its trade associations.

Carriers that care little about safety compliance and use the savings derived from failing to properly maintain buses and assure they have safe drivers on the road, have severely undercut legitimate operators and inflicted damage on the industry and its reputation for nearly 30 years.

Hill noted that his authority only extends to interstate operations, and that many states have no mechanism for applying federal findings to buses operating within their borders.

Critics point out, however, that the FMCSA doles out millions of dollars annually to state truck and bus safety enforcement agencies, giving it the leverage to force states to step up their communications, as well as enforcement efforts.

In the Sherman crash, Texas authorities say they were never told that de la Torre's first company had been banned, said Tom Vinger, a spokesman for the Texas Department of Public Safety. "Occasionally, we are notified when an interstate carrier is put out of service, but to the best of our knowledge we were not notified in this case," he said.

Vinger noted that under Texas law the bus should not have been operating anywhere in Texas once the federal government suspended the company.

But the state did not find out about the suspension until after the crash, he said.

As has happened in the past, politicians of every stripe quickly surfaced and began advocating new and stricter safety regulations for the charter bus industry, with some Congressmen predicting legislation could pass before the end of the year.

Bills currently are pending in both the Senate and House, calling for all tour buses or motorcoaches to get seat belts and stronger glass and roofs, plus other safety enhancements.

"The advantage to that is if both the Senate and the House get them passed before Dec. 31, I'm sure the president will sign," said Rep. Ted Poe, R-Texas, at a transportation conference at Lamar University in Beaumont, Texas.

The other two major crashes, occurring last month, happened in Tunica, Miss., where a casino shuttle coach overturned, killing four people, and on Interstate 15 in southern Nevada where a casino shuttle coach crashed, injuring 29.

## Portrait of a 'rogue'

HOUSTON — If there was ever a poster child for a 'rogue bus operator,' Angel de la Torre is it.

de la Torre is the owner of the company whose bus crashed last month, killing 17 religious pilgrims in a rollover near Sherman, in north Texas.

Angel Tours was forced by federal regulators to take all its buses out of interstate service June 23 after a hopelessly unsatisfactory review.

Three days later, de la Torre applied for new operating authority from the Federal Motor Carrier Safety Administration under the name Igualea Busmex.

The National Transportation Safety Board says the right front tire on one of de la Torre's buses blew out, causing the deadly crash. The tire had been retreaded; using retreaded tires on the steering axle is against the law.

Federal inspectors found a second bus registered to Igualea Busmex operating in Carthage, Mo., and pulled it out of service after it failed inspection.

A few days later, the coaches and drivers of a third company, Liberty Charter & Tours, which was affiliated with Angel Tours,

Igualea BusMex and de la Torre, were declared an "imminent hazard" by federal officials and ordered out of service.

Texas Department of Public Safety troopers reported compiling at least 22 pages, detailing 65 violations by Angel Tours' buses and drivers between 2005 and June of this year.

The violations include safety shortcomings such as faulty brakes, leaking fuel lines, broken shock absorbers, chafed brake hoses, leaking tires or tires with insufficient tread, cracked windshields, and discharged fire extinguishers.

Company bus drivers were cited for operating buses without required corrective glasses, without holding current medical certificates, without updated commercial licenses, and for failing to include information on mandatory driver's logs.

In short, Angel de la Torre and his businesses blatantly ignored the legal, moral and ethical responsibilities that go with operating a passenger transportation company.

A couple of prosecutors in Texas think his transgressions are so egregious he belongs in jail.

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**16-17 Buscon,** Chicago, Ill. Info: [www.busconexpo.com](http://www.busconexpo.com).

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## OCTOBER 2008

**5-8 American Public Transportation Association Bus Technical, Maintenance & Procurement Workshop,** San Diego. Info: Go to [www.apta.com](http://www.apta.com), or call (202) 496-4800.

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**6-8 South Central Motorcoach Association 3rd Annual Meeting & Marketplace,** South Shore Harbour Resort & Conference Center, League City, Texas. Info: [www.southcentralmotorcoach.org](http://www.southcentralmotorcoach.org).

# Group pushes 68 mph limit for trucks, buses

ATLANTA — A citizens highway safety group is urging the federal government to adopt regulations requiring speed governors on over-the-road buses and trucks to be set at 68 mph.

According to Road Safe America a regulation requiring speed limiters on large commercial vehicles has been pending at the U.S. Department of Transportation for almost two years without action.

In issuing its call for the government to adopt speed restrictions for heavy vehicles, Road Safe America cited a new Congressional report that says thou-

sands of tractor-trailer and bus drivers in the United States have suffered seizures, heart attacks, or unconscious spells behind the wheel, leading to deadly crashes.

The group adds that “hundreds of thousands of drivers carry commercial (driver’s) licenses even though they also qualify for full federal disability payments.” (See Aug. 15 *Bus & Motorcoach News*.)

Road Safe America founder Stephen C. Owings says the study “is further evidence of the need to have special regulations requiring activation of speed governors set at 68 mph on the largest machines

operating on our national roadways. Heavy trucks (and buses) already come equipped with the speed limiting device, so activating them would be an easy, cost-effective step that would immediately begin to save lives.

“In light of the death toll, we don’t understand why this hasn’t already been done.”

Road Safe America says 5,000 people die annually in crashes involving over-the-road trucks.

Devices capable of limiting speed have been standard equipment on over-the-road buses and trucks for 20 years, and many

companies and independent truckers use them, but there is no national requirement for all commercial vehicles to activate these speed limiters.

Road Safe America has a petition pending before USDOT to have speed governor activation required on all large buses and Class 7 and 8 trucks (over 13 tons in weight) at 68 mph or slower. The group says it is being supported in the initiative by “national safety advocacy organizations, the American Trucking Associations, numerous citizens, trucking companies and business executives.”

# Truckers reducing speed; saves fuel, cuts emissions

TOLEDO, Ohio — Some of the nation’s biggest trucking companies have reduced the top speed of their big rigs to save fuel and money. In some cases, lots of money.

Con-Way Freight of Ann Arbor, Mich., has turned back the electronic speed limiters on its 8,500 rigs to 62 mph from 65 mph.

The company estimates the slower speed will save 3.2 million gallons of diesel fuel a year, plus eliminate 72 million pounds of carbon dioxide emissions. And, if diesel fuel remains around \$4.50 per gallon, save the company roughly \$13 million annually.

Schneider National of Green Bay, Wis., has capped its drivers’

speeds at 60 mph; the previous limit was 63 mph.

The company expects savings similar to that of Con-Way.

The American Trucking Associations has called on Congress to enact a nationwide speed limit of 65 mph for all vehicles to save fuel and cut emissions.

Reducing truck speed means

longer workdays for drivers, but no raise since most are paid by the mile. However, Schneider says its tests found that truckers traveling at 60 mph averaged only 12 to 20 minutes of extra work time each day.

The company also offers drivers financial incentives to stay at 60 mph.

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## Retreads

CONTINUED FROM PAGE 1

tires running their original tread.

For years, transportation folks have debated the value of retreads. For many, the jury is still not in. Some carriers swear by them, others swear at them.

Several tire leasing companies offer the option of using them at

certain axle positions, with a reduced cost per mile. It would seem they believe there are economic benefits.

Retread tires can be bought for 60 to 70 percent of the cost of new, and be rated for the same weights and speed. They can't be used on the steer axle of a bus, but otherwise are not restricted. Tread life is normally between 75 and 100 per-

cent of a new tire.

Recapped tires on small motor vehicles must adhere to standards set by the federal government, but the commercial retread industry is far less regulated. Commercial folks self certify they meet safety standards.

The National Highway Traffic Safety Administration is likely to change this in the future, but there

is no current supervision. It is a tribute to the integrity of the manufacturers that they've avoided it this long. The situation is not much different than the way vehicles (including buses) are certified in the U.S.

Seventy-five percent of large commercial fleets in the U.S. use at least some retread tires (as well as virtually every airline). Tire

manufacturers will tell you that throwing away a good carcass, after just one set of tread, wastes a lot of the value they've built into the tire. They also point to the "green" aspect of re-using good rubber.

Many studies have pointed to the fact that "road alligators" (the large pieces of thrown tread that litter highways) are about equally distributed between new and recapped tires.

On the other hand, a case can be made that coaches are a bit different than trucks with regard to tires. Truck tires are surrounded by ... air, while buses craftily encase them in a certain amount of body, which traps heat.

There also may be the hint (of a suspicion) that buses drive faster than trucks. Not only are speeders' tires apt to run hotter, but they are close to suspension parts like bellows and air lines. A failure on a coach is more likely to do collateral damage.

It's an individual decision as to whether retreads will work in your operation. If you decide to give them a whirl (sort of a tire pun), there are several important considerations.

No. 1, it's critical you deal with a reputable dealer. There are many counterfeit recaps out there. They're dangerous because it is likely shortcuts have been taken in the examination and preparation of the carcass, as well as the retreading process. You want to buy tires from someone who isn't tempted by shortcuts.

You also want to buy a good brand. All the good guys go to extensive lengths to make sure the carcass is good, and the new tread actually sticks. You haven't saved much money if an off brand (or counterfeit) slings a chunk of tread through your bellow.

In addition, you'll want to make sure any tire, new or capped, is built for the type of service you're performing. Weight and speed ratings do matter.

My personal suspicion is that retreads do fine when well maintained, but they may not hold up as well when mistreated.

There's a ton to know about this subject, and one source of information is [www.retread.org](http://www.retread.org).

I bumped into a guy the other day who said "You write pretty good for a guy who doesn't know much."

Good for him for noticing.

This is only meant to be a starting point.

*Dave Millhouser is a bus industry marketing consultant and freelance writer. Contact him at: [dave\\_millhouser@hotmail.com](mailto:dave_millhouser@hotmail.com).*

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**Big image issue: Coach restrooms**

By Dave Millhouser

Interstates, disk brakes and more powerful engines all have made contributions to the increased comfort, safety and speed of coach travel. But a convincing case can be made that the biggest boost came from, well, the lavatory.

On a bus, the bathroom is like life insurance — everyone wants to have it but no one wants to use it. Its REAL function is to provide an excuse for pressing on when only a few passengers are in need.

A television commercial, currently being aired by Procter & Gamble to promote its popular odor-elimination product, Febreze, shows scenes of a bus interior, making the not-very-subtle point that bus lavatories have become an unfortunate cliché.

Clichés only work if there's an element of truth to them, so it seems like a good idea to try some things to alter public perception of that little room at the back of the bus.

Originally, bus lavatories were traveling latrines, and many operators still see them that way. Extremely simple, the only thing that can fail is the valve. Savvy folks often find replacements at RV stores.

Eventually, manufacturers began offering flush commodes, assuming that out of sight was out of mind. Good idea, but for years the mechanism was suspect. When your john won't flush, your coach can't go (nor can your customers).

Many manufacturers have switched to a modular unit that has proven much more reliable. When it does poop out, it's relatively simple to replace the whole unit.

When you're buying a coach, there aren't too many choices to make. Flush commode and holding tank (what ARE we saving this

stuff for?) may be standard or optional depending on coach model.

If flush is not standard on the coach you're buying, it generally costs \$500 to \$1,000 more, and may (or may not) include the extra holding tank. That's inexpensive as options go but, remember, you're going to have to maintain it.

Option price for the tank is in the hundreds but the cost can be recouped in weeks because it reduces the need to pay to dump on long trips.

When buying a mid-size bus or coach, take a look at the lav. Is it the heavy-duty flush mechanism, or a RV unit? How much capacity does it have, and does it dump on the same side of the bus as the rest of your fleet? Short, direct plumbing is better (beer cans and diapers can be a disaster).

The key to success in this field is "potty training."

Your maintenance people need to know how to correctly service the lavs, and how often. Chemicals can be bought as liquid or powder, but need to be correctly mixed to work properly. They need to be sewer friendly, meaning chemically compatible with your local system. When deciding which way to go, do a bit of homework with chemical manufacturers. The industry has some good ones.

Winter may require antifreeze protection in the toilet tank — a fact worth keeping in mind if you're a Southern operator sending buses North on a winter charter.

Your dump site needs to be legal, and your staff needs to understand clearly the law and procedures. You are the one who is criminally liable if they mess up.

Coach toilets should be serviced ASAP. Unlike wine, bathroom tanks do not improve with age. Waiting a day or so because the coach is not needed can make

the whole cabin smell like a bathroom (forever).

The tank(s) need to be thoroughly rinsed before recharging, and many coach operators clean them with a bleach solution several times a year. Valves need to be regularly checked for leaks.

Many coaches have a lavatory exhaust fan, check it periodically. It helps or the bus builder wouldn't have installed it.

Drivers on long trips should know how to maintain the john. The primary tank should be serviced daily on the road. This may involve transferring waste to the holding tank (if available), or seeking out a dump station.

On multiday trips, in addition to fuel and meal stops, schedule lavatory service. This reduces inconvenience to customers, while removing the temptation for the driver to skip service and just dump in extra chemicals (trust me, it doesn't work).

Modern coaches have a "lavatory distress" warning system that alerts the driver when someone has a problem in the bathroom. Maintain it, and take the time to discuss how you want your driver to deal with various situations. Inward opening lav doors can make it difficult to get in to help, so give some thought to how you want things handled.

Outward opening doors solve this problem but offer all sorts of opportunity for entertainment. As part of his or her "welcome aboard," your driver should explain how lav lights, flush and door locks work. Nothing is more exciting than an unlatched door and sudden braking, with an embarrassed passenger rolling down the aisle.

Part of potty training is driving gently when folks are heading for the lav.

A friend used to run a PD4106 from New England to Florida for long weekends. Terminally frustrated by passenger abuse of the lavatory, he finally locked the lav door. A couple of trips removed all doubt from my mind of the importance of a lavatory. Eventually these jaunts were called "Hell Rides."

Dave Millhouser is a bus industry marketing consultant and freelance writer. Contact him at: dave\_millhouser@hotmail.com.



Dave Millhouser

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