

## PREVOST at 80

### Relationships, value is focus of company

While some businesses offer deep discounts and package deals to build market share, Prevost Car spends its time looking for ways to help customers protect the value of the investment they have made in their coaches.

To those who know Prevost, though, that's not surprising because it has pretty much been the company's operating philosophy since it was founded in 1924 by cabinetmaker Eugene Prevost who had been hired to create a wooden coach body for a new truck chassis.

And it has served the company well during the 80 years that have followed.

Today, Prevost, which is headquartered in the small, rural community of Sainte-Claire, Quebec, is among the largest coachbuilders in North America and the top producer of shells for high-end specialty conversion coaches and motorhomes.

Gaetan Bolduc, a 22-year veteran of the company who took over as president and chief executive in January, is a big fan of the philosophy, and is counting on it to help keep Prevost at the top of its game while he's at the helm.

"When I joined the company I was told by our president at the time that we were not here to do quick shots, but to build partnerships with our customers and help them grow profitable businesses," he says. "We're still doing that today."

Bolduc contends that while running fire sales to move coaches may make a company feel good



"...we will concentrate our efforts on supporting our customers with what they want."

at the moment, it doesn't do much in the long term.

"It's clear that chasing after market share is not the way to deliver lasting value," he says. "We know the only road to success is to take care of our customers during good times and bad."

Prevost does that by not only delivering coaches at what it says are competitive prices, but which are less costly to operate and which bring a better than average price when they go on the market later as used buses.

"Good business people look at the purchase price, the mainte-

nance and operating costs and the resale value and we are committed to supplying them with the best complete package as possible," says Bolduc. "We don't give huge discounts. We maintain our price and our customer base understands and supports that. They are with us on this."

Prevost has been helped in carrying out its management approach by constantly staying ahead of the curve through the development of innovative products. It was the first in the coach industry to use stainless steel structures, disk brakes, independent

CONTINUED ON PAGE 10 ►

## Electronic logs eyed to improve compliance with hours of service

WASHINGTON — The Federal Motor Carrier Safety Administration is asking for public comment on potential amendments to its regulations covering the use of electronic logging equipment to improve compliance with federal hours-of-service rules.

The FMCSA said it wants to know what issues it should consider in developing improved performance specifications for electronic onboard recording equipment.

The announcement by the FMCSA was in the form of an advanced notice of proposed rulemaking the agency published in the *Federal Register* during the first week of this month.

It did not go unnoticed that the filing came just days after the FMCSA had asked a federal court in Washington to stay its order that threw out the new hours-of-service rules for truckers.

In the order vacating the truckers' hours-of-service rules, the court roundly criticized the FMCSA for failing to test electronic onboard recorders and find one that works.

The FMCSA's rulemaking notice said that technological advancements since the government last addressed the issue of onboard recorders in 1984 made it appropriate to explore them again.

CONTINUED ON PAGE 6 ►

## Nonprofit tour groups resurface as problem

BIRMINGHAM, Ala. — The problem of tax-exempt organizations operating for-profit travel and tour services appears to be rearing its ugly head again — and with increasing frequency.

The issue was a major topic of consternation and discussion at the Southeastern Regional Motorcoach Meeting here Aug. 27-29.

Operators complained that churches and other nonprofit organizations were conducting bus and other travel tours that were both unrelated to their nonprofit purposes and were earning profits that were going untaxed.

"It continues to be a big problem, especially in certain regions," said Norman Littler, senior vice president for government and

industry relations at the United Motorcoach Association. Littler helped facilitate roundtable discussions and was a featured speaker at the southeastern coach operators' meeting.

The issue of nonprofit, church and educational organizations conducting bus and other types of travel tours has been a thorn in the side of the private motorcoach industry for years.

From time to time coach operators have complained to the Federal Motor Carrier Safety Administration about the "unfair competition" but, as Littler points out, the complaints have been directed to the wrong branch of the federal government.

CONTINUED ON PAGE 13 ►

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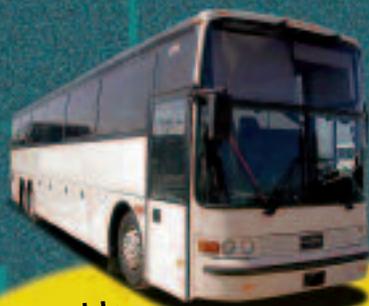
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# Plan to halt ticket sales to Alcatraz worries many

SAN FRANCISCO — The group tour and travel industry would no longer be able to buy tickets to Alcatraz Island under a plan announced by the National Park Service late last month.

The announcement has outraged the motorcoach and group travel industries both for the impact it will have on operators that take visitors to Alcatraz, and for the precedent it appears to set.

In an understatement, the National Tour Association said it was "concerned" by the announcement from the Park Service's Golden Gate National Recreation Area that Alcatraz Island will eliminate the sale of tickets to the tour and travel industry effective Jan. 1.

The recreation area said high visitation demand has left it unable "to meet the needs of existing and emerging tour and travel companies and of the public."

The California Bus Association fired off a letter of protest to the Golden Gate National Recreation Area saying it was flatly



opposed to the idea and urged officials to come up with a plan that would accommodate both the tour industry and the general public.

National Tour Association President Hank Phillips expressed "strong concern" about the action: "This will obviously have a detrimental impact on those operators who take visitors to Alcatraz Island," he said. "Even worse than that,

though, is the precedent of excluding ticket sales to the tour and travel industry," Phillips asserted.

Added Mike Waters, president of the California Bus Association: "This is a worrisome precedent that may allow other National Park Service sites to determine for themselves whether or not they will accommodate the group travel industry.

"We urge you to consider implementing a plan that will accommodate tour industry sales, while allowing the general public access to ticket sales without the elimination of ticket sales to the travel industry," Waters said in his letter to the recreation area.

Phillips said the NTA will seek discussions with the National Park Service and work with the service

in an attempt to restore access for the industry. He said NTA hopes to prevent future similar actions from occurring at other federal parks.

The tour association's legislative council, Jim Santini, said NTA has worked closely with the Park Service for over 20 years. "It is disappointing that we must continue fighting the same battles we fought some 20 years ago," he said.



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# THE DOCKET

## Illinois tollway overhaul would double toll rates

CHICAGO — Toll rates for 40- and 45-foot motorcoaches would more than double under a plan by Illinois Gov. Rod Blagojevich to spend \$5.3 billion to upgrade the state's toll roads.

Currently, three-axle coaches pay 75 cents to \$1 at most toll plazas; the new rate would jump to \$2.25. The toll would drop to \$1.75 if a coach passed through during the less-congested period between 10 p.m. and 5 a.m.

The plan also would double tolls for auto drivers who pay cash.

The largest increase would be for large over-the-road tractor-trailers. Big rigs with five or more axles would see typical toll plaza rates go to \$4, from the current \$1.25-

\$1.50. Bus and trucks would not be eligible for an I-Pass discount, the *Chicago Sun-Times* reported.

The 10-year Illinois plan calls for rebuilding much of the state's 274 miles of tollway pavement, widening 117 miles, and converting 116 miles to "open-road tolling" using the electronic I-Pass system for collections.

"With the additional reduction in trip time that will be provided by the long-range plan, (commercial vehicles) should still save more in operating costs than they spend in tolls," said Blagojevich.

The new fees would be imposed Jan. 1 if the state toll highway authority approves the plan by Sept. 30.

## Illinois gets tougher on work zone speeding

SPRINGFIELD, Ill. — Illinois has increased penalties for speeding in highway construction zones and will allow state police to use cameras to enforce work zone speed limits.

Gov. Rod R. Blagojevich signed two bills last month making the changes, which became effective immediately. Last year, 46 fatalities occurred in highway work zones.

Drivers who speed in a work zone will be fined \$250. They also will pay an additional \$125 for the Transportation Safety Highway Hire-Back Fund, used to hire off-duty state troopers to monitor construction or maintenance zones.

Repeat violators will be fined \$750 and an extra \$250 for the Hire-Back Fund. If a driver violates the work zone speed limit within two years of committing the same offense, the driver will lose his or her license for 90 days.

The camera system that will help enforce work zone speed limits operates when workers are present and records a vehicle's speed and photographs the vehicle, its driver and license plate.

Police will mount a public awareness campaign before the system is installed. Also, officials will have to post signs to inform motorists that the camera system is in place.

## New York-Ontario bridge proposed

BUFFALO, N.Y. — A private company is seeking permission to build a bridge — primarily for commercial vehicles — between Buffalo and Fort Erie, Ontario.

Ambassador Niagara Signature Bridge Group of Detroit filed documents with U.S. and Canadian authorities, proposing a privately owned and operated span linking Buffalo's Black Rock neighborhood to the

Bridgeburg section of Fort Erie.

The Ambassador Niagara group hopes to provide an alternative to the Peace Bridge, helping reduce traffic problems at that bridge.

The group, which has been working on the idea for the past four years, proposes building a \$250 million span and related road system. It would include a four-lane bridge about a mile

## Moms protest bus drivers who forbid breastfeeding

LOS ANGELES — Only in Southern California would 50 mothers wearing "Got Breast Milk?" T-shirts stage a protest while simultaneously nursing their infants.

The protesters picketed the Los Angeles County Metropolitan Transportation Authority headquarters, accusing MTA of violating a California law that allows women to breastfeed in public.

The women say bus drivers and train conductors stopped them from nursing their infants while on MTA buses and trains.

One of the protesters, Claudia Flores, said she has twice been told to stop nursing while using MTA — despite the 1997 state law.

Flores said she was completely covered while feeding her daughter. "I felt hurt, embarrassed and humiliated. But I knew I had the right. I thought to myself, 'I'm going to report this.'"

The women asked the MTA to better educate drivers and conductors, and to put signs on buses informing other passengers that the law allows nursing on buses and trains.

An MTA spokesman apologized for the actions of the drivers and conductors, and promised to send a memo reminding them of the law.

## Speed limit for coaches hiked on Ohio Turnpike

BEREA, Ohio — The speed limit on the Ohio Turnpike for buses and trucks jumped to 65 miles per hour last week.

The Ohio Turnpike Commission unanimously adopted a resolution late last month increasing the speed limit for commercial vehicles from 55 miles per hour. The change went into effect Sept. 8.

The speed limit for autos remains unchanged at 65 mph.

Ohio Gov. Bob Taft had proposed higher turnpike speeds and lower tolls for commercial vehicles, especially over-the-road trucks, in an attempt to lure them off overloaded two-lane roads and onto the turnpike.

About two-thirds of the Ohio Turnpike has three lanes in each direction.

Truck and motorcoach traffic began spilling over to smaller roads running parallel to the turnpike after an 82 percent toll increase took full effect in 1999. Some of the side roads have become dangerously congested, including Ohio 2 between Lorain and Toledo, and U.S. 422 in Geauga County.

The Ohio Department of Transportation projects the change in speed limit will increase turnpike

truck traffic by 21 percent. The state patrol was opposed to the higher bus and truck speed limit but did not ask the commission to reject the proposal.

Ohio DOT Director Gordon Proctor, a turnpike board member, said he expects the change to improve overall road safety throughout northern Ohio. Some of the two-lane roads now used heavily by trucks have fatality rates more than 10 times higher than the turnpike, Proctor said.

Both ODOT and the turnpike promised to closely monitor traffic counts and accident data for at least a year. Officials also plan increased weight enforcement on routes that run close to the turnpike.

Turnpike Chairman Thomas Noe said that after a year he would consider raising the speed limit for cars to 70 mph.

The commission approved another change aimed at luring commercial vehicles. The turnpike will cut its share of the revenue from the sale of diesel fuel at turnpike gas stations, so they can offer diesel up to 11 cents a gallon cheaper than nearby stations. A motorcoach with a near-empty tank might save upwards of \$20-\$25 during a fill-up.

## I-40 speed in N.C. to rise

RALEIGH, N.C. — State transportation officials said the speed limit on Interstate 40 in North Carolina through Greensboro and Guilford County would be raised along 13 miles of newly widened highway.

The limit from the Forsyth-Guilford County line to just east of Greensboro would go to 65 mph

from 55 mph, and to 55 mph from 50 mph around the Greensboro city limit.

An engineer with the North Carolina Department of Transportation said the road was designed for higher speeds than 55 mph.

The I-40 was widened from Chimney Rock Road to Sandy Ridge Road near Greensboro.

## Oregon study nixes higher speeds

SALEM, Ore. — An Oregon Department of Transportation study has recommended against boosting the current 65 miles per hour limit for cars on rural freeways, mostly because that would require the speed limit for buses and trucks to go up as well.

Oregon law sets bus and truck speed limits at 5 mph below car limits.

The 2003 legislature author-

ized the state Transportation Commission to raise speed limits to 70 mph for cars and 65 mph for buses and trucks. However, the ODOT study opposes the idea.

ODOT did recommend, though, raising existing speeds in four areas where traffic had been slowed below the 65 mph state-wide limit, including Interstate 5 in Eugene and I-84 in Portland.

# USDOT transfers reports on big carriers to FMCSA

WASHINGTON — Large motorcoach companies that are required by law to report financial and operational information to the U.S. Department of Transportation will be sending their reports to a different agency starting later this month.

The USDOT announced last month it is switching responsibility for collecting the data from the Bureau of Transportation Statistics to the Federal Motor Carrier Safety Administration.

Since 1995, most motorcoach companies with annual revenue of \$5 million or more have been required to report balance sheet, income statement and other information to the Bureau of Transportation Statistics as part of its Motor Carrier Financial and Operating Statistics Program.

Earlier this year, the USDOT conducted a review of all major Bureau of Transportation Statistics programs and activities. One recommendation resulting from the review was that the bureau focus its resources on its core statistical programs.

Because the reporting program is regulatory in nature and requires the release of information concerning individual companies, DOT said it considered the program a good candidate to be assigned elsewhere.

The change is effective Sept. 29. The transfer affects motor

carriers that are required to file "Form M" annually and quarterly reports covering financial and operating data.

For more information, contact Robert Monniere, Bureau of

Transportation Statistics, Department of Transportation, 400 7th St. SW., Room 3103, Washington, DC 20590. Phone: (202) 366-5498. Or, Joy Dunlap, Federal Motor Carrier Administration,

Department of Transportation, 400 7th Street SW., Room 8214, Washington, DC 20590. Phone: (202) 493-0219.

The Bureau of Transportation Statistics says the information it

collects from large motorcoach companies is used by government agencies, trade associations, insurance companies, consultants, law firms, academia and trade publications.

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- (5) 1996 Prevost H3-45, Detroit Series 60 Engines (some with engine brake), Allison Trans. 56 passengers, kneeling bus, 4 Monitors, P/A Systems, A/C, Restrooms.
- (2) 1988 MCI 102-A3, Detroit 6V92, 5 speed trans., 47 passengers, 2 Monitors, P/A Systems, A/C, Restrooms.
- (1) 1985 MCI 96-A3, Detroit 6V92, 5 speed trans., 47 passengers, 3 Monitors, P/A Systems, A/C, Restrooms.
- (2) 1988 102-C3, Detroit 8V92, 5 speed trans., 47 passengers, 3 Monitors, P/A Systems, A/C, Restrooms.

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## Transits seeking charter operators

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:

**Crawford County (Grayling), Mich.** Deadline: Sept. 14, 2004. Write to: David Frederick, Manager, Crawford County Transportation Authority, 4276 W. North Down River Rd., Grayling, MI 49738. Phone: (989) 348-8215.

**Lancaster, Ohio.** Deadline: Sept. 22, 2004. Write to: Peg Clifford, Public Transit Administrator, Lancaster Public Transit System, 698 Lawrence St., Lancaster, OH 43130. Phone: (740) 681-5097.

## THE DOCKET

## B R I E F S

## Calif. narrows use-tax loophole

SACRAMENTO, Calif. — For years, California sales and use tax regulations have allowed a commercial motor vehicle purchased in the state by a California resident and immediately taken out of state for use in interstate commerce to be returned to California after 90 days of such use without payment of California sales or use tax.

The recently passed 2005 California budget (SB 1100) makes the use period outside the state 12 months before an exemption is allowed.

This is effective Oct. 1, 2004, through June 30, 2006, after which the period again returns to 90 days. The legislation likely will require further regulation by the

state Board of Equalization.

California also plans to have another tax amnesty, to last for two months, for taxes administered by the state Board of Equalization and the Franchise Tax Board, the state's two main taxing agencies.

The amnesty is to end no later than the end of June next year, and will allow the payment of overdue liabilities without any penalty or interest.

Earlier this year, California held a short amnesty for taxpayers that had availed themselves of "tax shelters," rather broadly defined. The abbreviated amnesty reportedly raised an enormous amount of revenue.

## I-69 extension: Who needs it?

INDIANAPOLIS — Executives from two leading trucking companies have questioned the value of extending Interstate 69 from Indianapolis to Mexico, saying it would parallel existing routes and waste federal highway dollars, the *Indianapolis Star* reported.

The proposed extension would stretch across eight states from Canada to Mexico, including bisecting Indiana diagonally from northeast to southwest. Currently, I-69 extends north from Indianapolis through Fort Wayne to Port Huron, Mich.

Thomas Glaser, chief operating officer for Celadon Trucking

Services Inc., said it would be more beneficial to improve existing highways rather than adding the new stretch, the *Star* reported.

Wayne Lubner, a vice president for Schneider National Inc., said large-scale projects like I-69 have led to protracted fights over federal highway dollars on Capitol Hill and maintaining the existing highway system should be a higher priority.

However, Kenneth Cragen, president of the Indiana Motor Truck Association, said the extension was a good idea because there were more interstates converging in Indianapolis than any other city in the country.

## Airlines to cut O'Hare flights

CHICAGO — A makeshift agreement is expected to ease congestion at Chicago's O'Hare International Airport. The plan calls for a reduction of 37 daily arrivals by United Airlines and American Airlines.

The change will be in effect from Nov. 1 through next April. Under the agreement, all airlines serving O'Hare agreed to a goal of reducing the average number of

arrivals to 88 during the peak hours of 7 a.m. to 8 p.m.

Cutbacks of passenger flights at O'Hare could impact Midwest bus companies that operate shuttle services to the giant airport from communities throughout the region. O'Hare ranks at the bottom nationally in on-time performance. There were nearly 59,000 delays at O'Hare during the first half of this year.

## 511 service for North Carolina

WASHINGTON — The Federal Highway Administration has announced that highway users in North Carolina can obtain local road and traffic conditions by dialing 5-1-1 on their telephones.

The system allows callers to

get up-to-the-minute information about traffic jams, road construction and alternative routes in and around the state. Twenty-one other 511 systems are currently operating the U.S.

North Carolina's service also provides train/ferry information.

## Safety organizations request USDOT to make review before opening border

WASHINGTON — A coalition of private citizen safety groups hasn't given up trying to keep Mexican trucks and buses out of the U.S., despite being rebuffed by the U.S. Supreme Court.

The group, led by Public Citizen, has sent a letter to U.S. Transportation Secretary Norman Mineta, asking him to re-examine differences between the U.S. and Mexican commercial vehicle industries before moving ahead to open the southern border to northbound trucks and buses.

The group's letter said that since 2001, when a U.S. law was passed clearing the way for Mexican buses and trucks to enter this country, Mexico has yet to bring its laws up to U.S. standards.

"There [are] significant baseline differences between U.S. and Mexican law, regulation and procedure that govern motor carriers," the coalition's letter says. "These differences include

changes in U.S. laws and regulations that have increased safety requirements for U.S. motor carriers in the past three years."

The coalition, listed "six areas in which vital safety policies must be reconciled before the border opens to (Mexican) long-haul truck traffic." The issues are:

- Commercial driver License requirements.
- Drug and alcohol testing systems.
- Hazardous materials regulations.
- Verification of insurance.
- Lack of a database of motor carrier information in Mexico.

"These are important safety matters that demand attention," said Public Citizen President Joan Claybrook.

"It's only fair that Mexico-domiciled trucks meet the same hard-won safeguards that U.S. trucks must," added Daphne Izer, founder and chair of Parents

Against Tired Truckers, one of the coalition members. "We want to know the trucks are safe and the drivers are well-rested and within the regulations."

Public Citizen and other groups blocked opening of the border to Mexican trucks and buses for two years when they filed suit over whether an environmental study was needed on emissions from Mexican vehicles.

In July, the Supreme Court threw out a lower-court decision that would have required the USDOT to conduct a review of the impact Mexican vehicles would have on the environment in the U.S., seemingly clearing the way for the border to be opened. Since the court decision, the USDOT has been moving slowly on the issue.

The DOT Inspector General is expected to issue a report soon on the status of safety and border infrastructure issues.

## Upswing continues for tour operators

LEXINGTON, Ky. — The National Tour Association reports that its latest survey of members shows a continuing recovery in tour operators' overall sales volume during the second quarter of this year.

Said NTA Chairman Mitch Sussman: "2004 has been the year of recovery." Sixty percent of NTA tour operators say sales volume was greater during the second quarter of 2004 than a year ago. Nearly one-half expect their third-

quarter sales volume also will be greater than last year.

NTA tour operator members say consumer confidence, an improving economy and pent-up demand will drive the travel recovery this year and beyond.

## Onboard recorders

CONTINUED FROM PAGE 1

Properly designed, maintained and used electronic recording devices "would enable motor carriers to track their drivers' on-duty and driving hours very accurately, thus permitting them to better prevent regulatory violations or excessive driver fatigue, but also allowing them to schedule vehicle and driver operations more efficiently," the FMCSA said in the filing.

David Longo, spokesman for the FMCSA spokesman, told one publication that recorders also would make it for easier for state and federal regulators to enforce hours-of-service rules. Plus, it would lead to better health for drivers, he said.

"Driver compliance with the hours-of-service rules would help to ensure that the physical condition of commercial motor vehicle drivers is adequate to enable them to operate the vehicles safely," the FMCSA's notice said.

"In short, FMCSA is attempting to evaluate the suitability of

EOBRs to demonstrate compliance with and enforcement of the hours-of-service regulations, which in turn have major implications for the welfare of drivers and the safe operation of commercial motor vehicles," the federal agency added.

Two years ago, when the FMCSA was writing the new hours-of-service rules for truckers, electronic logging equipment was included in the initial Notice of Proposed Rulemaking. However, the requirement did not survive in the final rule that went into effect in January.

The FMCSA said at the time that the costs and benefits of electronic onboard recorders were hard to quantify, that enforcement officials would have difficulty using them, that the machines invade drivers' privacy, and that the information could be used in lawsuits against commercial vehicle owners and drivers.

Plus, the FMCSA said there was "a lack of support from the transportation community" for onboard recorders. Consequently,

the agency removed the proposal for mandatory use of the recorders from its final hours-of-service rule.

The motorcoach industry has generally urged caution when it comes to mandating onboard recorders and logging devices in over-the-road buses. The United Motorcoach Association, for example, has long maintained that it is the industry's responsibility to operate safely, not to pay for the FMCSA's enforcement tools.

Additionally, no one has ever scientifically demonstrated that motorcoach safety would be materially enhanced by throwing out the current system of written logs.

Still, it is believed that significant pressure will be applied to the FMCSA in the months ahead by safety advocates, insurers, the National Transportation Safety Board, the courts and perhaps Congress to mandate some sort of onboard recording system for commercial vehicles. If that happens, the coach industry and its drivers could easily get caught up in the frenzy.

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## OPINION

## Congress: Back at it

Congress went back in session last week after taking its longest summer recess in more than 50 years. Our lawmakers returned to a huge mound of critical unfinished business.

At the top of the heap are 13 bills that appropriate the money needed to run the government for the fiscal year that starts Oct. 1. Only one money bill has been passed and signed into law. Of the rest, the House has passed 10; the Senate, 1.

Congress may get some of the bills passed on time, but political seers say the outlook for most of them is that they will be stuffed into stopgap spending measures until sometime after the November elections. Think lame-duck session.

Congress has been trying to renew the six-year highway and public transportation bill for two years. It's now in its fifth postponement. The fundamental problem is the White House and Congress are about \$45 billion apart on the final cost, and the White House keeps threatening to veto anything bigger than what it wants.

Republican leaders in the House appear dead set on not wanting to embarrass the president, but they also don't want to go home and face the voters without a big pile of highway money.

Lobbyist for the trucking industry are sounding warning alarms again over the issue of tolls on existing interstate highways. There has been a months-long effort to include interstate tolling in the highway reauthorization

bill. A handful of states are seeking authority to introduce or expand such interstate tolling within their borders, and they've gotten support from a number of members of Congress.

The truckers are asking everyone involved in the ground transportation industry to write, fax, e-mail and call members of Congress to oppose allowing states to impose tolls on existing interstates.

Another hot topic is a proposed repeal of export subsidies ruled illegal by the World Trade Organization. The bill must pass to avoid trade sanctions against the U.S., but the House and Senate versions of the repeal have been turned into very different bills loaded with complicated changes to the corporate tax code.

Also pending because of congressional procrastination is an increase in the national debt limit, now \$7.38 trillion. Treasury says it will hit the limit early next month. There is no question that an increase in the debt limit will pass, but Republicans want to do so quietly so as not to draw a bunch of attention to the Bush administration's string of major league deficits.

Finally, there is the extension of three popular tax cuts — for parents, married couples and low-income workers — due to expire. There is little doubt these will be extended, but Congress and the White House can't agree for how long.

Most of this stuff should have been completed weeks or months ago, and it certainly won't get done on time. So, what else is new?

## Group defends biodiesel fuel

JEFFERSON CITY, Mo. — The National Biodiesel Board says that Congressional testimony earlier this summer by the American Trucking Associations contained misrepresentations about biodiesel "that must be corrected." (See July 15 issue of *Bus & Motorcoach News*.)

"We believe that the erroneous testimony does not reflect the overwhelming attitudes of America's truckers about biodiesel," National Biodiesel Board Chairman Bob Metz wrote in a letter to Sen. Pete Domenici, R-N.M., chairman of the Senate Committee on Energy and Natural Resources.

The National Biodiesel Board is a nonprofit trade association for the biodiesel industry.

"It is imperative that we respond to this testimony with the facts, which are backed up by third-party research and more than a decade of field experience with biodiesel," said Metz.

"Biodiesel has an extremely high energy balance. The testimony stated that '...if you consider the entire life-cycle analysis of biodiesel production, including the fuel necessary to grow and transport the raw materials, it takes more energy to produce a gallon of biodiesel than the energy released from a gallon of biodiesel.' This statement is false," says Metz.

"The Departments of Energy and Agriculture completed a comprehensive 3 1/2-year life-cycle analysis of soybean oil-

based biodiesel compared to petroleum diesel. The study concluded that for every unit of fossil energy consumed in the production of biodiesel, 3.2 units of energy are gained. This includes all the energy inputs required to plant, harvest, process and ship the raw material, as well as process, distribute and use biodiesel.

"Biodiesel blends perform similarly to diesel fuel. The (ATA) testimony cited a number of performance concerns when operating on pure biodiesel, but failed to mention that these concerns are not valid in blends. For example, the testimony cited dramatic cold flow differences between No. 2 diesel and pure biodiesel. The testimony did not say that the most common use of biodiesel is in a 2 percent blend (B2) and that there is no statistical difference between the cold filter plug point of No. 2 diesel fuel and that of B2.

"Likewise, the testimony makes energy-content comparisons between the pure fuels, but did not mention that the differences are virtually undetectable in blends of B2 and very minimal with B20 (20 percent biodiesel mixed with 80 percent diesel). A National Association of Fleet Administrators report shows a Btu value comparison of 129,800 (petrodiesel) to 129,500 (B20).

"The testimony also cited concerns that the proliferation of boutique fuels and the Renewable Fuel Standard (RFS) included in

the Senate energy bill will result in higher diesel prices because of biodiesel. The testimony seemed to characterize the RFS as a biodiesel mandate.

"However, the RFS does not mandate that any biodiesel be used at all, but it would allow refiners to receive renewable fuel credits by blending biodiesel into ultra-low-sulfur diesel fuel as a renewable lubricity additive. The energy bill also contains a tax credit for biodiesel, which will address the incremental fuel cost. The biodiesel provisions make the RFS more flexible and reduce the cost of compliance.

"Biodiesel offers a technically superior solution to the lubricity problem in diesel fuel. The biodiesel provisions included in the energy bill could provide a valuable option to the lubricity problem in current and future low-sulfur diesel fuel. By January, a significant portion of all diesel fuel will require a lubricity additive.

"Stanadyne Automotive, the largest fuel-injection equipment manufacturer in the United States, has stated that 2 percent biodiesel in diesel fuel offers a superior solution.

"The energy bill provisions would help level the playing field (between the petroleum and biodiesel industries) for the increased use of domestic renewable fuels that enhance our energy supplies, energy security, the environment and our economy," said Metz.

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## Officials: Crashed coach speeding

JACKSON, Tenn. — Tennessee authorities say a Greyhound that plowed into the rear of an 18-wheeler, killing the driver and two passengers, was going about twice as fast as the truck when the crash occurred. The wreck on Aug. 6 injured 18 passengers.

An investigation by the Tennessee Highway Patrol found that the deceased bus driver, Thomas Dickerson of Memphis, Tenn., appeared to have had enough time to avoid running into the rear of the truck. But, there was no evidence Dickerson tried to avoid the truck, according to the 54-page investigative report and accompanying 13-page crash report.

However, the reports also found that the truck driver was pulling back onto the interstate after stopping to use the restroom and likely had been parked illegally.

The incident occurred near Jackson. The bus had stopped in Cleveland and Cincinnati, and was on its way to Memphis when

it crashed into the truck.

"I have reviewed this report in its entirety, and discussed this case with Sgt. Barry Waldrop, reconstruction expert with the Tennessee Highway Patrol," said Tennessee District Attorney General Jerry Woodall. "Based on the findings, the physical evidence recovered, a review of the applicable law and the information provided by Sgt. Waldrop, it is my legal opinion no criminal charges should be filed." Criminal charges in this case seemed unlikely because the driver was killed.

Woodall added, however, that "the facts develop certain civil liability issues involving both the tractor-trailer and Greyhound bus. These civil issues will have to be disposed of in a court having civil jurisdiction."

One lawsuit already has been filed by an injured bus passenger from Michigan who accused Greyhound of having unsafe transportation.

The patrol report says the

truck was traveling about 40 mph, while the bus was going as fast as 80.

### Trial for driver

SPRINGFIELD, Tenn. — A Greyhound driver from St. Louis, charged in connection with a fatal August 2001 bus crash, will face trial early next year in Tennessee.

Two years ago, Tennessee authorities charged 54-year-old Nathaniel Waugh with vehicular homicide and aggravated assault after the bus he was driving went off the road just outside Nashville.

After leaving the highway, the coach flipped and rolled down an embankment, killing a passenger who was ejected and became trapped underneath the bus. More than 40 others were injured.

Discussions about a possible plea bargain broke off early this month. Waugh's trial is to begin Jan. 3, in Robertson County, Tenn.

## New engine oil standard is set for newer diesels

WASHINGTON — A new lubricating oil standard has gone into effect for heavy-duty diesel engines built to meet the October 2002 federal emissions standard.

The American Petroleum Institute adopted the new standard, effective Sept. 1, for oils designed to handle the higher temperatures generated by the post-October 2002 emissions rules.

Operators "shouldn't be surprised if they receive notification" from original equipment manufacturers that they should use oil with the "CI-4 Plus" standard for

2002 engines, said Kevin Ferrick, API administrator of petroleum licensing.

The primary areas of difference between CI-4 and CI-4 Plus are improved oxidation resistance, acid neutralization and better soot dispersion, said Gary Parsons, a commercial business manager with ChevronTexaco Corp.

The new standard is a modification of the CI-4 standard that API developed in October 2002. The CI-4 Plus is designed primarily for engines using cooled exhaust gas recirculation technology.

## Hotel waterparks growing

ALPHARETTA, Ga. — Hotels with indoor waterparks are growing upwards of 25 percent annually, says Hotel Online.com.

At the same time, the overall hotel industry expects to add new rooms at a rate of only 1.2 percent this year and 1.3 percent next year.

In 2000, there were only 18 hotel waterpark resorts. Today,

more than 60 are open throughout the U.S. Eighteen new additions and expansion projects are expected to open by year end.

The number of hotel rooms attached to indoor waterparks is expected to grow from 5,400 in 2000, to a forecast of more than 16,300 in 2005, a three-fold increase.

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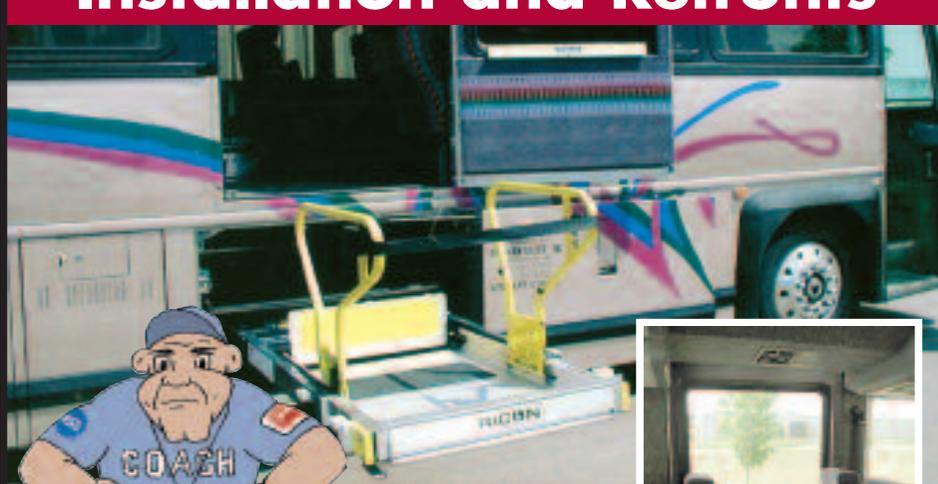
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## INDUSTRY NEWS

# Overtime pay rules take effect; drivers still exempt

WASHINGTON — The most sweeping changes in more than 50 to the nation's rules governing overtime pay took effect late last month, but the rules do not change the exemption for over-the-road bus drivers and others who operate buses regularly.

The new rules, which were adopted after months of contentious debate, generally apply to (non-driving) workers who earn less than \$23,660 annually, a boost from the current threshold of \$8,060, which was set in the 1970s. Under the new rules they automatically become eligible for overtime pay.

The exemption granted the motor carrier industry by The Fair Labor Standards Act applies to any employee to whom the U.S. Secretary of Transportation has power to establish qualifications and maximum hours of service. In other words, drivers. Drivers are still subject to the minimum wage, however.

The U.S. Labor Department has interpreted the exemption to apply to any driver, driver's helper or mechanic employed by a carrier and whose duties affect the safe operation of motor vehicles in the transportation on public highways

of passengers or property in interstate or foreign commerce.

For more information about the coach industry exemption, go to [www.wagehour.dol.gov](http://www.wagehour.dol.gov) and scroll down to the Quick Finder box at the bottom of the page. Go to Fact Sheet and click on the down arrow next to the word Choose. Then click on Numeric Index. Scroll down to Fact Sheet No. 19. Information also is available by calling the Department of Labor wage-hour helpline, (866) 487-9243.

The overall impact of the new overtime rules on the coach industry is uncertain, but the industry's

relative low pay structure could end up benefiting more workers than will be hurt by the law. That is, more private bus industry employees will gain overtime eligibility than will lose it.

A provision of the new rules governing "highly compensated individuals" says those making \$100,000 or more a year are generally not eligible for overtime pay. And for those making between \$23,660 and \$100,000, overtime eligibility is determined by "duties tests" that are part of the new rules.

If employees can hire or fire workers and perform other man-

agement functions, they are not eligible for overtime pay even if they are paid by the hour. If they only follow the orders of others, they are eligible.

One reason the rules have been criticized is because employers can make changes to comply with the law's requirements without paying overtime. They can, for example, give raises that push eligible employees above \$23,660 a year.

Employers also can eliminate the need for overtime work by adding hiring part-time workers to meet company goals without paying overtime to regular employees.

## Prevost

CONTINUED FROM PAGE 1

suspension, kneeling capability and frameless windows.

Its coaches also are designed with easy access to engines, suspension systems and other mechanical components that require maintenance, with many major components mounted on sliders that allow mechanics to quickly pull them out for inspection or maintenance work.

Among its latest offerings to help coach operators save money and time are an interchangeable wheelchair lift, a wide tire that replaces dual rear tires, and longer lasting headlights.

The Swap&Plug wheelchair lift allows an operator to temporarily convert a standard XLII or H series coach into one that can take on a wheelchair quickly and easily. "You can use it when you need it," Bolduc says, of the unit that can be installed in about 10 minutes using a single tool. "If you have a coach that is not wheelchair accessible and you get a call for one, you just pull in the bus, mount the lift and it is ready for use."

The portable lift cassette also clears space from the luggage compartment because the hydraulic equipment used with a lift is usually located in the storage bay, reducing the amount of space for luggage.

The 455/55 R22.5 Super Single tire has been designed to replace two side-by-side tires. It weighs less than the two tires it replaces and, because of its reduced weight, it helps lower fuel costs. "The trucking industry is moving toward them and I believe in a few years we will see more and more coaches and trucks using them," suggests Bolduc. "We are very early on this but we are here to offer new technology to our customers."



An anniversary open house last month was very successful.



The Xenon headlamps are gaining strong support among customers, too, mainly because they provide twice the amount of light of standard bulbs, use only one-third the energy and can last up to six times longer.

Other new products are in the works, but Bolduc says he can't talk about them yet. "Since I have been assigned to this position, we have completely reviewed the efforts being made and based on my experience and my visits with customers we will concentrate our efforts on supporting our customers with what they want. I have been listening a lot in the last six, seven, eight months," he says.

One possible change he could talk about has been the subject of industry speculation — putting

Volvo engines in Prevost coaches. Volvo Group owns one-half of Prevost and has been interested in expanding its market.

"We are reviewing that right now," reports Bolduc, noting that Volvo is working on a new generation of engines that will be able to meet tougher federal EPA standards that will be put into place in 2010. "Volvo engines are very well accepted worldwide and I believe they are able to supply the North American market with a very good engine. In a few years, and I am not talking about 2010, but much earlier than that, you will see Volvo engines in our products."

Prevost was ahead of the curve in other areas as well, including being the first coachmaker in North America to receive ISO

9001 and ISO 14001 certifications for quality and environment controls.

According to Bolduc, the certifications have given the company a boost by helping it guarantee the quality of its products to its customers and maintain its commitment to being environmentally responsible. "The certifications have helped us have better discipline," he notes.

In addition to regularly introducing new products, the company maintains a strong after-sales service presence. It has six service centers in Canada and the United States, it offers round the clock road service, it operates a high-tech parts distribution system, and it maintains a 24-hour-a-day parts sales operation on the Internet.

Prevost also offers its customers regular training on its coaches and has moved the schooling from its plants and service centers to the garages of its customers. "For some of our customers, if you take out the key mechanic for four or five days to come to our place, you could jeopardize their business," says Bolduc. "So, instead of doing that, we will have our trainers fly there for a day or two and train their people right there."

Despite its emphasis on innovation, the company has no immediate plans to introduce a new model to replace its flagship coach, the H3-45, which is based on a 20-year-old design.

Bolduc says developing entirely new models often are too costly for the relatively small and highly competitive coach market, and would require sales prices well above those of existing models. "And then what happens to the residual values of the last of the older models which were purchased by our customers? We are very sensitive to that," he adds.

Instead of replacing the H3-45,

he says the company will continue to regularly upgrade the model. "We want to bring out new things, but we will do it step-by-step," he stresses. "We will do our homework."

In addition to having satisfied customers, Prevost has had satisfied employees over the years as well. It encourages entire families to join the team and has numerous workers from the same family. Some have had several generations work at the company and one even has about 15 of them on the workforce.

"Usually when people start working for Prevost, they retire at Prevost," says Bolduc.

The company's popularity among its workers showed last month when it opened the doors of its facilities to employees, their families and friends to help celebrate its 80<sup>th</sup> anniversary; 4,300 people showed up. "We were very happy with the turnout and positively surprised," Bolduc says. "We even had to limit the number of guests that an employee could bring."

Meantime, Prevost holds strong in the market place by playing to its niches.

"We have our strategic niches, a specialty bus shell niche and a coach shell niche and we take the time to study them and study the customer base for each of them," explains Bolduc.

And customers continue to respond, helping the company weather the drastic and costly downturn in the motorcoach and tourism industry that followed the terrorist attacks of Sept. 11, 2001.

"Even with our long-term approach, we have been able to maintain the position we had before everything started to collapse and now, market-share wise, we are back to where we were then," says Bolduc.

**NEW DELIVERIES**



**Ryan's Express  
North Las Vegas**

Ryan's Express, which operates throughout the western U.S., has taken delivery of three MCI J4500 coaches and expects to add four more by year's end. The newly delivered coaches have ZF ASTronic transmissions and Caterpillar C13 engines. The coaches slated for delivery later this year will have Detroit Diesel Series 60 engines coupled to ZF transmissions.

"We felt (the J4500) was an attractive piece of equipment that would cater well to our clientele," said Mike Haggerty, president and owner of Ryan's Express. Haggerty said he also was attracted to MCI

because of long-term value and how a weaker U.S. dollar may favor domestic parts prices and other items down the line.

The company's new J coaches have Carrier air conditioning, REI A/V systems, and Amaya seating.

With a fleet of some 65 coaches, 140 employees and a business that caters largely to convention groups, Ryan's Express has offices in North Las Vegas, Phoenix and Los Angeles. A new Orange County, Calif., facility, which will feature J4500s exclusively, is due to open in November. In addition to motorcoaches, Ryan's Express also operates sedans, limousines and vans.

Each location has its own garage, and the company has its own paint booth. Also in the works

are an on-site body shop and a \$250,000 frictionless wash system.

Haggerty credits his success to offering a level of service he likens to that of a limousine fleet. "We're a very client-oriented company," he says.

Haggerty got into the ground transportation business as a limousine operator and opened his first motorcoach operation, Stardust, 20 years ago. In a succession of transactions, Haggerty bought Ryan's Express but stopped using the name, sold Stardust, and started a new business under the Ryan's Express name. John Ryan, the original owner of Ryan's Express, remains with the company.

Ryan's Express can be found on the internet at [www.ryansexpress.com](http://www.ryansexpress.com).



**Starline  
Seattle**

Starline Transportation, a Seattle-based charter and shuttle services company, has added four new CL 100 midsize buses to its 43-vehicle fleet. The buses, manufactured by DaimlerChrysler Commercial Buses, are being used to provide shuttle and executive charter services.

"What attracted us to the CL 100 was its versatility and availability in a variety of lengths, floor plans and packages that would meet our specifications as an operator," said John Burnett, chief operating officer at Starline. "DaimlerChrysler worked with us to tailor and develop a vehicle that allowed us to give our customers the comfort and luxury

they expect. We are pleased with the end result."

The CL 100 is built on a Ford E-450 super-duty, dual-rear wheel, cut-away chassis. The steel body cage is wrapped in aluminum. Starline's CL 100s have Ford gasoline engines, Freedman reclining seats with upgraded fabric, and REI A/V systems. Two of the buses feature a DVD/stereo system with flat-screen monitor.

Seating capacity in two of the CL 100s is 20 with wheelchair lifts, while the other two seat 21 with removable luggage panels that allow seating for 25.

Starline specializes in full-service charters, short- and long-term contracting, and shuttle bus services. For more information, go to [www.starlinetransportation.com](http://www.starlinetransportation.com).

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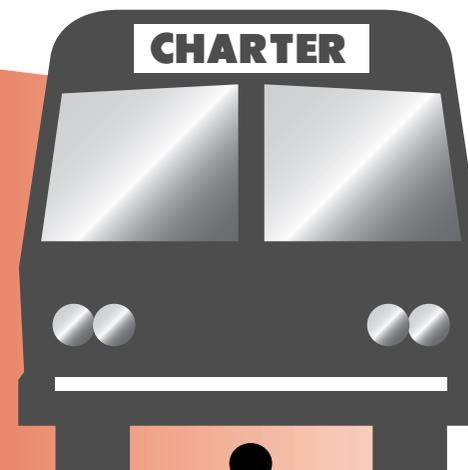


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## INDUSTRY NEWS

# IRS' examples of taxable, nontaxable travel tours

WASHINGTON — When officials of the Internal Revenue Service issued rules covering nonprofit organizations engaging in tour and travel activities, they also provided examples of situations that define when a tour is taxable or tax exempt.

If a complaint is filed with the IRS that a nonprofit organization is conducting for-profit travel services that are unrelated to the group's purpose, the IRS may launch an investigation that could result in the organization losing its tax-exempt status.

When the agency investigates such a complaint, it examines a number of factors, including how a travel tour is developed, promoted and operated.

Here are six examples from the IRS. While most of the examples relate to education-related organizations engaging in travel services, parallels to religious, social, charitable and other nonprofit groups should be apparent.

If the circumstances and facts in the examples are similar to real-world situations encountered by private coach operators, they should consider calling the offending organizations to the attention of the IRS.

The IRS may conduct a confidential audit that could result in the nonprofit organization being liable for penalties and back taxes.

## Example 1: \$\$\$-making tour

O, a alumni association, is exempt from federal income tax under section 501(a) as an educational organization described in section 501(c)(3). As part of its activities, O operates a travel tour program. The program is open to all members of O and their guests. O works with travel agencies to schedule approximately 10 tours annually to various destinations around the world.

Members of O pay X dollars to the travel agency to participate in a tour. The travel agency pays O a per-person fee for each participant. Although the literature advertising the tours encourages O's members to continue their lifelong learning by joining the tours, and a faculty member of O's related university frequently joins the tour as a guest of the alumni association, none of the tours includes any scheduled instruction or curriculum related to the destinations being visited.

The travel tours made available to O's members do not contribute importantly to the accomplishment of O's educational purpose. Rather,

O's program is designed to generate revenues for O by regularly offering its members travel services. Accordingly, O's tour program is an unrelated trade or business within the meaning of section 513(a).

## Example 2: Educational tour

N is an organization formed for the purpose of educating individuals about the geography and culture of the United States. It is exempt from federal income tax under section 501(a) as an educational and cultural organization described in section 501(c)(3).

N engages in a number of activities to accomplish its purposes, including offering courses and publishing periodicals and books. As one of its activities, N conducts study tours to national parks and other locations within the United States. The study tours are conducted by teachers and other personnel certified by the board of education of the state of P. The tours are directed toward students enrolled in degree programs at educational institutions in P, as reflected in the promotional materials, but are open to all who agree to participate in the required study program.

Each tour's study program consists of instruction on subjects related to the location being visited on the tour. During the tour, five or six hours per day are devoted to organized study, preparation of reports, lectures, instruction and recitation by the students. Each tour group brings along a library of material related to the subject being studied on the tour. Examinations are given at the end of each tour and the P state board of education awards academic credit for tour participation.

Because the tours offered by N include a substantial amount of required study, lectures, report preparation, examinations and qualify for academic credit, the tours are substantially related to N's educational purpose. Accordingly, N's tour program is not an unrelated trade or business within the meaning of section 513(a).

## Example 3: Lobbying tour

R is a section 501(c)(4) social-welfare organization devoted to advocacy on a particular issue. On a regular basis, R organizes travel tours for its members to Washington, D.C. While in Washington, the members follow a schedule according to which they spend substantially all of their

time during normal business hours over several days attending meetings with legislators and government officials and receiving briefings on policy developments related to the issue that is R's focus. Members do have some time on their own in the evenings to engage in recreational or social activities of their own choosing.

Bringing members to Washington to participate in advocacy on behalf of the organization and learn about developments relating to the organization's principal focus is substantially related to R's social-welfare purpose. Therefore, R's operation of the travel tours does not constitute an unrelated trade or business within the meaning of section 513(a).

## Example 4: Split decision

S is a membership organization formed to foster cultural unity and to educate X Americans about X, their country of origin. It is exempt from federal income tax under section 501(a) and is described in section

"...operations should consider calling the offending organizations to the attention of the IRS."

501(c)(3) as an educational and cultural organization. Membership in S is open to all Americans interested in the X heritage.

As part of its activities, S sponsors a program of travel tours to X. The tours are divided into two categories. Category A tours are trips to X that are designed to immerse participants in the X history, culture and language. Substantially all of the daily itinerary includes scheduled instruction on the X language, history and cultural heritage, and visits to destinations selected because of their historical or cultural significance or because of instructional resources they offer.

Category B tours are also trips to X, but rather than offering scheduled instruction, participants are given the option of taking guided tours of various X locations included in their itinerary. Other than the optional guided tours, Category B tours offer no instruction or curriculum.

Destinations of principally recreational interest, rather than historical or cultural interest, are regularly included on Category B tour itineraries.

Based on the facts and circumstances, sponsoring Category A tours is an activity substantially related to S's exempt purposes, and does not constitute an unrelated trade or business within the meaning of section 513(a). However, sponsoring Category B tours does not contribute importantly to S's accomplishment of its exempt purposes and, thus, constitutes an unrelated trade or business within the meaning of section 513(a).

## Example 5: Research tour

V is an educational organization devoted to the study of ancient history and cultures and is exempt from federal income tax under section 501(a) as an organization described in section 501(c)(3). In connection with its educational activities, V conducts archaeological expeditions around the world, including in the Y region of country Z.

In cooperation with the National Museum of Z, V recently presented an exhibit on ancient civilizations of the Y region of Z, including artifacts from the collection of the Z National Museum.

V instituted a program of travel tours to V's archaeological sites located in the Y region. The tours were initially proposed by V staff members as a means of educating the public about ongoing field research conducted by V. V engaged a travel agency to handle logistics such as accommodations and transportation arrangements.

In preparation for the tours, V developed educational materials relating to each archaeological site to be visited on the tour, describing in detail the layout of the site, the methods used by V's researchers in exploring the site, the discoveries made at the site, and their historical significance. V also arranged special guided tours of its exhibit on the Y region for individuals registered for the travel tours.

Two archaeologists from V (both of whom had participated in prior archaeological expeditions in the Y region) accompanied the tours. These experts led guided tours of each site and explained the significance of the sites to tour participants. At several of the sites, tour participants also met with a working team of archaeologists from V and

the National Museum of Z, who shared their experiences.

V prepared promotional materials describing the educational nature of the tours, including the trips to V's archaeological sites and the educational background of the tour leaders, and providing a recommended reading list. The promotional materials do not refer to any particular recreational or sightseeing activities.

Based on the facts and circumstances, sponsoring trips to the Y region is an activity substantially related to V's exempt purposes. The scheduled activities, which include tours of archaeological sites led by experts, are part of a coordinated educational program designed to educate tour participants about the ancient history of the Y region of Z and V's ongoing field research. Therefore, V's tour program does not constitute an unrelated trade or business within the meaning of section 513(a).

## Example 6: Goodwill tour

W is an educational organization devoted to the study of the performing arts and is exempt from federal income tax under section 501(a) as an organization described in section 501(c)(3).

In connection with its educational activities, W presents public performances of musical and theatrical works. Individuals become members of W by making an annual contribution to W of q dollars.

Each year, W offers members an opportunity to travel as a group to one or more major cities in the United States or abroad. In each city, tour participants are provided tickets to attend a public performance of a play, concert or dance program each evening. W also arranges a sightseeing tour of each city and provides evening receptions for tour participants. W views its tour program as an important means to develop and strengthen bonds between W and its members, and to increase their financial and volunteer support of W. W engaged a travel agency to handle logistics such as accommodations and transportation arrangements.

No educational materials are prepared by W or provided to tour participants in connection with the tours. Apart from attendance at the evening cultural events, the tours offer no scheduled instruction, organized study or group discussion. Although several members of W's

CONTINUED ON PAGE 13 ►

**Nonprofit tours**

CONTINUED FROM PAGE 1

“If operators see churches and others going out and doing for-profit charter work, they should turn them in to the Internal Revenue Service,” says Littler.

Four and one-half years ago, the IRS issued rules that attempted to draw defining lines around the problem of travel tours conducted by nonprofit, religious and educational organizations. The tax agency’s work was made difficult by the broad range of tax-exempt organizations.

The final IRS rule that was issue in Feb. 2000, resulted in large measure from more than four years of lobbying by UMA and others that comprised what was called the Travel Coalition for Fair Competition.

While the IRS stopped short of listing specifications that might qualify or disqualify a tour as

“educational” in nature, it clearly opened the door to direct challenges to the tax-exempt status of the many travel programs conducted by nonprofit groups.

And that is what Littler urges coach operators to do: challenge them by reporting them to the IRS.

“The IRS will conduct an audit. It will be completely confidential. If they are found to be operating tour activities that are not related to the purposes for which their tax exemption was granted they could lose their tax exempt status, they could be penalized, and they could be required to pay back taxes.

“In short, we remove the incentive for them to do the work,” says Littler.

When the IRS was developing its rule, UMA and others urged the agency to include provisions that would prevent tax-exempt organizations from competing unfairly with taxable travel businesses, like

motorcoach operators.

However, it was the IRS’ position that Congress did not want to force tax-exempt organizations to abandon all commercial ventures, but rather it wanted the IRS to impose taxes on ventures that are not substantially related to an organization’s tax-exempt purpose.

Therefore, before an operator complains to the IRS about a church, charitable, social, university or other nonprofit organization conducting travel business, it needs to verify the tour has little or nothing to do with the exempt purpose of the group and is largely a social outing. That may be easier than you think, however.

Accompanying this story are examples from the IRS of travel tours that were priced to produce a profit for the exempt organizations. In several of the examples on page 12 the travel programs were unrelated businesses and should have been taxed.

**IRS**

CONTINUED FROM PAGE 12

administrative staff accompany each tour group, their role is to facilitate member interaction. The staff members have no special expertise in the

performing arts and play no educational role in the tours.

W prepared promotional materials describing the sightseeing opportunities on the tours and emphasizing the opportunity for members to socialize informally and interact with

one another and with W staff members, while pursuing shared interests.

Although W’s tour program may foster goodwill among W members, it does not contribute importantly to W’s educational purposes. W’s tour program is primarily social and recre-

**Greyhound hires agency to revamp ad strategy**

DALLAS — In the latest move to overhaul its business, Greyhound Lines Inc. has hired a new advertising agency to revise its brand strategy.

Greyhound said The Richards Group of Dallas would help reinvigorate the company’s 90-year-old brand throughout North America.

“We need to make sure we’re connecting with our consumers on a continuous basis,” said Toby Purdy, who became Greyhound’s senior vice president of marketing in May.

A month before Purdy joined the company, Greyhound launched a series of television spots developed by PGC Advertising Inc., also of Dallas. That campaign, which is running nationally, focuses on people visiting family or friends, rather than “Friendly” the spokesdog, who starred in the company’s ads for the previous

four years.

The new effort is expected to include more promotional tie-ins and grassroots messages that target key consumer groups. The campaign is expected to be tested later this year.

The new advertising effort follows Greyhound’s June announcement that it plans to restructure its entire system to concentrate on short- and medium-haul routes as a way to win customers and cut costs. The first phase of the restructuring was launched last month in the company’s 13-state northern and western region, where 260 destinations were eliminated. The company also cut 150 jobs, including 27 from management.

The Richards Group is reportedly one of the largest independent branding agencies in the nation, having developed campaigns for Home Depot, Chick-fil-A, Motel 6 and Fruit of the Loom.

ational in nature. The scheduled activities, which include sightseeing and attendance at various cultural events, are not part of a coordinated

educational program. Therefore, W’s tour program is an unrelated trade or business within the meaning of section 513(a).

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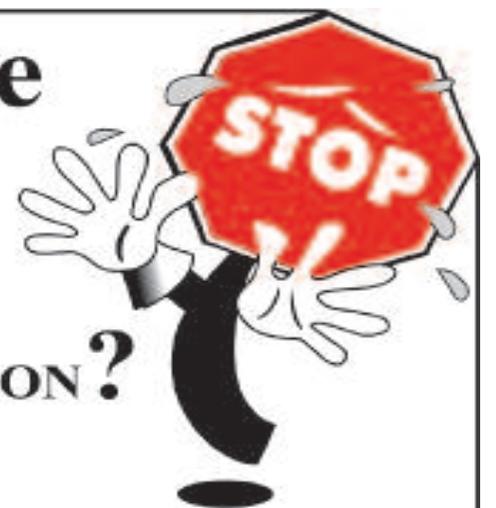
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**INDUSTRY NEWS**

# Museum of Bus Transportation meeting is set **Calendar**

HERSHEY, Pa. — The annual meeting of the Museum of Bus Transportation will be Saturday, Oct. 23, at the museum's new \$6 million shared facility here.

The hour-long meeting, which will begin at 2 p.m., will be sandwiched between a number of activities at the museum, including tours, special displays inside and outside, a dinner, and a trip to the Greyhound-Trailways-Amtrak

Intermodal Station in Harrisburg, with a stop at the Market Square Transfer Station.

The featured speaker following the dinner that evening will be Peter Pantuso, president & CEO of the American Bus Association.

The bus museum and adjoining auto museum will be open for tours on the 23rd from 9 a.m. to 5 p.m.

Museum officials hope members will attend the annual meet-

ing and provide suggestions and recommendations for museum development.

All of the activities are included in the price of the \$50 dinner ticket, half of which will represent a donation to the museum and will be tax deductible.

Museum members will receive a registration form by mail, which must be returned by Oct. 18. Nonmembers may obtain a regis-

tration form by contacting Tom Collins at (215) 580-7979 or (717) 566-7100 Ext. 119, or John Dockendorf at (717) 787-1220.

Museum member Bob Beard said those individuals planning to become members and who "haven't gotten around to it yet" should be advised that membership dues will take their first increase next year. "Now is the time," he said.

**SEPTEMBER 2004**

**12-14 Louisiana Motorcoach Association Annual Meeting**, Radisson New Orleans. Info: (877) 501-1878 or go to [www.twmlcm@centravelva.net](http://www.twmlcm@centravelva.net).

**13-14 Eagle Bus Rally**, Branson City Campground, Branson, Mo. Info: (417) 753-2285 or (417) 840-9343.

**28-30 BusCon**, the medium and light-duty bus show, Navy Pier, Chicago. Info: (800) 576-8788 or go to [www.busconexpo.com](http://www.busconexpo.com).

**OCTOBER 2004**

**1-4 Virginia Motorcoach Association Annual Convention**, Valley Forge, Va. Info: (434) 376-1150 or e-mail [info@vamotorcoach.com](mailto:info@vamotorcoach.com).

**6 14th annual South Jersey Transportation Bus Roadeo**, Atlantic City Transportation Center. Info: (609) 345-5572, Ext. 423.

**10-13 2004 American Public Transportation Association Annual Meeting**, Atlanta Marriot Marquis Hotel. Info: Go to [www.apta.com](http://www.apta.com) or call (202) 496-4874.

**12 North Carolina Motorcoach Association Annual Picnic and Business Meeting for Operator Members**, Young Transportation, Asheville, N.C. Info: (336) 495-4970 or go to [www.ncmotorcoach.org](http://www.ncmotorcoach.org).

**23 Annual Meeting and Bus Day**, Museum of Bus Transportation, Hershey, Pa. Info: Go to [www.buseum.com](http://www.buseum.com).

**24-27 National Conference on Rural Public and Intercity Bus Transportation**, Roanoke, Va. Info: Go to <http://trb.org/calendar/events.asp?id=124>.

**27-29 Travel Industry Association Marketing Outlook Forum**, Westin Kierland Resort & Spa, Scottsdale, AZ. Info: Go to [www.tia.org](http://www.tia.org).

**29-Nov. 2 California Bus Association 31st Annual Convention & Trade Show**, John Ascuagas' Nugget, Sparks, Nev. Info: (831) 633-1755 or go to [www.cbabus.com](http://www.cbabus.com).

**NOVEMBER 2004**

**7-10 Ontario Motor Coach Association 2004 Conference and Marketplace**, Sheraton Centre Toronto Hotel. Info: (416) 361-1000 or go to [www.omca.com](http://www.omca.com).

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## Motorcoach Expo 2005 offers expanded activities

LAS VEGAS — Organizers of Motorcoach Expo are adding new events for the 2005 show with the goal of making it an even more valuable industry event.

"Motorcoach Expo 2005 will bring the best exhibit floor, Solution Sessions and networking events the industry has to offer," says Victor Parra, president and CEO of the United Motorcoach Association, which puts on Expo annually.

Next year's show will be Feb. 22-25 at the Las Vegas Convention Center and Las Vegas Hilton Hotel. Here are some new developments:

### State Assn. Summit

For the first time, there will be a State Association Summit at Motorcoach Expo. The purpose of the meeting is to discuss legislative, regulatory and operational issues developing around the country and to share ideas and strategies for dealing with them.

"Given the number of legislative and regulatory proposals introduced in the last year to increase fees and taxes, this should generate some lively discussion and fruitful exchanges," said Parra.

"Moreover, to help bring UMA policymaking and state issues closer together, we will ask state association members to elect someone to represent all state and regional motorcoach associations on UMA's Legislative and Regulatory Committee," Parra added.

The UMA committee is responsible for developing the association's position on legislative and regulatory matters. "The input from state motorcoach associations into our deliberations will help us present a more complete picture to Washington policymakers on the issues affecting our industry around the nation," said Parra.

Members of state associations should look for more information about the concept at their state motorcoach association meetings and in *Bus & Motorcoach News*.

### Travel partner outreach

Motorcoach Expo has always been the best place to meet directly with motorcoach owners and operators to sell a destination, according to Parra. Expo 2005 will offer expanded opportunities for

destinations, hotels, resorts and other travel partners to meet and network directly with motorcoach company owners and presidents. Travel partners can establish long-lasting and fruitful relationships and increase business, said Parra.

New for Expo 2005 is a special travel partner registration rate, enabling representatives of destinations, hotels and others to enjoy all that Expo has to offer for less.

Additionally, there will be Solution Sessions geared directly for travel partners, such as *Trends in Group Travel*.

### Revamped Web site

Expo's Web site, [www.motorcoachexpo.com](http://www.motorcoachexpo.com), has been reworked to provide more extensive information about the show. The site includes:

- Registration rates, deadlines and forms
- Online registration
- Hotel information, including rates and reserving a room
- Schedule of events
- Updated list of exhibitors
- Solution Session topics, schedule
- Ray Dupuis Memorial Golf Tournament registration
- Maintenance Interchange information
- Updated exhibit floor plan
- Las Vegas information, fun things to do
- Frequently asked questions

### Ray Dupuis honored

The first Ray Dupuis Memorial Golf Tournament will cap the Motorcoach Expo experience with a day of golf Saturday, Feb. 26.

Ray Dupuis was a long-time industry leader and UMA board member who died in March. He operated The Arrow Line in East Hartford, Conn., for more than 20 years.

The Silverstone Golf Club in Las Vegas, home to the Las Vegas Celebrity Players Tour, will host the memorial golf tournament. The course offers breathtaking views, a 24,000-square-foot Mediterranean villa-design clubhouse, and a state-of-the-art practice facility. It is considered the premier golf course in Las Vegas.

Additional information and registration rates can be found at [www.motorcoachexpo.com](http://www.motorcoachexpo.com).

## People

*DriveCam Video Systems*, the San Diego-based developer of safety technology designed to improve driving behavior, has announced the appointment of **Bruce Moeller** as president and CEO. Moeller succeeds company founder **Ed Andrew**, who will remain a member of the board of directors.

Moeller previously was president of the Information Management Products Group at Bell & Howell Co. Most recently, he was chief marketing officer for EMNS Inc., a provider of supply chain quality management services.

Moeller also is the author of *Oh Behave!*, a book on reinforcing successful behaviors to build cultures and improve productivity within businesses. He has experience in applying Internet-based solutions,



Mark Stenz



Lee Morris

accelerating new product launches and developing successful partnerships.

*Nova Bus* of Saint-Eustache, Quebec, has announced the appointment of **Mark Stenz** as regional sales manager for the central and western U.S., and **Lee Morris** as regional sales manager for the southeastern U.S.

Stenz, who is based in Appleton, Wis., has more than 30 years experience in the coach and bus industry. Prior to joining Nova Bus, he was regional sales manager for MCI. During his career, he was

director of operations and general manager for a tour and travel company.

Morris, who is based in Marietta, Ga., comes to Nova Bus with more than 24 years of experience in the automotive industry. For the past 10 years, he served as vice president and director of fleet for Park 'N Fly Inc.

*Creative Mobile Interiors*, a motorcoach conversion company headquartered in Grove City, Ohio, has hired **Mitch Hoover** as service manager. Hoover will perform and oversee repairs to a wide range of motorcoaches, vans, trailers and minicoaches serviced by the company. The position was newly created to help meet an increased demand for service work, which, along with conversion work, has caused CMI to grow its personnel by 37 percent in the past three months.

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