

# Bus & Motorcoach NEWS

WHAT'S GOING ON IN THE BUS INDUSTRY

## 'We've had enough!'

### *Motorcoach industry unites behind landmark legislation*

WASHINGTON — A Pennsylvania congressman has introduced a landmark bill designed to roll back burdensome federal regulations on the bus and motorcoach industry that officials say amount to "regulatory overreach."

Rep. Scott Perry, R-Pa., introduced HR 2120 on April 25, one day before more than 70 United Motorcoach Association members

attended the annual Capitol Hill Days "fly-in" to meet with their representatives and express their support for the bill.

"This is likely the most important legislation for the passenger carrier industry since economic deregulation in 1982," said Ken Presley, UMA's vice president of industry relations and COO.

"The industry paid a heavy price

when FMCSA implemented more regulations and heavy-handed enforcement just to snag a few 'rogue' operators," Presley said. "Ultimately, there was a tipping point, and UMA members are consistently saying 'We've had enough!'"

The bill targets several regulations proposed or enacted by the Federal Motor Carrier Safety Administration, the National

Highway Traffic Safety Administration and the Federal Transit Administration.

Industry advocates say HR 2120 — named Buses United for Safety, Regulatory Reform and Enhanced Growth for the 21st Century (BUSREGS-21) — is an attempt at comprehensive regulatory reform.

The goal is improving safety

while relaxing unnecessary regulations in a way that will spark investment, growth and expansion in an industry that has contracted in recent years.

While federal highway and transit regulations have been streamlined over the past 20 years, those changes largely have overlooked necessary reforms for the

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United Motorcoach Association members pose on the steps of the Lincoln Memorial in Washington, D.C., during the annual Capitol Hill Days fly-in event. See more photos and articles on Pages 10-16.

### Fly-in participants pleased industry is now on offense

WASHINGTON — More than 70 United Motorcoach Association members and staff greeted Rep. Scott Perry, R-Pa., with a standing ovation at UMA's annual Capitol Hill Days "fly-in."

"You don't have to applaud me or stand up. I'm just doing my job," Perry told the group at a reception at the Capitol Hill Club.

The applause was prompted by Perry's sponsorship of HR 2120, Buses United for Safety, Regulatory Reform and Enhanced Growth for the 21st Century (BUSREGS-21).

Perry, who serves on the House

committees on Transportation and Infrastructure, Foreign Affairs, and Homeland Security, submitted the bill to the House on the evening of April 25, one day before UMA members ventured to Capitol Hill for more than 300 appointments with U.S. senators, representatives and legislative aides to discuss industry issues.

BUSREGS-21 is the industry's answer to policies that are considered regulatory overreach. The bill is designed to initiate essential regulatory reform, leading to improved safety, expanded investments and

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## Operators need to protect themselves from cybercrime

We've all heard about businesses that are victims of cybercrime, but we never think it will happen to us.

But as one motorcoach operator recently learned, it can happen to anyone who isn't constantly alert to the threat.

"I got a call from the office," the operator said. "My partner says, 'I processed that wire transfer for you.' I said, 'What wire

transfer?' There was a long pause...we both realized we had been hacked."

An elaborate, long-planned scheme had extracted \$48,000 from a successful, sophisticated carrier operating more than 75 motorcoaches. It was a textbook example of "business email compromise" (BEC), which has become a billion-dollar industry, the Federal Bureau of Investigation

reports.

Two other motorcoach companies covered by this operator's insurance carrier had been hacked previously in BECs, he was told.

Scammers swiped \$346.2 million from 3,044 companies in BECs executed from June through December 2016, the U.S. Internet Crime Complaint Center (IC3) reported.

In 2015, federal investigators

logged 7,837 business email compromise crimes and ranked them 17th among sub-categories of cybercrime. In dollars lost, however, BEC was the most harmful sub-category in 2015, accounting for \$246 million of \$1.1 billion in total U.S. cybercrime losses.

The BEC scam "continues to grow, evolve, and target small, medium, and large businesses," IC3 stated in an annual update re-

leased May 4. "Between January 2015 and December 2016, there was a 2,370 percent increase in identified exposed losses."

Outside the U.S., international law enforcement authorities reported \$448.5 million in BEC thefts from 774 businesses in the last half of 2016.

From October 2013 through the end of last year business email

CONTINUED ON PAGE 18 ►



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# Experienced association professional named CEO of UMA

ALEXANDRIA, Va. — Stacy Tetschner, an experienced and credentialed association professional, has been named president and CEO of the United Motorcoach Association.

Tetschner, who begins his tenure at UMA on June 5, spent 25 years at the National Speakers Association, the last 18 as CEO. He is a Certified Association Executive and a Fellow of the American Society of Association Executives.

He replaces Victor Parra, who retired March 31 after spending 19 years as president and CEO of UMA.

Steven C. Klika, who has served as UMA's interim president and CEO since April 1, will remain in place through the transition to a new chief executive officer.

"Stacy embodies the strong leadership and strategic vision that the board of directors was hoping for in our next chief executive," said Dale Krapf, chairman of UMA and Krapf's Coaches.

"We are pleased to be able to attract a professional with his credentials and proven track record and we have high expectations for his ability to lead UMA into the future. This is an exciting time to

be part of UMA because this organization has tremendous potential and we are looking forward to seeing our new president and CEO help us realize our vision."

Tetschner transformed the Arizona-based National Speakers Association and the NSA Foundation from a club-like organization into a powerful national association with 3,500 members, a vibrant and growing social media presence, and a foundation endowment that has grown to more than \$3.5 million.

By leveraging publishing opportunities and media appearanc-

es, he was able to position NSA as an industry leader with a national profile. Additionally, under his tenure, NSA saw exponential growth in its corporate-sponsorship program.

As CEO, Tetschner was the driving force behind NSA's strategic organizational vision, collaborating closely with its board of directors to prioritize activities and allocate resources for a fast-growing membership association.

He is a contributing author of two books, "Paid to Speak" and "Windows Into Heaven: Stories Celebrating Down Syndrome."

Tetschner is an active member of the American Society of Association Executives, where he has served on the board and as vice chairman of ASAE and the Center for Association Leadership. He also has served as chairman of the board and as a director for the Convention Industry Council.

He and his wife, Michelle, have three sons.



*Stacy Tetschner*

## Museum of Bus Transportation's Spring Fling is June 3

HERSHEY, Pa. — The Museum of Bus Transportation's 2017 Spring Fling will be held Saturday, June 3.

During the annual "Homecoming of the Bus Industry," the museum opens its fleet for viewing and pictures, not only at the museum location but also at its private annex.

That means the entire fleet of vintage buses owned by the muse-

um will be on display, along with multiple vendors selling all types of bus memorabilia. There also will be food for purchase during the event.

"This is a great day to spend with others who have an interest in the history of Bus Transportation," said Mark Szyperski, vice chairman of the museum board of directors. "Our entire operation is run by volunteers who work all

year improving this annual event."

Several Spring Fling attendees bring their own vintage buses to display.

"One year, we had a Model 5, Model 10 and Model 15 Eagle all on display," said Szyperski, who also chairs the museum board's marketing committee. "We are never sure who may show up, but it is always an impressive sight to see the visiting buses on display."

This year the museum will present two awards: the "People's Choice" award, based on viewer votes, and the "Long Distance Award" for the privately owned display bus that travels the farthest to the event.

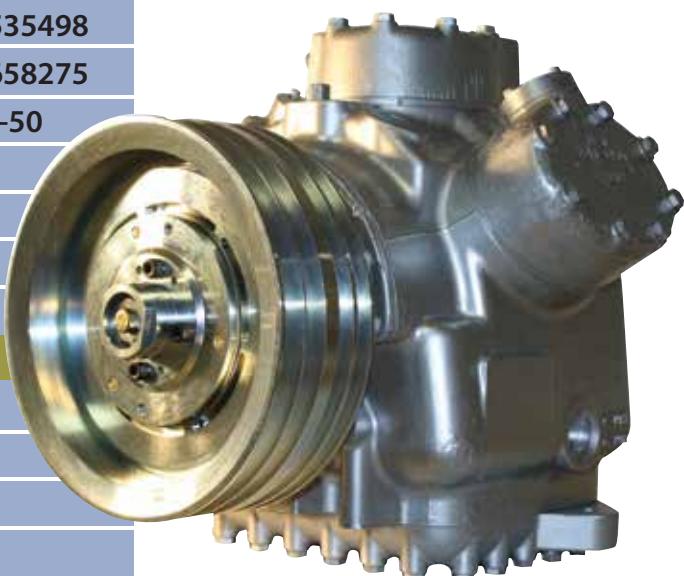
In addition, this year there will be a "Parade of Buses" around the campus property, allowing visitors opportunities to take photos and videos of the historic buses.

Entry to Spring Fling is free for museum members and \$7 for non-members, which includes entry into the Antique Automobile Club of America Museum.

The Museum of Bus Transportation has updated its website, [www.busmuseum.org](http://www.busmuseum.org), where details of Spring Fling can be found. The museum can be reached at 717-566-7100, ext. 119, or at [Info@BusMuseum.org](mailto:Info@BusMuseum.org).

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# THE DOCKET

## FMCSA withdraws proposal for annual state inspections

WASHINGTON — The Federal Motor Carrier Safety Administration has withdrawn its proposed rule to require states to establish yearly inspection programs for passenger-carrying commercial motor vehicles.

FMCSA said in a *Federal Register* notice that after reviewing the public comments about the pro-

posed rule, it "determined there is not enough data and information available to support moving forward with a rulemaking action."

Many of those comments said current standards for annual inspections prescribed in the Federal Motor Carrier Safety Regulations and other existing inspection programs were sufficient.

'There is not enough data and information available to support moving forward'

"Several commenters made their support contingent on factors such as uniformity in inspection

standards, standardization of inspector training, a self-inspection option, and required reciprocity, whereby states would be required to recognize inspections conducted outside their states," FMCSA said in the notice.

Other commenters noted that the proposed program would be expensive and would require na-

tionwide training of inspectors to "eliminate inconsistencies in how inspection standards are applied."

Still others suggested that FMCSA provide state with incentives to establish inspection programs, but the agency said it "does not foresee the availability of federal funding to incentivize the states to adopt such programs."

## Transportation unions opposed to hair testing for drugs

WASHINGTON — A coalition of 32 AFL-CIO member unions representing transportation workers has come out against a request by trucking companies that hair testing be allowed in lieu of urinalysis in screening drivers for drug use.

The Transportation Trades Department of AFL-CIO has questioned the reliability, accuracy and fairness of hair testing in urging the Federal Motor Carrier Safety Administration to deny its use in pre-employment drug tests.

The TTD said scientific standards have yet to be set for hair testing and called on FMCSA to "follow established protocol and

put science first."

"No one in America should be denied employment because the trucking industry wants to rely on an unsound testing method as a way to cut drug-testing costs," said TTD President Edward Wytkind. "Until hair testing is proven to be a reliable and fair way of testing for drug use and federal standards are in place, subjecting transportation workers to hair testing should not be up for serious consideration."

Six large trucking companies petitioned FMCSA in January for exemptions that would allow them to use hair testing to comply with pre-employment drug testing regulations for drivers.

The petitioners, most of them members of the Alliance for Driver Safety & Security, contend that if FMCSA grants them exemptions, drug users could be "more readily identified" because the companies could then share failed hair-test results with other firms when they inquire about former drivers and applicants.

Current federal regulations do not allow transportation companies to share these results.

All of the companies making the request currently conduct the pre-employment tests with both urine and hair samples, but they have complained for some time that doing both tests is redundant

and costly and that hair testing is more reliable.

The FAST Act highway bill passed in late 2015 by Congress includes a pathway to permitting hair testing by bus and trucking companies, but only after the Department of Health and Human Services establishes federal standards for such testing, a process that could take years.

The union coalition is calling on FMCSA to wait until those standards are established, calling it "a long-established process that rightfully allows scientists, not employers or politicians, to determine which testing methods and procedures are approved and implemented."

The trucking alliance said hair tests cost \$75, compared with \$35 for urine tests, but they are worth the extra cost because they are more effective at identifying lifestyle drug users. Being forced by FMCSA to also pay for the less-effective urine test is redundant.

The alliance said that drivers who pass urine exams sometimes fail hair tests. That means they could potentially be hired by companies that only conduct urine tests, resulting in a less safe industry.

The union coalition, however, contends that studies show that hair testing can produce false results and may have an inherent racial bias. Darker and more porous hair retains some drugs at greater rates than lighter hair, said TTD, adding, "Hair specimens can test positive for drugs drivers never ingested."

The coalition argues that urine tests are the most accurate and reliable method for pre-employment drug testing. Relying on hair testing, it said, "could unfairly hinder a driver's chance to earn a livelihood and sets a threatening precedent that could affect millions of workers in the transportation sector and across the economy."

Several civil rights groups, including the NAACP, ACLU and the Drug Policy Alliance, also have submitted comments to FMCSA against hair testing, citing racial biases and false results.

Major trucking industry groups, including the American Trucking Associations and the Truckload Carriers Association, support hair testing.

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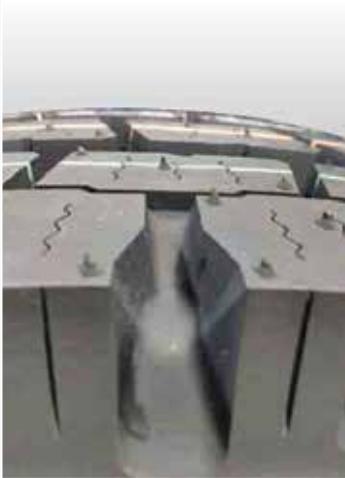
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# Moving over for roadside first responders saves lives

WASHINGTON — In 2016, 53 law enforcement officers were killed in traffic-related incidents, and another 15 were struck and killed while performing their duties outside of their vehicle and on the roadside.

With that in mind, the U.S. Department of Transportation is encouraging motorists “to move over to give law enforcement the room they need to work more safely.”

All 50 states have “Move Over” laws that say drivers must change

lanes away from a first responder — police, firefighters and EMS personnel — or slow down significantly when they’re passing first responders who are performing their duties.

These laws exist because being struck by a vehicle when they’re helping a motorist who has broken down or while they’re performing traffic law enforcement functions is one of the biggest dangers first responders face.

“Whether responding to motor

vehicle crashes, fighting fires or conducting traffic enforcement operations, the roadway and roadside should be thought of as part of the first responder’s workspace,” DOT said in a recent blog.

“If you’ve ever broken down on a highway, you know how unnerving it can be to have traffic rushing by at 55 or 65 mph. Just as first responders work tirelessly to keep us safe, we must be vigilant on the roads and move over when we see them at work.”

DOT lists the following examples of officers being injured or killed in traffic-related incidents:

- In September 2012, North Carolina Highway Patrol Trooper Matt Mitchell was issuing a ticket when he was hit by a vehicle and thrown nearly 90 feet. He was severely injured but survived.
- Last November, Colorado State Trooper Cody Donahue was struck and killed while investigating a crash on Interstate 25.

• In January in Cleveland, Of-

ficer David Fahey was struck and killed on I-90 while assisting at a crash scene.

“Our first responders signed up to face danger, if necessary,” the DOT blog states.

“They shouldn’t have to confront it in the form of a vehicle that isn’t giving them room to work safely. If you see the flashing lights on the roadside, you know what to do: Move over to protect the men and women who do so much to protect all of us.”

## CVSA's annual International Roadcheck set for June 6-8

GREENBELT, Md. — The Commercial Vehicle Safety Alliance's 30th annual International Roadcheck will take place this week.

Over a 72-hour period, CVSA-certified commercial motor vehicle inspectors in jurisdictions throughout North America will conduct inspections of commercial motor vehicles and their drivers.

Each year, International Roadcheck places special emphasis on a category of violations. This year's focus is cargo securement.

While checking for compliance with safe cargo securement

regulations is always part of roadside inspections, CVSA is highlighting cargo securement safety this year as a reminder of its importance to highway safety.

Inspectors will primarily be conducting the North American Standard Level I inspection, which is the most thorough roadside inspection. It is a 37-step procedure that includes an examination of both driver operating requirements and vehicle mechanical fitness.

Drivers are required to provide items such as their driver's license, hours-of-service documentation, motor carrier registration and

shipping documentation, and inspectors will be checking drivers for seatbelt usage and the influence of alcohol and/or drugs.

The vehicle inspection includes checking items such as the brake systems, cargo securement, coupling devices, driveline/drive-shaft, exhaust systems, frames, fuel systems, lighting devices (required lamps), steering mechanisms, suspensions, tires, van and open-top trailer bodies, wheels, rims and hubs, windshield wipers and emergency exits (on buses).

Last year's Roadcheck resulted in the lowest out-of-service rate for

motorcoaches in at least 16 years. The rate for motorcoach drivers, however, increased from 2015.

Of the 734 motorcoaches inspected during last year's sweep in the U.S. and Canada, 45 vehicles, or 6.1 percent, were placed out of service.

Twenty-one bus drivers, or 2.9 percent of those inspected, were placed out of service in 2016, up from 1.9 percent during the 2015 Roadcheck.

International Roadcheck is the largest targeted enforcement program on commercial motor vehicles in the world, with nearly 17

trucks or buses inspected, on average, every minute in Canada, the United States and Mexico during a 72-hour period. Since its inception, more than 1.5 million roadside inspections have been conducted during International Roadcheck campaigns.

International Roadcheck is a CVSA program with participation by the Federal Motor Carrier Safety Administration, Canadian Council of Motor Transport Administrators, Transport Canada and the Secretariat of Communications and Transportation in Mexico.



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# Bans on applicant salary history gaining across U.S.

By Caroline J. Berdzik

Similar to the proliferation of “ban-the-box” laws that prohibited employers from inquiring into an applicant’s criminal history, states and cities have started to pass legislation banning employer inquiries into an applicant’s salary history during the new-hire process.

Employers maintain that this information is necessary as part of the recruiting process and in evaluating candidates. They say prohibiting them from requesting such information would be an impediment to being able to understand market levels of compensation for various employment positions.

However, some believe inquiries into salary history have perpetuated gender wage inequality.

Most recently, the New York City Council approved a bill that would prohibit employers in the city from inquiring about an applicant’s salary history during all stages of the employment process.

New York joins several states and cities, including Massachusetts, California, Philadelphia, Pittsburgh, New Orleans and Washington, D.C., that have all taken some measure to limit these types of inquiries. Other states, such as Texas and Maryland, have pending legislation on the issue and it is expected that more cities and states will follow.

Some laws limit an employer’s ability to rely on an applicant’s past salary information when making an offer of employment. Other laws completely prohibit employer inquiries of applicant salary history.

Some states encountered resistance when similar bills were introduced. For example, in Virginia, a bill that would have prohibited employers from asking interviewees for their salary history, was rejected.

The New Jersey State Senate failed to override Gov. Chris Christie’s conditional veto of a similar bill.

Even legislation that has been enacted is facing legal challenges.

The Philadelphia Chamber of Commerce has challenged Philadelphia’s wage equity law, which was set to go into effect May 23, 2017. The city has now stated it will hold off on enforcing the legislation until a federal judge rules on a petition to block the legislation.

Further, Connecticut recently dropped the “salary history” prohibition from its bill to ensure gender pay equity.

There are nuances between each state and city’s version of the salary inquiry prohibitions and the associated penalties for violations. It is expected that these laws will likely result in an increase in equal pay claims against companies.

Employers would be well ad-

vised to check if there are any laws or pending legislation that may impact their ability to ask questions about salary history on applications or during the hiring process and have their hiring processes reviewed by an employment attorney to ensure compliance with the law and avoid potential litigation.

*Caroline J. Berdzik is a partner with Goldberg Segalla LLP in Princeton, N.J. She devotes her practice to helping corporate clients navigate employment law issues from proactive counseling through dispute resolution and trial. Her clients include transportation companies. She can be reached at cberdzik@goldbergsegalla.com.*

## Choosing the right ELD doesn't have to be overwhelming

By Neal Katz

We all know that by the end of the year we must spend thousands of dollars per vehicle to become compliant with the new Federal Motor Carrier Safety Administration electronic logging device guidelines for passenger vehicles.

That cost is just unthinkable. How can we stay in business and stay competitive with these requirements?

The question is whether we really need to spend money on:

- Engine maintenance software
- Cosmetic maintenance management software
- Software to maintain the up-keep of the interior

How do we, as management, know that a problem or an issue was resolved to our standards? Who is accountable to let us know that something is failing or if a seat

has a small tear or if the bathroom door makes noise?

The answer to many of these questions is simple: make sure you choose a quality, cost-effective ELD with a good Driver Vehicle Inspection Report feature included.

Here is what to look for:

- Is the ELD FMCSA approved (manufacturers self-certify that their devices meet FMCSA requirements)?
- Is the ELD able to handle passenger carrier hours of service (passenger carrier rules are different than those for over-the-road motor carriers)?
- Does the ELD require additional expensive components or software to run?
- Is there a back office included so you can see the location of your buses on the road and other relevant details?
- Do you get notification of issues identified during the pre- and post-DVIR when the report is done or when the vehicle gets back to your yard?



post-DVIR when the report is done or when the vehicle gets back to your yard?

- Can you see pictures of damage prior to the vehicle coming back to the yard?
- Can you track who made the repair or solved the issue on a coach?
- Do you have the option of using the driver’s smartphone for the ELD or can you use a tablet, or
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# ISSUE NO. 331

# Bus & Motorcoach NEWS

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# Don't judge a man by his name, even if it's 'Millie'

By Dave Millhouser

Lacrosse is a contact sport. In fact, I once heard a large football player say he would never play a game where they allowed athletes to carry weapons (sticks).

Thus it takes a measure of courage to toddle onto the field wearing a helmet with "Millie" on the back.

In ye olden days we identified our own personal helmet by writing our name on a piece of masking tape and plastering it on the back. My multi-syllabic name was too long, and was shortened to "Millie."

This helmet was an important accessory because my sole talent was a willingness to hit people with my head. The coach said it was OK because there was nothing in there to damage. This was the 1960s and he also told me I was safe from the military draft because I didn't have a left hand.

Having "Millie" on my helmet made me a bit of a target. Opposing players made some assumptions, and (mis)treated me accordingly.

Growing up, we're told not to "judge a book by its cover" or make judgments based on appearance. The fact is we all do it. We use superficial traits as shortcuts in most aspects of life, and it's not all bad. If a restaurant looks dirty, we have suspicions about the kitchen's cleanliness.

When I was in bus sales, it was often useful (and accurate) to decide about a company's quality based on how their coaches looked. When a fleet was clean, and relatively unblemished, you could be pretty sure it was also well maintained.

The shortcut wasn't 100 percent accurate, but was a useful tool.

The line between prejudice and taking shortcuts to accurate evaluations is a thin one.

If you think about it, everyone (including us) that has a product to sell has some form of brand. Rolls Royce has worked hard at making us think of quality when we hear the name, while Yugo managed — the opposite.

Fair or not, people make all sorts of assumptions based on how

we look, sound and act. Some things we can't control — I'm never going to be tall. Judging people or enterprises based on things beyond their control leans towards being prejudiced.

There's not a ton anyone can do about the uncontrollable (that's how it got its name).

There are two sides to this. It's important to work hard at the things you can make happen, like unblemished buses showing up on time, courteous office folks, timely responses and all that other stuff you already know.

If your image includes luxury then all the amenities have to work. If you're selling "value" you can't resent customers who shop around, nor can you use "price" as an excuse for poor service.

Like it or not, you have a brand. People think a certain way when they hear your name. Do everything you can to shape the way they perceive you, but don't waste energy whining about what you can't control or using it as an excuse.

I'm short and chubby. I'll never be tall, but I can diet.

The other side of the coin is to learn to separate legitimate perceptual shortcuts from prejudices. One thing everyone in sales (and we're all in sales) learns to do is qualify a customer. Are they really serious? Can they pay? We also do it with suppliers, competitors and employees.

How do you choose which superficial criteria is legitimate in making judgments, as opposed to prejudices? Perhaps the first step is to recognize that a tension exists and be open to changing your mind if reality and perception turn out to be different.

It's reasonable to think a 5-foot, 4-inch guy isn't a pro football player. If you'd made that assumption in Buddy Young's case (and stuck with it) you'd have missed a huge opportunity. Look him up.

It's OK to make a bad guess, but folly to stick with it in the face of facts.

Years ago a competitor got a call from an older gentleman who had been in the bus business all his life.

A gifted mechanic, he had always run older equipment (beauti-

fully maintained, but "experienced"). His career was winding down and he wanted to try some new coaches.



Dave Millhouser

Rather than take him seriously (or at least fake it) the salesman said, "How are you going to pay for them?" He assumed that the only reason someone ran older coaches was because they couldn't afford new.

It turns out that, for at least this gentleman, there was another reason: they were profitable. He (figuratively) took the money from under his mattress and paid cash for a different brand of coach.

As for being called "Millie," just when things couldn't get worse my name was badly mispronounced during a roll call in front of my "friends," who now call me...

*Dave Millhouser is a bus industry marketing consultant and freelance writer. Contact him by email at Davemillhouser@gmail.com.*

## COMING SOON

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# Bus & Motorcoach Academy

## Legislation

CONTINUED FROM PAGE 1

private bus and motorcoach industry.

Advocates say that despite over-regulation of the industry by federal agencies, there has been no detectable improvement in fatality rates. At the same time, the motorcoach industry has experienced a sharp decline in total companies, number of vehicles, passenger trips and likely communities served during the past decade.

"I saw our business grow after the 1982 deregulation bill," Presley told a group of UMA members during fly-in. "There are currently not enough new entrants. They create the new markets for our industry."

Backers of the bill acknowledge that it might not make it all the way through the process in its current form, but they are confident that major provisions will be included in some legislation, possibly the infrastructure plan that Congress is expected to consider this summer.

Highlights of the legislation include:

- Modernize and streamline federal motor carrier safety regulations for the bus industry, including rescission of some that do not improve safety

Rule exemptions and rescis-

sions for motor carriers of passengers targeted in HR 2120 involve obstructive sleep apnea, financial responsibility, speed limiters, lease and interchange of motorcoaches, and beyond compliance.

Presley said there already are enough medical criteria to screen for obstructive sleep apnea. The bill would require any increase in insurance liability limits to be approved by Congress, not FMCSA regulators.

Rules concerning speed limiters, lease interchange and beyond compliance originated with the long-haul trucking industry, Presley said, adding that he expects

those regulations to be rescinded.

- Additional due process protections for new bus operators entering the industry

The Secretary of Transportation would have to instruct all new entrants in compliance with FMCSA regulations and ensure they receive sufficient guidance. Compliance with the guidance would serve as criteria for conducting a safety audit of an approved new entrant. The bill would limit increases in new entrant registration fees to \$350.

- Speed up approval process for new bus operators entering the industry



Rep. Scott Perry, R-Pa., shown here at a recent political rally, was given a standing ovation by UMA members attending Capitol Hill Days for his sponsorship of HR 2120, Buses United for Safety, Regulatory Reform and Enhanced Growth for the 21st Century (BUSREGS-21). The bill is designed to roll back onerous federal regulations affecting the bus and motorcoach industry.

## Capitol Hill Days

CONTINUED FROM PAGE 1

job creation, thereby helping the industry to thrive once again.

Perry told UMA members it's better to be on offense when it comes to dealing with Congress.

"It's an amazing thing when you as a business owner are afraid of your government," he said. "That's not the government I grew up with. You're on offense now. We're gonna call the shots. This is our bill."

He reminded the UMA members that the day's meetings were just the starting point for getting the bill passed.

"We've got to shepherd it along. We'll need your help, especially with the Senate," Perry said.

The CEOs and executives in attendance appeared eager to answer the call to action, both at the fly-in and upon returning to their home states.

"I will come to this event as long as I'm a member of UMA," said Gregory Page of Corinth Charters and Tours in Corinth, Miss. "We're making a difference as a group. I think it's the best thing we do."

This was the third fly-in Page has attended.

John Bailey, president of Bailey Coach and chairman of the Pennsylvania Bus Association, was pleased with his visit with Rep. Perry's staff and his sponsorship of HR 2120. "Scott Perry is my congressman. He understands our wants, needs and desires."

Becky Weber of Prime Policy Group, UMA's government relations firm in Washington, reminded the fly-in participants that they represent an industry in decline, with 342 fewer motorcoach companies and 4,063 fewer vehicles than in 2010.

The number of new operators applying to enter the industry and gain approval by the Federal Motor Carrier Safety Administration has also declined during the past 10 years.

Based on an analysis by Prime Policy Group of the most recent agency data, only 67 new companies were approved for service in a one-year period, a figure much lower than in the previous decade.

Weber told UMA members to emphasize that safety is a priority when talking to their representatives.

"You're already safe," she said. "The people who have been regulating you to death think they're making things safer, but there is no

proof."

She cited current U.S. Department of Transportation statistics showing only five school bus fatalities and 20 motorcoach fatalities annually while operating in a highway environment that claims more than 38,000 lives each year.

"We've got a bill that can provide a real legacy for this industry," Weber said. "It's allowing us to take an offensive position, and you all have been asked to get the message to the congressional staffs. These meetings are extremely important. These folks are taking count that you've made a visit to D.C. When you go home, you have to be ready for follow up."

Weber told the group that elections create opportunities. "We have a Republican trifecta in Washington right now with the Senate, House and executive branch. That creates opportunities."

Jeff Polzien, chairman of the UMA Legislative and Regulatory Committee and president and owner of Red Carpet Charters of Oklahoma City, shared his enthusiasm for the chance of HR 2120 to reform programs impacting the bus industry.

"We are in an industry under assault from the government," Polzien said. "We're continuously

According to Presley, a Government Accountability Office report concludes that approximately 98 percent of new entrant carriers show no indication of being reincarnated carriers trying to circumvent federal regulations. FSCMA has "gone overboard" in addressing this issue, he said.

Under the bill, an application for motor carriers of passengers would be approved no later than 14 days after submission unless a specific valid reason is provided in writing.

- Ensure that regulations for both trucks and buses are evaluated for appropriateness to bus operations

HR 2120 states that in all rulemakings impacting both commercial motor carriers of passengers and commercial property carriers, the Transportation Secretary shall provide a separate and distinct analysis, including a cost-benefit analysis, specific to the affects of the proposed rulemaking on motor carriers of passengers.

- Provide stronger accountability for federally funded public-transit agencies to partner with the private sector

"Increasingly, publicly funded transit is taking daily shuttle business away from the private sector," Presley said. "HR 2120 would require them to post on a public website how much they have taken

under attack. It's time to take back our industry. We've always been playing defense. This year we have a chance to be on offense because of HR 2120."

UMA members targeted House members on the Committee on Transportation and Infrastructure and Senate members on the Committee on Commerce, Science & Transportation for meetings.

Dale Krapf, chairman of the UMA board and of Krapf's Coaches Inc. in West Chester, Pa., was part of a group that met with Sen. Bill Nelson, D-Fla., the ranking member of the Senate Transportation Committee.

"This was the most positive experience I have had in coming to the Hill," Krapf said. "We were well prepared. Sen. Nelson's office has been negative in the past, but they were very positive during our visit this year."

Daniel Bratcher, vice president of Daisy Charters & Shuttles in Corpus Christi, Texas, had four meetings with members of the Texas delegation, Republican Reps. Lamar Smith and Kevin Brady, Democratic Rep. Lloyd Doggett and Republican Sen. Ted Cruz.

Bratcher said he attended the fly-in to voice concerns about

from the private sector" to show legislators the impact on private business.

The bill also would instruct the FTA to create a website and require grant recipients to post all public meetings there as a condition of receiving federal funds.

- Create an incentive program for public-transit agencies that partner with the private sector

The bill directs the Secretary of Transportation to incentivize public-transit agencies to seek participation of the private sector in provision of public transportation service. Incentives shall be afforded for competitively contracted transportation service for public-transit agencies by providing a 90 percent federal share for the capital costs of buses and bus-related facilities and equipment if they competitively contract at least 20 percent of their fixed-route bus service to private-sector motor carriers of passengers.

The secretary would have to submit a report to Congress within one year of date of enactment, addressing private-sector participations, impediments and strategies taken to reduce or eliminate impediments. The report to Congress shall include summaries and observations from the various trade associations representing private-sector motor carriers of passengers.

overregulation and laws written to apply to both trucks and buses. Both of those issues are addressed in HR 2120.

"We have no one to blame but ourselves," said Bratcher, referring to laws written to apply to trucks and buses. He said the industry could make a difference by providing comments when requested by agencies during the rulemaking period of a regulation.

"UMA makes it very easy for us to do this," he said, by keeping members updated on issues and providing sample letters and contacts.

HR 2120 states that "in all rulemakings impacting both commercial motor carriers of passengers and commercial property carriers, the Secretary of Transportation shall provide a separate and distinct analysis, including a cost-benefit analysis, specific to the impact of the proposed rulemaking on motor carriers of passengers."

Ken Presley, UMA's vice president of industry relations and COO, told members what a difference they can make when their voices are heard by Congress and they comment during agency rulemaking periods.

"You guys did it again," he said.

**Right:** Eric Elliot of Distinctive Systems snaps a selfie of himself and Michael Giddens of Pacific Coachways Charter Services on the steps of the Lincoln Memorial.

**Below, top photo:** Acting UMA President and CEO Steve Klika, left, and UMA board member Bill Allen of Amador Stage Lines chat in the hallway before meeting with representatives during the Capitol Hills Days fly-in.

**Below, middle photo:** Charles "Buddy" Young of Capitol Bus Lines, Bob Garrett of Sunshine Travel & Express, Elizabeth Kamalakis of Coachlight Tours, Sen. Tim Scott, R-S.C., Charles Coleman of See & See Friendly Tours, Matt Dance of Champion Coaches, and Ken Presley of UMA.

**Below, bottom photo:** Tim Stout of Stout's Transportation, left, Michaela Grundman of CH Bus Sales and David Moody of Holiday Companies at the Lincoln Memorial.



Dale Krapf, right, chairman of UMA and Krapf Coaches, and UMA board member Dave Dickson of Elite Coach, left, pose with Rep. Scott Perry, R-Pa., sponsor of HR 2120.



John Bailey of Bailey Coach, left, and Shawn McGlinchey of Krapf Coaches, right, pose with Rep. Lou Barletta, R-Pa., during the UMA Capitol Hill Days fly-in.

# How HR 2120 would roll back onerous bus regulations

The following information provides more detail about how HR 2120 would affect Federal Motor Carrier Safety Administration, National Highway Traffic Safety Administration and Federal Transit Administration rules and regulations:

## Federal Motor Carrier Safety Administration

### Amend mission statement

The bill would amend the FMCSA mission to include not only a priority on safety but on fostering an environment for a thriving passenger carrier industry. This is consistent with the FAA mission statement.

The agency's mission would include "fostering new and expanding passenger service through industry collaboration, encouraging new entrant applicants by expediting operating authorizations, and identifying passenger carrier drivers as a profession."

### New entrants

The bill would require the Secretary of Transportation to implement an improved and speedier process for new entrant motor carriers of passengers to apply for operating authority.

An application for motor carriers of passengers' interstate operating authority shall be approved no

later than 14 days after submission, unless a specific valid reason is provided in writing. Upon receipt from new entrant applicant, or by other means, of information that satisfies reason(s) for delay, the secretary shall approve and grant interstate operating authority without delay, and not later than five days after receipt of the submission.

Upon receipt of a new entrant application for passenger carrier authority or upon request, the secretary shall issue written guidance that sufficiently instructs all new entrants in compliance with the Federal Motor Carrier Safety Regulations and ensure that each new entrant receives the guidance.

Compliance with guidance shall serve as the criteria for conducting a safety audit of an approved new entrant motor carrier of passengers. The secretary may not increase new entrant registration fees in excess of \$350.

### Safety Fitness Determination

The secretary may not propose a rulemaking related to Carrier Safety Fitness Determination until all CSA reforms, as mandated by the FAST Act, are completed.

Current Carrier Safety Fitness Determinations may not be used for motor carriers of passengers to instruct a cessation of operations or revocation. Motor carriers of passengers may only be determined "unfit" to operate upon completion of a Compliance Review or Comprehensive Safety Investigation and consideration(s) of corrective action plan(s), if submitted.

The secretary shall continue to assign "satisfactory" and "conditional" ratings as appropriate. All assigned ratings shall be inclusive of the date said rating was assigned.

### CSA/SMS scores

The FAST Act mandated comprehensive reform of the CSA/SMS methodology and system for

rating carriers. FAST Act directed that during the review, property carrier scores be removed from public view. However, motorcoach operator scores, by statute, and private school bus carrier scores, by interpretation, were left up for public view.

CSA/SMS scores are based on faulty and inconsistent data and methodologies. Until all CSA reforms are completed, all scores should be removed from public view within one day of enactment.

The enforcement community would continue to have access to all data and information.

### Rules exemptions and rescissions

- Obstructive sleep apnea: Finding the condition adequately addressed under the current medical standards for commercial motor vehicle drivers, the secretary shall exempt motor carriers of passengers from any regulatory requirements flowing from the proposed rulemaking regarding obstructive sleep apnea.

- Financial responsibility: After studies mandated under the FAST Act are completed and submitted to

Congress, the secretary shall not promulgate rulemaking that increases motor carriers of passengers' minimum financial responsibility limits without consent from Congress. This provision clarifies that any increase in minimum insurance limits would have to be accomplished legislatively and not by regulation. The secretary shall exempt motor carriers of passengers from any regulatory requirements flowing from the proposed rulemaking relating to "Financial Responsibility for Motor Carriers, Freight Forwarders and Brokers."

- Speed limiters: Finding that Congress favors collecting and disseminating statistical information to the industry in lieu of imposing requirements relating to installation of speed limiting devices, the secretary shall exempt motor carriers of passengers from any regulatory requirements flowing from the NHTSA and FMCSA proposed rulemaking relating to "speed limiting devices."

- Lease and interchange of vehicles: The secretary shall rescind the Lease and Interchange of Vehicles rule for motor carriers of

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**Top left:** Dale Krapf, chairman of the UMA board and Krapf Coaches, front, and UMA acting President and CEO Steve Klika arriving by bus at Capitol Hill for meetings with representatives.

**Top right:** Left to right, Dave Schmidt of Prevost, Dave Dickson of Elite Coach, John Bailey of Baily Coach, Rep. Bill Shuster, R-Pa., and UMA Chairman Dale Krapf of Krapf Coaches.

**Bottom left:** UMA members board a bus for Capitol Hill to meet with representatives to discuss motorcoach industry issues during the annual fly-in.

**Bottom right:** Alan Thrasher of Thrasher Brothers Trailways, left, poses with Bill Gentry of Gentry Trailways during UMA Capitol Hill Days in Washington, D.C.



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**HR 2120**

CONTINUED FROM PAGE 12

passengers. If determined to be necessary, the secretary shall promulgate rulemaking specifically for motor carriers of passengers who voluntarily choose to enter lease agreements with one or more motor carriers of passengers.

- Beyond compliance: The secretary shall exempt private passenger carriers from any regulatory action on its "Beyond Compliance" proposal.

**Corrective action plans**

Upon receipt of a motor carrier corrective action plan regarding a motor carrier of passengers determined to be "unsatisfactory," "conditional" or "unfit," the secretary shall accept or deny a submitted corrective action within 30 days.

If the corrective action plan submitted is determined to be not sufficient, the secretary shall advise the motor carrier specifically of the deficiencies contained in the plan and allow up to 14 days for the carrier to submit a revised plan. When the plan is submitted, the secretary shall accept or deny the corrective action plan within 30 days.

A passenger motor carrier's authorization to conduct operations may not be suspended or revoked during this period unless it has been determined to be an "imminent hazard" to public safety.

Satisfactory corrective action taken during a compliance review or safety audit must be considered before a safety fitness determination action is concluded.

**Civil penalties**

The secretary shall be required to additionally consider the scope of severity and willfulness, ability to pay and size of fleet when imposing a civil penalty. Motor carriers of passengers appealing fines shall not waive any rights to installment plans while contesting a violation or an appeal is under consideration.

**Modernization of regulations**

The secretary shall assemble a negotiated rulemaking advisory committee for purposes of developing a comprehensive regulatory proposal aimed at reducing, simplifying, streamlining and modernizing the Federal Motor Carrier Safety Regulations applicable to motor carriers of passengers' operations.

The negotiated rulemaking advisory committee shall consist of representatives from motor carriers of passengers, motor carriers of passengers trade association representatives, industry safety experts and insurance company representatives.

The negotiated rulemaking committee shall establish a scale for determining the effectiveness of each regulation as it relates to reducing fatalities and bodily injury; identify in original or modified form those regulations that possess the highest propensity for reducing fatalities and bodily injuries; identify statutory provisions that impede elimination of burdensome,

ineffective and duplicative federal regulations; consider identifying improved record retention requirements through electronic media; and identify conflicting definitions relating to motor carriers of passengers in statute and regulations.

The negotiated rulemaking committee shall prepare and submit a report to Congress within one year from date of enactment,

recommending statutory changes to achieve the goals of this initiative, including identification of statutory provisions that impede the elimination of burdensome, ineffective or duplicative federal regulations and recommendations.

After submission of the report, the secretary shall initiate regulatory actions to implement the recommendations of the committee that

do not require statutory revisions.

**Rules for trucks and buses**

In all rulemakings impacting both commercial motor carriers of passengers and commercial property carriers, the secretary shall provide a separate and distinct analysis, including a cost-benefit analysis, specific to the impact of

CONTINUED ON PAGE 16 ►

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**HR 2120**

CONTINUED FROM PAGE 15

the proposed rulemaking on motor carriers of passengers.

**GAO study**

The Government Accountability Office shall conduct a comprehensive study that includes the following:

- An audit of all regulations finalized by FMCSA and NHTSA affecting motor carriers of passengers in the previous 10 years to determine if projected goals are being realized (i.e., reductions in fatalities, cost, etc.).

- A study of the negative effects of suspension, revocation and out-of-service orders on motor carriers of passengers, drivers, driver families, communities (including schools, religious organizations, social organizations, etc.) and financial institutions.

- The identification of the disparate effects of regulations finalized in the last 10 years on small fleet motor carriers of passengers consisting of 10 or fewer vehicles, and of exemptions and implementation strategies that mitigate the disparate effects.

The GAO shall report to the Congress within one year the results of the study.

**Pilot program on inspections**

The secretary shall initiate a pilot program to compare the effectiveness of prescheduled garage, terminal or place-of-business vehicle and driver inspections with random destination inspections on motor carriers of passengers.

The goal of the program shall be to determine which inspection method results in higher levels of compliance with Federal Motor Carrier Safety Regulations and reductions in crashes and fatalities.

The secretary shall report the results of the pilot program to Congress within two years.

**National Highway Traffic Safety Administration****New Vehicle Requirements**

The secretary shall not promulgate new regulatory mandates for motorcoaches or school buses that are not based solely on sound data and science that will directly reduce crashes or the effects thereof.

All proposed modifications to design or accessory requirements shall be pursued through the formal regulatory process based on a comprehensive cost-benefit analysis and sound scientific research.

**Autonomous vehicle policy**

The secretary shall include and

consult with the motorcoach and school bus industries through its representatives, including motorcoach and school bus manufacturers, companies operating motorcoaches and school buses, and motorcoach and school bus industry associations, in all phases of development of autonomous vehicle policy and proposed regulations.

**Federal Transit Administration****Private-sector exclusion**

The secretary shall prepare a convenient reporting method to receive information identifying charter and scheduled-service work and opportunities where the private sector was displaced by federally funded public-transit service.

The secretary shall mandate that recipients of federal funds report this activity as a condition of receiving those funds. The secretary shall also create a reporting method to receive voluntary reports of displacement from private-sector motor carriers of passengers.

The secretary shall prepare and submit a report to Congress annually that lists the specific locations and estimated economic losses to private-sector motor carriers of passengers when the private sector was displaced.

**Public meeting website**

The secretary shall develop and place into operation an electronic media website requiring posting of public meetings of all grantees. Compliance with posting requirements shall be a condition of receiving federal funds.

**Combine agency reports**

The secretary shall integrate the FTA charter registration website with the FMCSA biennial update, thereby requiring a single registration update.

**Private-sector engagement**

The secretary shall devise a system and require grantees to file an expanded certification of specific private-sector considerations and engagements to meet the statutory requirement to encourage participation of the private sector to the maximum extent feasible as a condition of receiving federal funds.

The certifications shall appear on a public website administered by the secretary.

Currently, grantees are only required to check a box that they have considered the private-sector participation.

**Education on contracting costs**

The secretary shall educate grantees on utilization of "capital

cost of contracting" methods of partnering with private-sector motor carriers of passengers through a series of publicly held state and/or regional sessions that include participation by private-sector motor carriers of passengers and grantees.

**Recipient incentives**

The secretary shall incentivize public-transit agencies to seek participation of the private sector in provision of public-transportation service.

The secretary shall afford incentives for competitively contracted transportation service for public-transit agencies by providing a 90 percent federal share for the capital costs of buses and bus-related facilities and equipment if they competitively contract at least 20 percent of their fixed-route bus service to private-sector motor carriers of passengers.

The secretary shall submit a report to Congress within one year of date of enactment, addressing private-sector participation, impediments and strategies taken to reduce or eliminate impediments. The report to Congress shall include summaries and observations from the various trade associations representing private-sector motor carriers of passengers.

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## People

**DES PLAINES, Ill. — Motor Coach Industries** has added two experienced sales executives in its Southwest and Midwest regions.

*Shane Shipman* joined MCI as new coach sales vice president for the Southeast, responsible for MCI customers in Florida, Georgia, North Carolina, South Carolina and Tennessee.

He takes over the territory from *Brian Licher*, who returned to MCI pre-owned coach sales representative for the Midwest.

Shipman has a 21-year career in motorcoach operations, including general manager positions with two major motorcoach operators based in Atlanta and as director of **megabus.com** Southeast. He also was director of charter sales and operations for **Coach America**.

Shipman is related to the founders of **Southeastern Stages** in Atlanta, and he joined the company shortly after graduating with an economics degree from Georgia State University, moving up through the ranks, starting in ticketing, accounting and sales and eventually becoming director of charters.

"I've gone full-circle in my career and in this new sales role, I'll bring a personal touch because I know what it means to sit on the operator's side of the table," Shipman said.

With the return of Licher to pre-owned coach sales, MCI is expanding in the Midwest by dividing the territory into two separate regions. Licher will be responsible for customers in Minnesota, Wisconsin, South Dakota, North Dakota, Iowa, Nebraska, Kansas and Missouri.

Licher first worked for MCI between 1996 and 2004 as a pre-owned sales representative at the company's Sales and Service Center in Des Plaines. He returned to MCI in 2011 as a regional vice president of new coach sales for the Southeast.

"I'm looking forward to the opportunity of getting reacquainted with customers I've known," Licher said.

**YORK, Pa. — Reed Hooks** has joined bus air conditioning company **American Cooling Technology** as a regional sales manager.

Hooks is based in Arizona and is assigned to the Western territory. He focuses on new accounts and servicing existing accounts in Arizona, California, New Mexico, Nevada and Utah.

He has more than 20 years of sales and service experience in the bus transportation industry, most recently at **SBL** as a sales and operation manager, and in various

roles at **Thermo King** and **Pierce Transit**. Hooks has a bachelor's degree in business management from Indiana Wesleyan University.

"With his extensive technical knowledge, operations and fleet maintenance bus background coupled with his industry knowledge and experience, ACT is very fortunate to have Reed join ACT to expand our HVAC application and customer support capabilities," said

ACT President *Dave Oberdorff*.

**NEW YORK City — Former United Motorcoach Association** President and CEO *Victor S. Parra* has joined the board of directors of **Rally Bus**.

Parra, 68, retired from UMA on March 31 after spending nearly 19 years with the association.

Rally Bus is a technology platform that aggregates travelers with



Shane Shipman



Brian Licher



Reed Hooks



Victor Parra

motorcoach operators to build trips, particularly to activities such

as concerts, sporting events and political rallies.

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## Cybercrime

CONTINUED FROM PAGE 1

crimes had taken \$5.3 billion from 40,203 companies around the world.

"I never thought something like this was possible," said a principal for the hacked motorcoach carrier. "It was very hard to understand how something like this could happen."

He declined to be identified but shared his story as a warning to other motorcoach operators.

"You think, 'How could I be so stupid?' You feel like an idiot. Then you realize what went into planning this. We were probably monitored for quite a while. You don't realize how easy this is. It happens that quick — Boom! Gone."

The IC3 identifies common characteristics in BEC thefts, including:

- Individuals responsible for handling wire transfers are targeted.

- Spoofed emails very closely mimic a legitimate email request. Fraudulent email requests for a wire transfer are well worded, specific to the business being victimized, and do not raise suspicions to the legitimacy of the request.

- The amount of the fraudulent wire transfer request is business-specific. Dollar amounts requested are similar to normal business transaction amounts so as to not raise doubt.

- Fraudulent emails received have coincided with business travel dates for executives whose emails were spoofed.

This motorcoach carrier's theft was executed after considerable spying on its business practices, the identities of principals empowered to execute wire transfers and even a principal's travel schedule.

"We do wire transfers several times a week for vehicles, parts, insurance and fuel," the partner said. "We have a daily limit, but

## Tips to avoid being a victim of cybercrime

The FBI advises businesses to follow a number of self-protection strategies to avoid being a cyber-crime victim. They include:

- Avoid free Web-based email accounts. Establish a company domain name and use it for company email accounts.

- Be careful about posting information about job duties and descriptions on social media and company websites.

- Be suspicious of requests for secrecy or pressure to take action quickly.

- Consider additional IT and financial security procedures, in-

we have moved over \$100,000 at times. This amount was not out of the ordinary for us."

The criminals' timing also demonstrated inside knowledge, he said.

"I was out of town at a meeting. I got a phone call just as I walked into a meeting. I didn't answer but I emailed my partner and never heard back."

His email was not received back at the office, but a spoofed email was delivered there.

"This email conversation occurred between an unknown party and my business partner, coming from my email address with my iPhone as the signature," he said.

"They knew the exact moment to drop this. They knew I was gone, and more importantly they executed it between the only two people in the organization who can make money move."

Later in the day the partners realized they had sent \$48,000 to parts unknown. It was 6:10 p.m.

"I immediately called my personal banker and set up a fraud alert," the partner said. "A couple of weeks went by and we did not hear anything. Eventually we were able to recover \$21,000 that was still in the account. Another \$9,000

cluding the implementation of a two-step verification process for financial transactions. For example, establish other communication channels, such as telephone calls, to verify significant transactions and arrange them outside the email environment.

- Immediately report and delete unsolicited email (spam) from unknown parties. DO NOT open spam email, click on links in email or open attachments. These often contain malware that will give subjects access to your computer system.

- Do not use the "Reply" op-

is still at another bank."

His bank's investigation traced the first step of the wire transfer's journey.

"We clearly know the money was sent to a person in California. That is just the mule — like the idiot you find in the airport to carry your package through customs for you."

As far the intended final destination of the money, he said, "The emails appear to come from Nigeria, but it is not clear whether they came from Nigeria or were just made to look like they came from Nigeria."

Two months after the scam occurred, the motorcoach operators had not heard anything from the FBI.

"Apparently there are bigger fish to fry," the partner said. "Fraud is so rampant — you can't turn on the news without hearing about some big company being hacked."

IC3 defines business email compromise as a scam "carried out when a subject compromises legitimate business email accounts through social engineering or computer intrusion techniques to conduct unauthorized transfers of funds."

The center, in its May 4 update, said most thefts are made through wire transfers but can be executed by check.

"The fraudsters will use the method most commonly associated with their victim's normal business practices. The scam has evolved to include the compromising of legitimate business email accounts and requesting Personal-

tion to respond to business emails. Use "Forward" and type in the correct email address or select it from your email address book to ensure the intended recipient's correct email address is used.

- Consider implementing two-factor authentication for corporate email accounts.

- Beware of sudden changes in business practices — if a business contact suddenly asks to be contacted via their personal email address when all previous official correspondence has been through company email, the request could be fraudulent.

ly Identifiable Information (PII) or Wage and Tax Statement (W-2) forms for employees, and may not always be associated with a request for transfer of funds," IC3 warned.

BEC victims "range from small businesses to large corporations" and "deal in a wide variety of goods and services, indicating that no specific sector is targeted. It is largely unknown how victims are selected; however, the subjects monitor and study their selected victims using social engineering techniques prior to initiating the BEC scam.

"The subjects are able to accurately identify the individuals and protocols necessary to perform wire transfers within a specific business environment. Victims may also first receive 'phishing' emails requesting additional details regarding the business or individual being targeted (name, travel dates, etc.)."

Federal investigators say BEC criminals also may utilize other online frauds, "including but not limited to romance, lottery, employment, and rental scams. The victims of these scams are usually U.S. based and may be recruited as unwitting money mules. The mules receive the fraudulent funds in their personal accounts and are then directed by the subject to quickly transfer the funds to another bank account, usually outside the U.S."

Business email crime victims have been reported in all 50 states and in 131 countries, according to IC3. Fraudulent transfers have been sent to 103 countries but primarily

- Create intrusion detection system rules that flag emails with extensions that are similar to company email.

- Register all company domains that are slightly different than the actual company domain.

- Confirm requests for transfers of funds. Know the habits of customers, including payment amounts and reasons.

A complete list of protection strategies is available on the Department of Justice website [www.justice.gov](http://www.justice.gov) in the publication "Best Practices for Victim Response and Reporting of Cyber Incidents."

to China and Hong Kong. Financial institutions in the United Kingdom also are prominent destinations.

The scammed motorcoach carrier immediately changed its banking procedures.

"We required dual authentication so there isn't one person who can move money," the partner said. "Then we did a top-to-bottom assessment of our network security."

Simple, predictable employee email addresses were replaced with more complex addresses. Important activities were transferred to different computer ports with password lockouts. An outside information technology company was retained to review procedures. The carrier's current IT provider may be replaced with another that is capable of greater security procedures.

The theft was executed so smoothly, the partner said, "Initially we thought it was an inside job. We quickly recognized that the emails did not come from an internal Internet provider address."

This operator's advice for his peers? "Be aware and be afraid. Consider hiring a firm to do a network penetration test and find out how somebody might be able to get in."

Two months after the theft was executed, the carrier was still awaiting the return of the \$9,000 that was caught at another bank before it was shipped overseas.

And another hack popped up.

"We found a laptop in our shop yesterday the mechanics use for diagnostic purposes — it had ransomware script embedded in it. We immediately shut it down and took it to our IT vendor for scrubbing."

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## Calendar

**June 2017**

**2-3 2017 Spring Fling**, Museum of Bus Transportation, Hershey, Pa. Info: [www.busmuseum.org](http://www.busmuseum.org)

**20-23 Pennsylvania Bus Association Annual Meeting**,

Radisson, Corning, N.Y. Info: [www.pabus.org](http://www.pabus.org)

**22-25 New England Bus Association Annual Meeting**, Sea Crest Beach Hotel, Cape Cod, Mass. Info: [www.newenglandbus.org](http://www.newenglandbus.org)

**July 2017**

**29-Aug 2 SCMA-GMOA-**

**AMA Regional Meeting 2017**, Sheraton Arlington, Arlington, Texas, Info: [www.southcentral-motorcoach.org](http://www.southcentral-motorcoach.org)

**August 2017**

**6-9 IMG Strategic Alliance Meeting**, Nashville, Tenn. Info: [www.imgcoach.com](http://www.imgcoach.com)



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