

# Bus & Motorcoach NEWS

WHAT'S GOING ON IN THE BUS INDUSTRY

## Finally! Texas' checks being sent; well, some of 'em

AUSTIN, Texas — Motorcoach operators who helped evacuate people from the path of one of two summer hurricanes to hit Texas could be getting paid for their work — any day now.

The state says it has finally released funds to pay for the rescue work for Hurricane Gustav, the first of the major storms that struck

Texas in September, according to the governor's office.

Allison Castle, a spokeswoman for Gov. Rick Perry, said the state Legislative Budget Board agreed just before Christmas to make the money available to motorcoach operators and other vendors involved in the evacuation work and some checks already

have been cut.

"We will make good on our contracts and our payments," she said.

The state has for weeks been the target of heavy criticism from motorcoach operators who said they were in dire need of their money and could be in serious financial trouble if they didn't get it

soon.

Many complained they were forced to borrow money or use reserves to pay bills associated with the hurricane rescue work, and now they're without cash needed to help get them through the current slow season.

Others said they could lose their coaches because they have

missed loan payments. One operator admitted he had parked his coaches away from his business because he was afraid they would be repossessed any day.

While the possibility of finally getting their money is good news for some operators, others maintain the state should never have

CONTINUED ON PAGE 8 ►

## BANY ignites to oppose N.Y. nuisance taxes

ALBANY, N.Y. — The Bus Association of New York State, known widely as BANY, has launched a sweeping and ambitious overhaul that calls for both an increase in membership and a more diverse membership.

The moves are designed to help strengthen the association so it can work more effectively to head off invasive budgetary proposals from Gov. David Paterson that would reduce bus-operator commerce.

"The budgetary headaches of New York State and the nation, in general, will have much to do in the shaping of our agenda," says Jerry Kremer, the association's long-time counsel.

"New York is faced with a \$15 billion (budget) deficit and will be resorting to a variety of nuisance taxes to balance the budget. In order to proactively oppose these increases, we will be actively recruiting new members who can help us spread our message to prevent the passage of the tax package."

BANY members are meeting Feb. 5, to discuss the state's proposals, including the governor's executive budget, which proposes a levy on bus-ticket sales and the repeal of a cap on the diesel fuel tax.

In the fall, the association plans

CONTINUED ON PAGE 16 ►



The new Volvo 9700 will be available for test drives at Expo '09.

## Prevost to unveil coaches

ORLANDO, Fla. — Prevost Car Inc. is unveiling a new motorcoach, as well as an updated version of its workhorse H model, at UMA Motorcoach Expo 2009 here Jan. 22.

The new coach is the 45-foot Volvo 9700, which has been adapted to the U.S. and Canadian markets by Prevost's parent company, Volvo Group of Sweden.

The 9700 won the European Coach of the Year award for 2008 at the massive Busworld Exhibi-

tion in Kortrijk, Belgium.

"The Volvo 9700 is clearly a coach that will make an impression," says Prevost Vice President of Sales Dann Wiltgen.

"The exterior is modern and typically Volvo, and the interior, available in three color themes, is well designed right down to the luggage racks and handles, to create an impression of spaciousness.

"At the same time, this coach will provide our customers with a

CONTINUED ON PAGE 20 ►

## California operator wins contentious charter case

WASHINGTON D.C. — A California charter operator has won its fight with a public transit system that tried to get it removed from the federal list of private carriers that must be notified when a transit agency is interested in performing charter work.

The ruling by the Federal Transit Administration, however, came too late for Silverado Stages Inc. of San Luis Obispo to handle the lucrative job that triggered the dispute.

Foothill Transit of Covina complained to the FTA that Silverado should be removed from the list of carriers registered with the agency because it acted in bad faith during negotiations for shuttle work for the Rose Bowl football game Jan. 1.

The ruling clearing Silverado of any wrong doing was issued four days after the game, allowing the transit agency to provide the service.

CONTINUED ON PAGE 18 ►

## Transit agency cooperation over charter rule is growing

WASHINGTON — The nine-month old federal charter service rule that limits the type of charters public transit agencies are allowed to provide may finally be taking hold.

That's how things appear to be trending as more and more transit officials begin cooperating with private motorcoach companies rather than face formal complaints for violating the rule.

Ken Presley, vice president of industrial relations for the United Motorcoach Association, said that many transit systems are not only voluntarily complying with the regulation but are even responding

positively when told of possible violations that they might be committing.

This is in sharp contrast to the first few months after the rule became effective when transit agencies were flooding the Federal Transit Administration with requests for exemptions to the rule, and private operators were regularly calling on federal regulators to stop transit officials from looking for potential loopholes in the rule or ignoring it altogether.

Presley cited two recent examples in which transit agencies reacted quickly and favorably when it

CONTINUED ON PAGE 18 ►

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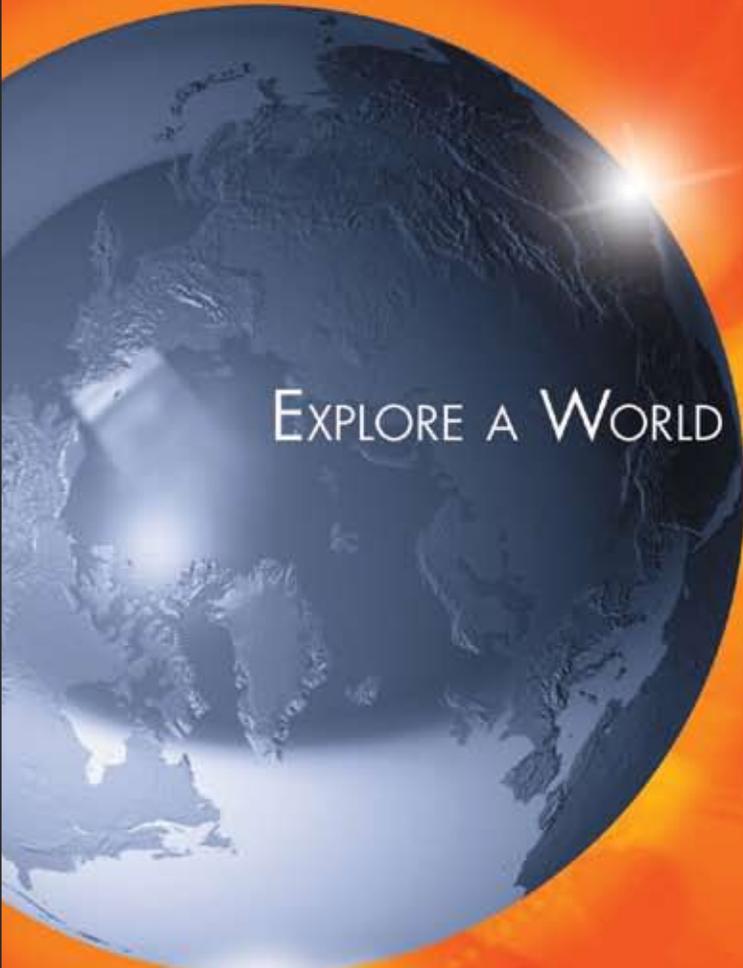
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# California's CARB extends emissions regs for coaches

SACRAMENTO, Calif. — Motorcoach companies that operate buses in California have been given an extra three years — until 2017 — to meet some of the state's tough new emissions standards for diesel engines.

The extension came from the California Air Resources Board after it reached a compromise with the California Bus Association, which had warned that the earlier deadline of 2014 -- proposed by the board -- would put many coach companies out of business.

"We would have had a nightmare," said James Seal, a California-based motorcoach industry consultant who was instrumental in winning the extension.

"We not only would have been ditching coaches, but ditching companies as well, because many of them could not have afforded an earlier switchover."

He said the extension gives motorcoach operators much needed additional time to plan equipment purchases in preparation for the later deadline.

"It's a huge benefit to our industry," he asserted.

Initially, the Statewide Truck and Bus Rule — approved by the board in mid-December — called for truck and bus companies to equip their over-the-road vehicles with emission-reducing equipment for particulate matter (PM) by Jan. 1, 2011 and for oxides of nitrogen (NOx) by Jan. 1, 2014. (See Jan. 1 *Bus & Motorcoach News*.)

## Motorcoaches different

Trucks and some buses still

will have to comply with the timetable for both types of emissions, but most motorcoaches will be exempt from the NOx requirement until Jan. 1, 2017. Motorcoaches also will be eligible for annual exceptions from the PM standards if the required filters for the emissions will not fit on particular buses because of their tight engine quarters.

The board described motorcoaches that qualify for the exemption as those that are "for hire" only, are at least 35-feet long, have

seating for at least 40 passengers and have a separate under floor luggage compartment. The description was to distinguish them from school, shuttle, entertainment and other types of buses.

In addition to setting the new emission standards, the truck and bus rule also requires that many older engines that cannot be retrofitted to meet the gradually increasing emission limits be phased out over a 10-year period beginning in 2012.

CONTINUED ON PAGE 8 ►

## Industry-March of Dimes link is bolstered by events

Godfrey LeBron knows what it's like to lose a baby — when his wife had a miscarriage. "It was the worst day of my life."

Today, he's part of a team of United Motorcoach Association leaders working to bring dollars for babies, aiding early childhood research and awareness.

Teaming up with the March of Dimes, the association is raising money through two innovative programs that will make the partnership a year-round endeavor. LeBron chairs the UMA board and is co-owner of Paradise Trailways in Hicksville, N.Y.

The initial activity for the hookup between the March of Dimes and UMA is the donation of coaches in 12 communities of UMA board members to support the charity's annual Signature Chefs tasting and auction.

The coaches are being auctioned off for one day of usage, including a driver, fuel and as much as a 500-mile round trip. Some communities are looking at packaging the auctioned buses with features, such as a trip to a day spa or a meal from a top chef.

Stephen Brown, vice president of Brown Coach in New York state and a UMA board member, said the Signature Chefs project in his area is looking at the possibility of creating a "pamper package," with the bus auction and a visit to a day spa and a restaurant.

"It's a smorgasbord of culinary delights," says Rob Lucas, senior vice president of revenue development for the March of Dimes.

"We think Miles for Babies is a great thing, and we look forward to partnering with March of Dimes to make it happen," says Brown. "March of Dimes is a great organization and we believe we need to

give back to the community... and this is a good opportunity to do so."

In his own community, Brown also underwrites other charities, helps with Rotary Club projects, and has served on the board of his regional March of Dimes chapter.

Ralph Young, chairman of Young Transportation and a UMA board member, is participating in Signature Chefs auction in his hometown of Asheville, N.C. It's a black-tie optional (event) in which a dozen chefs from around town serve up "signature dishes," he says. His donation of a 500-mile round trip, with 10 hours of driving time, has a \$2,400 value.

Young likes the fact his company is getting name recognition, as well as giving back to the community. "It's just good P.R.," he says. Young also participates in Special Olympics, church functions and schools.

The Signature Chefs project typically occurs in the fall, varying from community to community.

"This is just a very exciting package where you can use (a bus) to go to a (football or basketball) game with 50 of your friends or go to a casino. Some are having chefs donate food. That's the beauty of all this. The base package is the motorcoach, the driver and the fuel, but when we link the motorcoach operator with our chapter, then we can put a creative spin on this thing," says Lucas.

"The feedback we're getting from the operators is very positive; we're getting reconnected with communities," says Ken Presley, vice president of industry relations for UMA.

## Miles for Babies

Another program being devel-

CONTINUED ON PAGE 22 ►

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# THE DOCKET

## Becoming a new operator gets tougher (and tougher)

WASHINGTON — Getting federal authority to operate a motorcoach company has just gotten a little more difficult. And, it's going to get even tougher.

The Federal Motor Carrier Safety Administration said new companies applying for operating

authority now are being examined much more closely under a new record-checking procedure to verify they actually are a new business and not simply a renamed outfit that had been shut down recently by regulators.

In addition, beginning Feb. 17,

start-up companies based in the United States, and carriers from Canada applying for operating authority in the U.S., will be required under a new federal rule to meet higher compliance standards for passing new entrant safety audits and correct safety deficiencies be-

fore they receive a permanent registration.

Both of the programs are meant to assure that new operators fully understand the safety requirements covering their operations, according to Rose McMurray, FMCSA's chief safety officer and assistant

administrator.

"Changes in FMCSA's new-entrant program and motorcoach vetting process will contribute significantly to ensuring new operators comply with key safety requirements and will enable FMCSA and

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## FMCSA switch: Use is OK'd of GPS HOS enforcement

WASHINGTON — The Federal Motor Carrier Safety Administration has rescinded a policy barring use of GPS records to verify compliance with the hours-of-service rules.

During the past dozen years the FMCSA has taken a hands-off approach to using data from advanced technologies, such as GPS, as an enforcement tool "in order to promote and encourage use of these new technologies by the industry."

That goal has now been achieved, the agency said. And field staff began seeing situations in which the hands-off policy was harming enforcement, said outgoing FMCSA Administrator John Hill.

Enforcement officials were reporting they could see obvious vi-

olators of the hours rules but could not get to their GPS records to prove it, Hill said.

"I can't look at people in the face who are not compliant with HOS and say, 'I've got this old policy that says we won't use GPS records,'" he said. "I just think it's ludicrous. If you've got GPS records that show you're getting around the HOS rules, we're going to use those as part of our enforcement process."

Hill said he could not quantify how many GPS users may be dodging the hours rules. "But I will tell you that this is something I hear routinely from the field. I don't think it's anecdotal. It happens more than you would imagine."

The policy change went into effect last month.

## New hiring rule: Old 'papers' out

WASHINGTON — Beginning in early February, employers in the United States will not be allowed to use expired documents to verify workers' employment eligibility.

A new rule issued by Homeland Security Department aims to streamline the employment eligibility verification process and crack down on fraud.

As of Feb. 2, expired U.S. passports or state-issued driver's licenses and other outdated identification cards will no longer qualify as valid documentation for Form I-9. Social Security cards will not be affected by the change because they do not expire.

"Expired documents are prone to fraudulent use in the Form I-9 process by aliens seeking unauthorized employment," the department said in issuing the new rule.

Employers must fill out a newly revised Form I-9 for all new hires to verify their identity and authorization to work in the U.S. The form, mandated by the 1986 Immigration and Reform Control Act, is a key

component of DHS' Electronic Employment Verification System. Employers still can use the revised paper version, but there also is I-9 software that integrates identification information into E-Verify.

New hires or rehires can present various forms of identification to prove their work eligibility. The list of approved documents is divided into three categories: List A, documents that verify identity and employment authorization; List B, which confirms identity only; and List C, which certifies employment authorization only.

U.S. passports are included on List A, while driver's licenses fall into category B. Workers must either provide one document from List A, or one document each from lists B and C.

The rule also eliminates several types of identification included on List A: temporary resident cards and older versions of the employment authorization document (Forms I-688, I-688A and I-688B). DHS no longer issues those forms of ID.

# Ex-Republican congressman heads USDOT for Obama

WASHINGTON — The U.S. Department of Transportation, which is expected to play a key role in President Obama's economic infrastructure rebuilding plan, will be headed by Ray LaHood, a retired Republican congressman from Illinois.

Obama picked the 63-year-old LaHood to be secretary of the USDOT, which includes the Federal Motor Carrier Safety Administration and National Highway Traffic Safety Administration, two motorcoach industry regulatory agencies.

LaHood, who did not seek reelection to Congress in November, was known during his congressional days for his willingness to criticize his own party and to work with Democrats. His district included Peoria, Ill., headquarters of diesel engine maker Caterpillar Inc., which made a decision last year to exit the on-highway commercial vehicle market by 2010.

In 2002, the moderate LaHood led an unsuccessful charge to get

the U.S. Environmental Protection Agency to delay implementation of rules cutting emissions from diesel trucks and buses.

He is a former member of the House Transportation and Infrastructure Committee and most recently was a member of the influ-

ential House Appropriations Committee.

In 2005, LaHood cited the importance of infrastructure spending, calling that year's highway bill "a much-needed boost to our economy from the federal government."

LaHood said the \$268.4 billion spending package would "put people to work, increasing tax revenue to help address our state's huge budget hole, and helping to move the economy of Illinois in the right direction."

Obama appointed former Rep.

Hilda Solis, D-Calif., to be his Secretary of Labor. Solis was a Congressional Hispanic Caucus leader and was considered to be one of the most reliably pro-union voices in the House. Solis, 51, is the second Latino member of Obama's cabinet.

## Commission recommends fuel tax hike

WASHINGTON — A commission created by Congress plans to release a report in late January plans to recommend increases in the federal taxes on diesel fuel and gasoline.

The National Commission on Surface Transportation Infrastructure Financing will tell Congress that diesel taxes should be increased by 12 to 15 cents per gallon. It currently is 24.4 cents per gallon.

The panel also will ask Congress to raise the gas tax, currently 18.4 cents per gallon, 10 additional cents per gallon.

Both fuel taxes would be tied to inflation under the commission's plan.

Roads and bridges need to be built and repaired, say commission members, but as Americans drive less and use more fuel-efficient vehicles, revenue from fuel taxes is falling.

One year ago, another federal commission, the National Surface Transportation Policy and Revenue Study Commission, issued a reporting calling for an increase of as much as 40 cents a gallon in the gasoline tax, phased in over five years.

Organizations that oppose a fuel tax increase say Congress may try to disguise a fuel tax hike this year or next as a "surcharge to curb climate change."



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## New operator rules

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its state partners to identify unsafe carriers and ensure the early correction of unsafe practices," she said.

### Crash sparks move

The new vetting process was developed after an August bus rollover accident near Sherman, Texas, that killed 17 Vietnamese Catholics on a pilgrimage. The cause of the accident was traced to the blowout of a retread tire that was being used illegally on the steering axle. (See Sept. 1 *Bus & Motorcoach News*.)

Investigators learned shortly after the crash that the operator started the business in June, just days after another charter company he owned had been shut down by federal authorities because of repeated safety violations.

The companies ultimately were fined last year more than \$50,000 by the FMCSA.

The Sherman accident prompted the FMCSA to briefly halt all new-entrant approvals until it could review its procedures. The freeze was subsequently lifted and new entrants are being processed, but under a broader vetting procedure that includes a much closer examination of the information provided

by the companies and other information gathered by the agency.

"Our increased scrutiny of applicants is necessary to safeguard the traveling public from rogue operators that may be reapplying for authority after they established critical safety deficiencies under a different operator name," said McMurray.

"Although we can't stop every rogue operator bent on violating safety requirements, the FMCSA, along with our state law enforcement partners, aggressively pursues violators when they have been discovered."

### Weeding 'em out

Since the Sherman crash, the agency has received 304 applications from new companies and 127 of them are being reviewed under the new procedure. Nineteen were dismissed because the applicants did not respond to requests for more information and the remaining 158 are awaiting review.

McMurray noted that important information was missing from more than 90 percent of the applications, prompting the agency to contact each of them to obtain the needed data.

Meantime, the new rule, which has been in the works for nearly three years and was not related to the new vetting process, is meant

to help new carriers succeed at establishing and maintaining a comprehensive safety management program, according to outgoing FMCSA Administrator John Hill.

"Imposing these tougher standards will ensure that new entrants are fully aware and compliant with federal safety regulations aiding in the continued reduction of highway crashes and fatalities on our nation's highways," he said.

Under the measure, a newly registered bus company will automatically fail its safety audit if it violates any one of 16 essential federal regulations during the 18-month safety monitoring period.

These essential regulations cover controlled substances and alcohol testing, hours of service, driver qualifications, vehicle condition, and carrier financial responsibility.

### Fixes required

If a company fails the audit, its registration with the agency could be revoked, unless the carrier takes corrective action within a specific time period. Carriers operating buses with seats for 16 or more passengers will have 45 days to comply, while companies with vehicles that carry between 9 and 15 passengers will have 60 days.

The rule also requires that if during the 18-month monitoring period, violations are discovered

## Feds offer automated alerts for safety recall of vehicles

WASHINGTON — An automated alert system from the National Highway Traffic Safety Administration provides users with instant notification of vehicle safety recalls, including bus and motorcoach recalls.

The recall alerts can be received free via e-mail.

The system allows users to sign up for specific makes of buses or other vehicles.

"It is extremely important that people are aware of recalls and act quickly to get their vehicles repaired," said U.S. Transportation

Secretary Mary Peters.

David Kelly, acting administrator of NHTSA, said the recall notification system is an expansion of the agency's consumer safety communications program. Earlier this year, the agency introduced automated recall alerts for child safety seats and tires.

To sign up for NHTSA's recall alerts, go to [www.safercar.gov](http://www.safercar.gov) and click on "E-mail recall notifications" under the Defects & Recalls heading. Users can sign up for up to five makes of buses and coaches.

during roadside inspections, the company may be subjected to a new-entrant expedited safety audit or, in the case of serious safety violations, a more comprehensive compliance review that can result in fines and penalties.

The carrier may also be required to submit a written corrective action plan explaining in detail how it will achieve compliance with the safety rules and improve its safety performance.

Some changes were made to the rule in response to concerns that violations based on a single driver or a single bus might be un-

fair to larger companies. Under the change, thresholds were added to 2 of the 16 violations that can result in failure of an audit.

Now, a company will fail an audit if a driver failed to prepare a record of duty status in more than half of the trips examined during the review or the carrier failed to perform periodic inspections on more than half of the fleet vehicles examined during the audit.

To read the new rule, which updates the New Entry Safety Assurance Program, go to [www.fmcsa.dot.gov](http://www.fmcsa.dot.gov) and click on the "Latest Rulemakings and Notices" link.

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## Texas checks

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allowed the situation to occur.

"It's absurd the money wasn't there in the first place," said Gene Shields of Eagle Tours in Irving, Texas. "They knew they were going to owe money and they should not have waited until they got the bills" (to try to find it).

### But what about Ike?

While the state appears to be ready to pay for the Gustav work, payments for Hurricane Ike, a second and more costly storm that struck the state remains up in the air.

Castle said the Federal Emergency Management Agency has promised to pay 100 percent of the costs for Ike and the payment timetable is up to FEMA once it sees the bills from the state. Texas officials have acknowledged they were overwhelmed by the number of bills they received and are running weeks behind in processing them.

"We haven't gotten anything yet from FEMA," said Castle "The governor has been working with them to try to get them to expedite the payments but we don't know when it will be coming so we can pay the bills."

Her comments contradicted early reports from state officials who told motorcoach operators that FEMA was paying 75 percent of the Ike costs, and that was part of the reason the payments were being delayed.

The comments also conflict with those of FEMA, which says the state has been providing erroneous information to bus operators, the media and others implying that the federal agency is to blame for the holdup in paying vendors for their work during the Gustav and Ike hurricanes.

In a sharply worded letter to state officials, FEMA emphasized that the federal disaster assistance provided by the agency reimburses the state directly for its expenses and does not go directly to vendors. It said comments from the Governor's Division of Emergency Management (GDEM) that it is waiting for federal funds before it can pay bus operators and others are wrong.

### Nay, nay says FEMA

"Somehow the bus companies, the press

and congressional representatives are getting incorrect information from (the Governor's Division of Emergency Management) staff," wrote Kathy Woodard, group supervisor for FEMA in Texas.

"The FEMA PA program is a reimbursement program, which means that FEMA reimburses the eligible applicant (the Governor's Division of Emergency Management) for eligible disaster-related costs."

She said the same erroneous information is being told to vendors who were involved in setting up and operating shelters for people who were removed from communities that were in the path of the two hurricanes.

Woodward said FEMA has a process in place to approve reimbursement payments to the state within seven days of receiving the necessary paperwork and it remains committed to assist the state in its disaster recovery and will continue to do so in a timely manner.

"We acknowledge that 2008 was a very busy disaster year for Texas, but we do not want to see undue delays or negative perceptions from the bus companies or the shelters that assisted the state when requested," she added.

### Texas is disaster fundless

Castle said the state money that will be used to pay for Gustav became available after Gov. Perry worked with Lt. Gov. David Dewhurst and Speaker of the House Tom Craddick, who co-chair the budget board.

She emphasized that had the state set up a disaster fund, as was proposed by the governor a year ago, the money for the hurricane rescue work probably would have been available much sooner.

"The governor asked for it during the last session but it was turned down," she said. "He has been adamant about having a relief fund and will be asking again that it be set up when legislators go back in session (this month)."

Meantime, a new sore point has developed over Texas' billing procedures.

Operators report they have received e-mails from the state asking that they reduce the amount of their bills.

Shields, who received one of the e-mails, said the message he received told him he had miscalculated his charges and the amount

would be reduced by about \$17,000 to account for the error. However, he insists the bill was correct and in line with the contract he signed with the state.

"I called the state and told them their figures were not what my contract called for and they said it didn't matter and they were going to pay me the reduced amount anyway," he said. "They just can't do that."

### Texas doubles trouble

Bill Austin of Buses by Bill in Dallas, who also received one of the e-mails, said he was told to trim his bill by \$8,000. "It was an arduous task (preparing the vouchers) to begin with. Back and forth. Need this additional information. Very time consuming," he said.

He said he has contacted a state legislator and asked that he help arrange a meeting with representatives of the Governor's Division of Emergency Management so he can discuss the differences face-to-face with them in an effort to resolve the problem.

Austin indicated his billing problem may stem, in part, from a state-hired vendor that supplied three of his buses with bad fuel that plugged fuel filters on his vehicles, causing two of them to break down.

The effort to reduce the bills of operators came as a surprise to Castle, who said she had not heard about it. She said she notified the state's director of homeland security who promised to look into it.

"That just doesn't seem right, unless, of course, an audit questioned something that was not correct," she noted.

Auditors have been reviewing the line items of each bill and have been asking operators to send additional information before their bills are approved for payment.

The entire debacle over the payments has raised concerns among state officials who have been hearing that many operators won't be responding the next time the state needs a large number of buses for an emergency evacuation.

"We hope the drivers who say they won't come back to Texas will reconsider. Those that were here this past (storm) season were real heroes. They actually saved lives by evacuating our residents from harm's way. The governor has said numerous times that we appreciate their sacrifices," said Castle.

## CARB rules

CONTINUED FROM PAGE 3

The CARB rule, which was pushed by environmentalists, will impact hundreds of thousands of trucks and buses because it not only covers vehicles registered in California, but also those that travel into the state from other states, Canada and Mexico.

### Diligence pays

Seal said CARB bought into the NOx exemption for motorcoaches after he discovered that the board was using flawed numbers to calculate the impact of coaches on the overall emissions problem facing California.

"I went through 400 pages of data and discovered that they increased the number of buses projected to be in operation in California in 2014 at 16,900, and that's just out of the question," he noted.

Seal said the CARB calculations were based on a projected increase of coaches each year of 10 percent, rather than a more realistic 1.75 percent, which resulted in the inventory of buses and the emission projections being overstated by almost three times.

"We were very lucky on this one," he added.

Trucking companies also fought the rule, stressing that enacting it during bad economic times could force many businesses into bankruptcy.

Environmentalists, health officials and others, however, argued that the rule will help control increases in respiratory and other pollution-related ailments and reduce health care costs by billions of dollars.

Seal cautioned that the motorcoach industry will have to keep a close watch on CARB to make sure it does not attempt to modify terms of the compromise or the rule.

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## From construction to coaches, Robert Conner of Texas dies

HOUSTON, Texas — Robert G. Conner, a successful former home builder who joined his son and wife in the motorcoach industry at Sierra Stage Coaches here in 1986, has died after losing a fight to a rare blood disorder. He was 82.

Mr. Conner joined the U.S. Navy during World War II and served in the Pacific Theater until he was discharged in 1946.

He returned to Houston and attended the University of Houston where he graduated in 1949. He began his career as a home builder in Houston in 1951. His building and real estate development career lasted four decades.

In 1986, Mr. Conner went to work at Sierra Stage Coaches, a company his son, Robert, and wife, A.C. Marie Conner, had founded in 1982. He was Sierra's operations manager.

In 1998, Mr. Conner formed Gulf Charters and joined the Trailways Transportation System, operating under the name Gulf Trailways based in Fort Meyers, Fla. He operated the company for five

years before the downturn in the Florida economy after 9/11 forced him to close. He moved his five buses to Houston and they were incorporated into the Sierra fleet.

At that point, Mr. Conner resumed his duties as operations manager of Sierra, which had joined the Trailways system in 1995. He continued to be active in the company until his death last month. He attended UMA Motorcoach Expo in San Francisco a year ago.

Mr. Conner's home-building and real estate background gave him unique insight into the operations of a bus company, both being tough, thin-margin businesses.

Mr. Conner was an avid yachtsman, building three sailboats and owning 35 boats during his lifetime, and held a commercial airplane pilot's license.

Besides his son, Mr. Conner is survived by a grandson and granddaughter.

A memorial has been established in Mr. Conner's name at St. Luke's Episcopal Hospital, 6720 Bertner Ave., Houston, Texas 77030.

## Founder of Holiday Tours in N.C. dies

LEVEL CROSS, N.C. — Dwight E. Thompson, co-founder with his wife Nancy, of Holiday Tours/Holiday Companies of Randleman, N.C., died last month of a pulmonary embolism and pancreatic cancer. He was 73.

The Thompsons established Holiday Tours in 1978, just prior to deregulation of the bus industry, meaning he spent upwards of a year satisfying the bureaucratic requirements of the 1970s to get the company started.

He quickly became part of the movement to expand operating authority beyond the clutches of the regular-route carriers of the day, and was an active part of the new wave of operators in the 1980s that brought bus touring to a boarder customer base.

Mr. Thompson developed his battling instincts from having served 14 years in the U.S. Navy.

He enlisted during the Korean War and served a dozen years on a variety of ships, ranging from aircraft carriers, to destroyers, to nuclear frigates, before being severely injured in an at-sea refueling operation in the North Atlantic.

He spent nearly 23 months in a naval hospital, recovering from skull and back injuries. He was eventually forced to retire from the Navy because of disabilities resulting from his injuries.

He worked to build Holiday Tours for 18 years before suffering a heart attack in 1996. He recovered, returned to work on a limited basis, retiring three years ago this month.

Today, Holiday Tours/Holiday Companies is one of the south's leading motorcoach companies with a fleet of 60+ buses. It was No. 34 on the 2008 Metro Magazine Motorcoach Top 50 list. The company, which is headed by Mr. Thompson's stepson, David R. Brown, is also a member of IMG.

Besides his stepson, Mr. Thompson is survived by his widow, Nancy Rayle Brown Thompson.

Memorials in Mr. Thompson's name have been established with Hospice and Palliative Care of Greensboro, 2500 Summit Ave., Greensboro, NC 27405, and Level Cross Baptist Church Building Fund, 10169 U.S. Highway 220 Business North, Randleman, NC 27317.

## Flying J in bankruptcy, stops remain open

ODGEN, Utah — Truck stop chain Flying J Inc. has filed for Chapter 11 bankruptcy reorganization, "to address near-term liquidity needs brought about by the precipitous decline in oil prices coupled with the disruption in the

credit markets."

The company said all of its approximately 250 travel plazas and fuel stops will remain open, and that it plans to continue normal business operations as it moves through the reorganization process.

The filing includes Flying J and its Big West refining and Longhorn Pipeline subsidiaries only. No other subsidiaries or affiliates, including its Canadian operations, are included, the company said.



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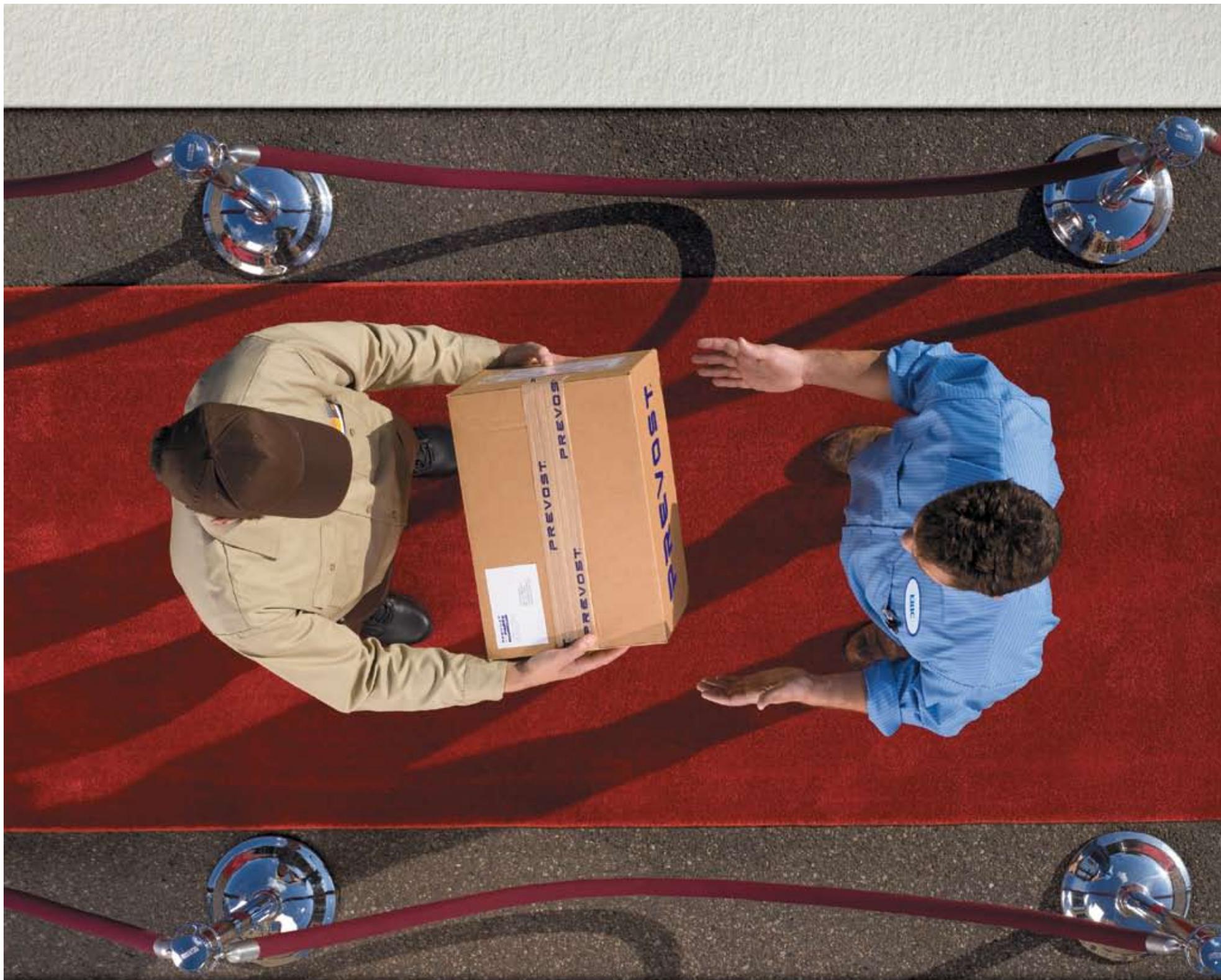
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## Deadline nears for Tourism Cares grants; April project set

CANTON, Mass. — The initial deadline this year for organizations to apply for grant funding through the Tourism Cares Worldwide Grant Program is Jan. 30.

Under the program, Tourism Cares provides money to “worthy tourism-related nonprofit organizations” for capital improvements or educational programs.

Grant recipients must be clas-

sified as non-profit, tax-exempt organizations under section 501(c)(3) of the U.S. Internal Revenue Code, or the equivalent in the case of non-U.S. organizations.

To date, Tourism Cares has given money to 120 organizations in 37 states and 25 countries, including a dozen national parks. The grants, when combined with matching funds, total nearly \$2 million.

A Grant Letter of Inquiry Packet must be submitted by Jan. 30.

Meanwhile, in April, Tourism Cares will embark on its seventh annual Tourism Cares for America clean-up/fix-up project at Spangler Farm in Gettysburg, Pa. This battleground is one of the most significant sites in U.S. military history, producing the largest number of casualties in the Civil War.

Sitting on 80 acres in rural Pennsylvania, Spangler Farm was used as a field hospital for thousands of wounded soldiers during the Battle of Gettysburg. The farm also was the site of the death of Confederate General Lewis Armistead, who led the climactic event of the three-day battle — Pickett’s Charge. Today, the property is one of the last field hospi-

tals kept intact as it was in 1863.

Volunteers will be involved in painting, replacing fencing, demolishing modern structures, clearing brush and much more. The Tourism Cares for Gettysburg event will be April 16-18.

To get involved with the Spangler Farm project or to obtain information about the grants program, go to [www.tourismcares.org](http://www.tourismcares.org).

## New rules for int’l travelers now in effect

WASHINGTON — Motorcoach companies that regularly handle foreign tour groups should double check to make sure their customers are prepared to meet the tough new rules for international visitors coming to the United States from three dozen nations.

Travelers visiting the U.S. from the 34 nations that are part of the Visa Waiver Program now face enhanced security requirements through the U.S. Department of Homeland Security’s electronic system for travel authorization program.

The initiative became effective in the middle of January.

Travelers from the Visa Waiver Program countries need to complete an online travel authorization form and receive advanced approval prior to coming to the U.S.

Department of Homeland Security officials review the information and either approve or deny the passenger’s entry.

The form, which asks for the same biographical information typically provided via the I-94W paper form that guests have previously filled out upon arrival at a U.S. port of entry, should be submitted as far in advance as possible to allow proper review and response time.

Each electronic system for travel authorization is valid for two years and allows visitors unlimited travel to the United States during that period.

Approval will not be granted to travelers holding a passport that expires within six months of when they use the electronic system for travel authorization.

Fact sheets with more information on the initiative have been prepared in the following nine languages: English, Spanish, French, German, Japanese, Italian, Dutch, Swedish and Portuguese.

Go to [www.dhs.gov](http://www.dhs.gov) and search Visa Waiver Program.

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# Bus hit, driver falls out of seat, bus crashes: Lawsuit

FORT LAUDERDALE, Fla. — A tour guide who says she was seriously injured when the motorcoach she was riding in crashed — because the driver fell out of his seat as a result of not wearing a seatbelt — has sued.

Ingrid Kerbler filed the suit late last year in Broward County Circuit Court here, saying the coach driver,

Gustavo Ordunez, lost control of his bus when he fell out of his seat after the coach was hit by an auto on Interstate 595.

The driverless coach crossed the median and into oncoming traffic before hitting a concrete barrier.

According to Kerbler's attorney, she was removed from the bus by

the Jaws of Life and was one of 32 people transported to hospitals with serious injuries. The accident occurred in January of last year.

"Ordunez' failure to wear his seatbelt led to his losing control of the bus he was operating, causing it to crash into a concrete barrier which resulted in multiple injuries to our clients and many other pas-

sengers on that bus," said attorney Diana Santa Maria.

According to the suit, the coach was owned by Salud Services Inc., doing business as Endeavor Bus Lines of Miami.

Kerbler was hired to familiarize tourists — from a cruise aboard Holland America's ms Maasdam — with South Florida sights on the

way to a day tour of the Everglades.

En route to the Everglades, a Mustang driven by Omar Abu-Jabir hit the bus, according to a police report. The suit alleges that bus driver Ordunez was thrown from his seat because he wasn't wearing his seatbelt and the coach went out of control because it was driverless.

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## Lawsuits settle in Texas crash

VICTORIA, Texas — In an unusual development, victims of a bus crash near here early last year have settled their lawsuits against the driver, owners and managers of the coach companies, which investigators found were operating illegally in this country.

Dozens of passengers were seriously injured in the Jan. 2, 2008, crash that took the life of one passenger.

The \$10 million in insurance held by the bus companies involved was divvied up among the victims. Forty-four of the 47 passengers on the coach filed injury claims.

The accident occurred at 4 a. m. as the bus was traveling from Monterrey, Mexico, through Victoria and toward Houston. Investigators say the driver fell asleep, awoke, over-corrected, causing the coach to overturn.

"We hired a mediator, who evaluated the value of each person's claim if it were to go to court," said Jim Cole, a plaintiff attorney. "Everyone recovered a percentage. ... I just think it's a shame the bus companies didn't maintain financial responsibility for all the losses. No one received full compensation."

In the suits, Houston-based Capricorn Bus Lines, International Charter Services and Transportes Chavez were charged, in part, with failing to properly screen, test and qualify drivers — as well as allowing drivers to operate a bus while fatigued. The companies had a long list of citations before the crash.

Capricorn Bus Lines leased its buses to International Charter Service, which can legally cross state lines and into Mexico.

A federal investigation revealed what is thought to be an illegal scheme to move non-U.S. complaint, Mexican-made buses into Texas. (See Nov. 1 *Bus & Motorcoach News*.) The bus that crashed should not have been operating in Texas because it was not built to U.S. federal safety standards, according to the National Transportation Safety Board.

# A few 'borrowed' ideas for resisting the recession

By Dave Millhouser

What if we gave a recession and no one came?

One prominent radio personality says we should deal with economic downturns by simply not participating.

Easy to say.

For years, our industry was relatively immune to bad times. Folks had to get places and we were the most economical way to go. Hungry people devolved from restaurants to McDonald's, and travelers traded down from airplanes to buses.

Beginning with deregulation in 1980, the game changed. The percentage of business that came from charters and tours (and, therefore, was more exposed to economic cycles) skyrocketed. During the same period, regular-route service stagnated, struggling to compete with dramatically lower airfares and the automobile.

Several paragraphs to tell you something you already knew: These days, we're no longer different from everyone else. Times are tough.

One bright spot is that bad

times offer opportunity. Anyone can succeed during a boom. But a downturn weeds out weak players and tends to reward innovation. The survivors thrive when things get better.

Sticking with my tradition of stealing other folks' ideas, this seems a good time to let you know what some operators are doing.

Curbside carriers have, for several years, done OK operating discounted express service, and some charter carriers have been tempted to have a run at it. Low overhead and high load factors have made some profitable. You can make money in regular route but you can lose it too. Nothing swallows cash like grinding down the highway, guzzling diesel, with eight discounted passengers.

If you're in a town where regular-route service might make sense, give some thought to who you'll compete with. One company responded to the last recession by starting a line that competed with an 800-pound gorilla that had, until then, been friendly. A conversation would have prevented disaster and the gorilla might have offered alternatives that made everybody

happy.

If competition is manageable, and you're convinced that lots of people want to travel this route, plan to lose money at first. More importantly, establish some sort of drop-dead numbers. How much money are you willing to lose before this thing turns a profit? The big guys do this.

Some routes work, some don't, and there are often surprises. Be honest with yourself about the difference between a budget and a bottomless pit.

A key to success in this service is constant attention. Know how you're doing — on a daily basis. The budget has to allow for operating trips with few passengers, so that clientele can trust you.

This is HARD. Don't, for a minute, imagine operators are making tons of money without huge effort and risk.

One friend says he's now pursuing more contract business. He acknowledges the margins are thin, but he keeps his equipment and valued employees working.

In addition to the financial benefits, he's refining his workforce. For most of the industry, the

driver shortage is over, and now's the time to weed out weak links in your operation. Doing what it takes to hold the good ones is key to thriving when the recession is over.

The same guy is working at "yield management" — a clever way of saying he's trying to maximize his rates when coaches are in short supply, and determine what makes sense during slow times.

Many operators are working hard at lowering costs. This facet requires leadership as well as intellect. One of the guys I respect most sold his sports car. He needs his staff to make sacrifices, and feels he can't ask them to give up more than he is. The Chevy works fine and his people work as if they are all in it together.

Some companies use drivers as sales people. When times are slow, they turn them loose to seek new business, paying a commission, and letting them drive the trip. Good drivers ARE salespeople, why not use that skill?

In some states, operators eliminate overhead by pulling license plates off coaches during slow periods and cutting insurance. Others

make an effort to lease coaches to companies in regions that are either avoiding the recession, or experiencing seasonal upturns.

Several folks I spoke to said business wasn't that bad, but they were scaling back capital commitments in expectation of a slowdown.

Not a bad idea but you'll want to be sure that the decisions you make to survive these bad times don't cripple your chances for growth when things get better.

There are a lot of ideas out there; these were all I could steal for this column. Why not eliminate me as the middle man, and talk to other operators about what they're doing? One way to do that is to be active in trade associations, and maybe (he said shamelessly) attend the UMA Motorcoach Expo.

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



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# Expert: Reduce costs by examining maintenance



Louis Hotard

STERLING, Va — Motorcoach companies looking to reduce costs and improve operations should consider examining their maintenance operations.

That's the advice of long-time industry expert Louis Hotard, director of technical services at ABC Companies, who says new products and technologies can produce valuable savings.

Speaking at the fifth annual United Motorcoach Association Safety Management Seminar, he singled out tires, oil filters and computerized maintenance programs as good places to start.

Hotard said tasks as simple as making sure all of the tires on a coach are properly inflated before it leaves the garage can produce almost immediate positive results. Failing to do so, he stressed, will almost certainly lead to costly breakdowns, driver fatigue, increased fuel consumption, a negative image of the company and other problems.

"The last thing you want is a tire guy parked alongside the highway next to your coach with your billboard on it," he asserted.

Although compressed air can keep tires pumped up to the right pressure, he said large amounts of it seep through the stems and sidewalls, increasing the possibility of coaches running with under-inflated tires.

A possible solution, he suggested, is nitrogen, which is beginning to get some use on commercial vehicles. He said it has the potential of being a very good replacement because it reduces the loss of tire pressure by as much as six times and it stems costly wheel corrosion because it creates less moisture.

Despite the upside, Hotard cautioned that nitrogen is not readily available and it may be some time before it becomes widely available.

"But if you don't do anything else to your tires, keep them properly inflated," he emphasized.

Hotard said bypass oil filters also are beginning to show up on commercial vehicles, and using them will double the life of engine oil so oil changes can be extended to 30,000 miles rather than the usual 15,000.

"Oil cleanliness is subject to maintenance and most operators don't need more maintenance," he noted.

Computerized maintenance programs also produce savings by tracking everything from wear and tear on engine parts, to bad driver

habits that can speed up maintenance needs and result in extra garage time.

The tracking of engine and other vehicle components offers major savings because operators will be able to tell how long the parts are lasting and if a different

brand of parts might be needed.

"It can help you weed out bad parts and help you decide if you should make a change in your vendor," he said.

Hotard noted that while the benefits of computerized maintenance programs are almost end-

less, they are not plug-and-play and require extensive data entry at the outset and regular updating.

"It's like garbage in, garbage out," he said, "If you don't put anything into it, then you won't get anything out of it."

Motorcoach executives attend-

ing the seminar were given a certificate of continuing education from UMA.

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# Bus operators get caught in N.Y. budget craziness

ALBANY, N.Y. — A proposed tax on bus ticket sales and the potential lifting of a cap on diesel fuel taxes in New York has broad implications for all other states, say New York bus executives.

Gov. David Paterson rolled out an executive budget for the fiscal year that begins April 1, which would impose a wide range of exotic new levies, including the ticket sales tax.

Although the ticket levy wouldn't go into effect until June 1, it would be retroactive for tickets sold but not yet used.

One operator estimates it would have to pay \$250,000 in additional taxes for advance tickets already sold and to be used later this year, reports John Silvanie, president of the Bus Association of New York State and head of White Plains Bus Co.

The state estimates the ticket tax would bring in \$14 million in new revenue.

The lifting of the cap on fuel excise taxes is expected to bring in \$90 million in new revenue, based on an average the state has formulated.

New York is running a \$15 billion budget deficit.

Silvanie and BANY counsel Jerry Kremer see the developments in New York as a potential national time bomb.

"This is a national problem," says Silvanie. States are facing budgetary shortfalls throughout the country, and when a large state, like New York, makes such budgetary

decisions, smaller states often follow suit, he notes.

"As New York goes, so go a lot of other states," adds Kremer.

"What they should be doing is getting people on buses, not discouraging them from getting on buses," says Silvanie. "All of these taxes are regressive. They are the opposite of what is good policy. We'll have to raise what we charge to customers, and when it becomes so expensive that people think they can do it themselves, drive themselves, it's going to increase congestion."

Adds Kremer: "The state refuses to rec-

## BANY battles

CONTINUED FROM PAGE 1

to conduct a mini-marketplace where vendors can gain access to members and to raise dollars for the association.

As part of its campaign, the association wants to double membership this year and again in 2010. The goal is to have each member bring in a member in 2009 and again in 2010.

Through direct mailings, e-mails, personal connections and other communication devices, the 71-year-old association plans to increase membership from its current level of about 30, says President John Silvanie, who heads White Plains Bus Co.

The association was originally set up to

recognize that our bus operators are the environment's best friend, not only because we reduce the amount of automobile traffic but because we also make major investments in fuel-saving vehicles.

"We take these assaults on our industry very seriously and are prepared to do battle in 2009 and 2010," Kremer says.

"What gets lost in this discussion is that for every 50-passenger bus, 12-14 cars are taken off the road. Making the burden greater on our industry is just crazy," asserts Kremer.

"They're scratching for money," says

serve regular-route carriers. Its bylaws were rewritten early last year to open membership up to charter-and-tour operators, companies with commercial bus operations, shuttle companies and para-transit operators.

The board of directors also has been redesigned to bring more diverse voices to the table, including Ken Presley, United Motorcoach Association's vice president of industry relations, and UMA's chairman, Godfrey LeBron. LeBron is BANY's secretary and is co-owner of Paradise Trailways in Hicksville.

"We believe this infusion of new blood onto the board of directors will bring a wealth of new ideas and new programs which will help drive the membership process," says Silvanie.

For years, the association has focused

Kremer of some of the new taxes included in Paterson's budget proposal. "There's a 14 percent tax increase on sweetened beverages, not diet. There's a lot of exotic stuff in there."

But, he adds, "that's what a smart budget staff does. I ran a fiscal committee, so I know. People stay up nights looking for ways to tax." Kremer was a state assembly member for 23 years, and assembly ways and means committee chair for 12 years.

"We're going to do an across-the-state mobilization of members. We have a lot of (companies), we have a lot of employees, we have a lot of customers," says Kremer.

much of its attention on the New York State Department of Transportation operating assistance program, which is vital to regular-route carriers. The program, called the State Transit Operating Assistance Program, reimburses bus companies based upon revenue passengers and revenue miles. The fundamental issue each year was the level of assistance the state would provide.

Now, the issue has become more critical. This year's executive budget looks at the possibility of reducing the program significantly.

The overarching mission of BANY today is to promote and protect its members through advocacy in Albany and New York City, preventing bad legislation and regulations, and promoting good legislation and regulations.

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# Va. transit agency tries new way to skirt charter rule

RICHMOND, Va. — A northern Virginia transit agency has come under fire from the motorcoach industry for having one of its subsidiaries obtain a state operating permit that will allow it to provide charter service in three different sections of the state.

Coach industry opponents of the move say Virginia Regional Transit of Purcellville is attempting to skirt the new charter service rule that was adopted last year by the Federal Transit Administration.

“We have concluded the issue is very clear, VRT is doing its best to circumvent the revised charter service rule,” said Ken Presley, vice president of the United Motorcoach Association. “Is this how the community that supports VRT wants its resources dedicated, harming private taxpaying businesses that employ dozens in their community?”

His comments were echoed by Scott Merriman of Scenic America in Bealeton, Va., who warned the precedent could lead to other transit agencies in the state following VRT’s lead and creating their own subsidiaries and beginning to compete for charter work with private carriers. “I think they’ve opened a real Pandora’s Box here,” he said.

Presley and Merriman both said the situation is likely to lead to the filing of a charter service rule violation complaint with the FTA.

The federal rule strictly limits the types of charters that public transit agencies are allowed to do and requires that before they can accept a charter, they first must offer it to private carriers that have asked to be notified.

At issue is a decision last month by the state Department of Motor Vehicles, granting VRT subsidiary Virginia Rides an operating certificate to provide charter service in Loudon and Culpepper counties and in the city of Staunton. Loudon is a northern suburb of the District of Columbia, while Culpepper is about 100 miles from the capital and Staunton is 200 miles away.

Virginia Rides said at a hearing conducted by the state DMV that it plans to offer low-cost and short-duration trips of about one hour to social service groups, private schools, youth organizations and agencies that provide transportation for the homeless and the elderly. Officials from the two counties and the city joined the company at the hearing and testified that there was a need for such service.

The request was opposed by the Virginia Motorcoach Association and 16 of its members who argued

that granting of the license would take away business and put them at a disadvantage because they fund their own operations and are not subsidized by federal transit grants.

“Virginia Rides indicates they only wish to afford charter transportation to human service organizations. The revised charter service regulation provides ample caveats

for this service. The plain-and-simple truth is VRT wants to be in the charter business and this is its version of circumventing the rule,” emphasized Presley.

The company asserted at the hearing that although federally subsidized VRT is its parent company, it is a separate entity and does

CONTINUED ON PAGE 19 ►

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## Transit cooperation

CONTINUED FROM PAGE 1

was pointed out that the official notifications of charter work they presented to private companies contained proposed fares in violation of the charter rule.

He said Paducah (Ky.) Area Transit and city officials in Lodi, Calif., immediately revised their notices and re-published them without listing the fare information.

"I was mistaken in including that information for those types of notices," acknowledged Lew Jetton of Paducah Area Transit. "In the future, I will leave it off the charter notices."

Presley suggested that listing an expected fare in a charter notice — likely much lower than what actually would be charged — could keep some private operators from bidding for

the work.

"We just do not want the private charter operators to be discouraged or create unrealistic expectations," he said. The FTA also says it has seen a gradual shift toward cooperation as well.

Although specific statistics are not available, federal regulators say there has been a noticeable drop in the number of questions and advisory opinions they are getting from both transit agencies and private charter companies.

"Things are slowing down all the way around," observed Linda Lasley, assistant chief counsel at the FTA. "It looks like we're getting into the calm where they're starting to say that the rule isn't so bad after all."

Meantime, private operators say they're even getting some help from transit officials, including advice and other information about

charters the transit agencies were doing before the rule took effect. Also, some private operators are subcontracting a portion of the new work to transit agencies.

Randy Ingram of Premier Coach in Knoxville, Tenn., said officials of the Knoxville Transit Authority were helpful to him after he won a contract to handle shuttles for a major conference on the campus of the University of Tennessee in August.

"They were very cooperative," he said. "In the past it was a job that they would have done but they stepped aside and we did the work."

The contract involved the use of six coaches to shuttle hundreds of people during the five days of meetings.

Ingram said he expects to get even more charters from the transit agency because it had been doing a substantial amount of trans-

portation work for the university and most of those jobs are likely to be offered to private bus companies in the future.

And John Miller, president of Miller Transportation in Louisville, Ky., took cooperation a step further when he landed a contract to operate shuttles for several major sporting events, including the Kentucky Derby and the Indianapolis 500.

He shared some of the specialty shuttle work he was unable to handle with transit agencies, which in the past had been doing all of the work. Despite the move toward cooperation, not everyone has gotten the message, and the FTA has responded forcibly.

Acting on concerns raised by private charter carriers, the FTA in October found that two public transit agencies were operating charters in violation of the charter service rule and ordered both to stop the operations.

## Operator wins

CONTINUED FROM PAGE 1

"We lost a substantial amount of money by not being able to do the shuttle," said Jim Galusha, president of Silverado.

The dispute centered on the buses and support staff that the Pasadena Tournament of Roses Association said it needed for the shuttle. The association said it wanted 50 two-door transit-type buses that could accommodate seated and standing passengers, were wheelchair and disability accessible, and were "clean air" operated. In addition, it said at least five supervisors would be needed to manage the shuttle operation.

Galusha, who was the only private operator to respond to the notification of the charter issued by Foothill, said he could provide enough buses for the work, but he could not guarantee they would be two-door transit buses, that all them would have wheelchair or disability access, and that they all would be "clean air" buses.

The association, after exchanging a series of e-mails about the operation, eventually said the price proposed by Galusha was out of line with other bus companies and it could not hire the carrier.

Galusha asked for the rates that were being used to compare his price and how much the association wanted to pay, but

never heard from the association again.

Foothill, in its complaint to the FTA, accused Silverado of bad-faith negotiations because it could not meet the conditions requested by the association and that it offered a rate that was not commercially reasonable. Silverado denied the claims, maintaining that the FTA regulations do not require a private motorcoach operator to meet all of the requests of a potential customer and that its rates were reasonable.

In its ruling, the FTA said Silverado's actions did not constitute bad faith under the federal charter service rule and that transit agencies are not allowed to perform a charter job based strictly on the fact that a carrier

could not provide all of the specialized equipment requested by the customer.

The FTA has consistently ruled that a bus, is a bus, is a bus. And that transit agencies cannot issue charter notices that specify the type of bus or buses that will be needed.

Galusha was pleased by the ruling and hopes it will help other carriers in similar disputes with transit agencies attempting to take away charter work from the private sector.

"Hopefully my commitment to spend the money to defend mine and other private motorcoach operator rights will help deter transit agencies from pursuing this complaint tactic in the future," he said.

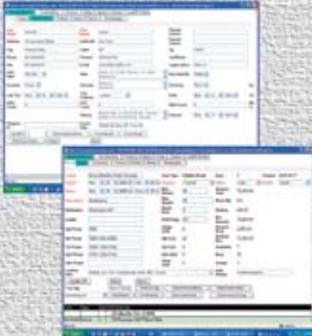


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## Virginia transit

CONTINUED FROM PAGE 17

not share in any VRT government grants. Instead, it claimed it was financed by VRT with a \$10,000 loan that originated from local and other nonfederal revenue sources and that it pays VRT an annual \$16,000 management fee. It also maintained that it has its own buses, parking, offices, phones, bank account and financing arrangements.

Hearing Officer Terrence Deanes ruled that because there was no evidence that the private operators were not now providing the service sought by Virginia Rides, there was no basis to conclude that granting the certificate would be unfair or cause them financial harm.

"I was shocked, disappointed and dissatisfied with the ruling, which shows that the hearing officer and the DMV are uneducated and clueless about the federal charter rule," said Merriman. "To allow a nonprofit to do charters makes zero sense to me."

He said VRT had been doing charters for many years but was prevented from continuing to do so when the new charter rule was issued. Instead of giving up and moving on, he said the transit agency created Virginia Rides so it could remain in the charter business.

"Now, when you call VRT with a charter job, they say they can't do it, but that Virginia Rides can and they give them their telephone number," he noted.

Merriman said he receives charter notices from transit agencies throughout the state every week but has never gotten one from VRT.

"There are so many transits playing by the rules, but what if the people change and they look at the VRT model and then start in the charter business," he added. "My problem is that the DMV has opened the opportunity for every publicly funded transit agency in the state to create its own charter service and go head-to-head with me."

He said he will pursue the issue with the FTA and probably will file a formal complaint on his own. At the same time, the state association plans to get together soon to discuss what it might do also.

Added Presley: "Federal and state lawmakers and regulators simply cannot anticipate every possibility but it is difficult to see how this will not eventually culminate in a charter service complaint. UMA is prepared to protect our members' rights."

## Bendix buys VORAD radar system from Eaton Corp.

CLEVELAND, Ohio — Commercial vehicle parts and components maker Eaton Corp. announced it has sold its VORAD, or vehicle on-board radar, system to Bendix Commercial Vehicle Systems. Terms were not disclosed.

The Eaton VORAD anti-collision warning system is standard equipment on all BCI Falcon motorcoaches.

The driver warning system uses Doppler

radar to sense when vehicles get too close to a VORAD-equipped bus. It also will alert the driver if the coach is veering into traffic in another lane, and can track the position and movement of up to 20 vehicles at a time.

With the Eaton VORAD system drivers have more time to assess and correct dangerous situations. The unit's radar also is able to alert the driver to traffic that he or she may not be

able to see due to fog or other bad weather.

Eaton said its Roadranger division has entered into an agreement with Bendix to continue to market and support the VORAD system in the North American market.

During last year's fourth quarter, Bendix announced it was acquiring SmarTire Systems, the Canadian manufacturer of tire pressure monitoring systems used on motorcoaches.

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Prevost

CONTINUED FROM PAGE 1

reliable coach, providing years of productive service,” Wiltgen added.

The Volvo 9700 will be distributed by Prevost via its U.S. and Canadian sales organization and supported by the Prevost service network.

It will be equipped with the Volvo D13 engine, and becomes the first North American coach to use Volvo’s second-generation I-shift, a 12-speed semi-automatic transmission. It also has a Carrier-Sutrak A/C system, multiplex architecture, dual alternators, electronic stability program, and engine compartment fire suppression system.

But it is other — more typically Volvo — features that helped the 9700 catch the eye of the bus journalists who named it Europe’s top coach.

For example, it has a “front under-run protection system” that prevents an auto or pick-up truck that crashes into a Volvo 9700 from becoming wedged under the bus, improving the survival chances and reducing the injury risks of passengers in the smaller vehicle.



The '09 Prevost H3-45 is available with a new independent suspension.

The system also absorbs much of the smaller vehicle’s crash energy, lessening the force of the impact.

The 9700 also offers “front-impact protection” and “knee-impact protection,” a system that absorbs and diverts impact forces in the event of a front collision. Fundamentally, it’s designed to reduce the risk of injury to a bus driver’s knees and legs in a crash.

And, the U.S.-Canadian 9700 will come standard with 54 Amaya seats equipped with both armrests and three-point seatbelts.

Beyond that, the journalists

said the 9700 is a “travelers coach,” “a superb vehicle to drive,” and “built to do a job professionally for a full life.”

The 9700 has 400 cubic feet of under-floor luggage space, roughly 10 percent less than a Prevost H3-45, and a gross vehicle weight rating of more than 49,000 pounds, or about 4,000 pounds less than a standard 56-seat Prevost H3-45.

While the 9700 will be featured at the Prevost stand at Motorcoach Expo, sharing the spotlight will be the revamped H-model Prevost.

# It’s celebration season at Turbo Images in '09

ORLANDO, Fla. — Among companies marking an anniversary in 2009 — and kicking off their celebration at UMA Motorcoach Expo here this month — is Quebec-based Turbo Images.

This year marks the 15th year in business for Turbo Images.

In 1994, owner Pier Veilleux says he had a vision to develop a company that would design images that move, strike and provoke the eye.

Since then, Turbo Images has since become a dominant force in the fleet graphic identification industry, helping bus and other transportation companies across Canada and the U.S. brand their vehicles and fleets in creative and dynamic ways.

In doing so, Turbo Images has not only contributed to raising bus industry graphic standards but has added a new dimension of marketing through fleet identification, says Veilleux.

But, he notes, “our success has not come on its own. The precious support and collaboration of thriv-

ing partners, like coach and trailer manufacturers, suppliers, various industry associations and magazines, our dedicated Turbo team members, and our many wonderful and loyal customers have all played an important role in Turbo Images’ recognition and good standing in the industry.”

“Our goal is to always strive for greater innovation in production technology and design creation,” says Veilleux. “Our commitment extends to building long-term relationships with our customers through personalized fleet graphic solutions, helping them maintain a clean and distinctive corporate identity,” he adds.

Turbo Images counts among its key bus industry clients such stalwarts as ABC Companies, Daimler Buses North America, Greyhound Lines, Motor Coach Industries, and Pacific Western Transportation, plus numerous smaller and valued clients.

Visit the company at UMA Motorcoach Expo or go to [www.turbo-images.com](http://www.turbo-images.com).

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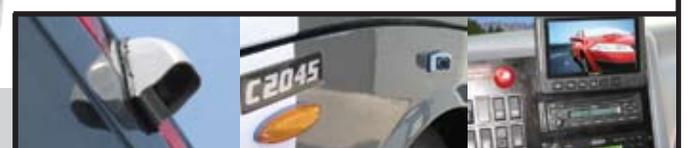


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## March of Dimes

CONTINUED FROM PAGE 3

oped for motorcoach operators, called Miles for Babies, will allow UMA members to give back to their communities by donating 10 cents for every mile driven in a single day. The hope is to include employees, vendors and clients in the endeavor, driving up the amount of money raised.

The Miles for Babies campaign, which is targeted for kick off in September, will be officially unveiled at UMA Motorcoach Expo next month in Orlando.

The March of Dimes will have a booth, where attendees can pick up packets, which will include decals that marries the UMA and March of Dimes logos. Operators can place the decals on their buses and use the logo for local advertising.

A fill-in-the-blanks press release will be included in the package, which operators can complete and send to local media. Also, the March of Dimes' websites can be linked with operators' sites.

"The nice thing about this is that the operator gets to take advantage of the expertise of the pro-

motions department at March of Dimes," says Presley.

"It's a grassroots day. It's exciting and it's new and it's different," says Lucas.

"The Miles for Babies concept will lead a small industry to a lot of exposure," says LeBron. He wants to see clients, vendors, employees all get behind it. "You might have a bus cleaner donate \$5 for one day."

While the amount is not central to the project, he has hopes that the industry could raise close to \$1 million. "It's about generating a lot of excitement. We want to see the

community involved. If we do it that way, I would hope that we could get (\$1 million)," says LeBron.

"There are two goals in this: Help a worthwhile charity; and allow the operator a venue for better connecting with his community," says Presley. "What we're doing is aligning the individual and the UMA members with a national charity for a really and truthfully yearlong promotion that culminates into two events.

"The genesis of this was to cast the companies in a favorable light. (March of Dimes' structure of local chapters) gives operators an opportunity to really connect with community and political leaders," adds Presley.

The relationship with UMA operators and the charity was solidified last year when LeBron donated a bus that was configured with studios where babies' stories could be gathered in a cross-country tour. Called Every Baby Has a Story, it was aligned with the March of Dimes' Prematurity Awareness Month, which is an attempt to educate families to the risks of birth defects because of premature births.

The goal for Every Baby Has a Story, according to LeBron, was to tell the stories of healthy babies as well as babies who were ill. Farmers Insurance donated two story pods.

"It's such a problem in this country," says Lucas of premature births.

In the U.S., one in eight babies is born prematurely. That translates into 540,000 babies who are born each year after less than 37 weeks of gestation. It's the leading cause of death in the first month, costs \$26 billion in health-care expenditures, and premature births can cause blindness, deafness and mental retardation.

The impetus for the partnership between the charity and UMA was that there was a perception, "that we weren't part of the community," says LeBron.

"The beauty was we were able to take a small industry and put it with some heavy hitters," says LeBron. "What can our industry do to get a national charity... You've got to be very careful; you don't want to offend anybody. Who has a problem with babies? No one.

"So, we thought it was a pretty good fit. We wanted something

## Calendar

### JANUARY 2009

**19-21 IMG Maintenance & Safety Forum**, Hilton Grand Vacations Club at SeaWorld International Center, Orlando, Fla. Info: Go to [www.imgcoach.com](http://www.imgcoach.com).

**19-21 Southeastern Regional Meeting of Motorcoach Operators**, Orlando, Fla. Info: Call (434) 376-1150.

**21 UMA State Association Summit**, Peabody Orlando. Info: Go to [www.motorcoachexpo.com](http://www.motorcoachexpo.com), or call (800) 424-8282.

**21-25 UMA Motorcoach Expo**, Orlando, Fla. Info: Go to [www.motorcoachexpo.com](http://www.motorcoachexpo.com).

**23-28 National School Transportation Association Midwinter Meeting**, Orlando, Fla. Info: [www.yellowbuses.org](http://www.yellowbuses.org).

### FEBRUARY 2009

**2-5 Tennessee Motor Coach Association 2009 Convention & Marketplace**, Music Road Hotel, Pigeon Forge, Tenn. Info: Go to [www.tnmca.net](http://www.tnmca.net), or call (423) 288-8622.

**15-18 North Carolina Motorcoach Association Annual Meeting**, Hotel Roanoke, Roanoke, Va. Info: Go to [www.ncmotorcoach.org](http://www.ncmotorcoach.org), or call (336) 495-4970.

### MARCH 2009

**1-4 Trailways Transportation System 2009 Conference and Meeting**, Hyatt Regency Hill Country Resort & Spa, San Antonio, Texas. Info: Go to [www.trailways.com](http://www.trailways.com), or call (703) 691-3052.

that was inclusive. March of Dimes is a unique organization — it's chapter driven."

The 70-year-old charity has 230 community offices across the country, says Lucas.

Lucas is intrigued by the multi-generational aspect of motorcoach businesses across the country. "Our mission is in great alignment with this industry, with families and babies and multigenerational operators. We really would like to get a compelling cause platform that all (UMA) members can participate in."

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# WiFi on motorcoaches is beginning to hit the road

PORTLAND, Ore — Introducing a new product to the motorcoach industry can be particularly challenging.

First, motorcoach operators must be made aware of the product, then sold on the idea it would be smart business to put in on their buses, and ultimately convinced the product is near bulletproof, meaning it will be reliable in all kinds of adverse situations, require little maintenance and be relatively easy and inexpensive to repair when it inevitably fails.

Often, those are nearly impossible hurdles to clear, especially those related to initial price and long-run costs.

That is what companies pushing a relatively new internet technology known as WiFi are currently finding. WiFi is a synonym for wireless internet. It essentially allows computer — and an increasing number of cell phone — users to connect to the internet at locations away from office and home.

Today, the industry is becoming educated about the availability and capability of WiFi on motorcoaches. “The stuff exists (but many operators) don’t realize it’s out there,” says Rob Taylo, CEO of WiFi in Motion, a Portland-based company that specializes in WiFi products for buses, recreational vehicles and boats.

WiFi in Motion is a new exhibitor at UMA Motorcoach Expo 2009 in Orlando. “We create the highway to allow the (internet) traffic,” says Taylo.

Upfront capital is one of the main issues in getting the equipment on the road, acknowledges Taylo, because companies can’t budget for something when they don’t know it exists. “The upfront equipment cost can be a challenge for operators.”

WiFi In Motion partners with a decade-old Swedish company, Icomera, for its technology. Icomera units can be found on coaches across Europe, including double-decker buses in London.

“Europe is a little bit ahead of the curve in this,” says Taylo.

WiFi In Motion’s premium unit, called the Moovbox, costs about \$1,600 a bus, and uses cellular access. It can handle extreme temperatures and allows for GPS use and multiple WiFi users. Its other capabilities include e-ticketing, integration with onboard security systems and automated overhead paging. Multi-unit discounts are available.

Service for the cellular air cards that connect the motorcoach to WiFi run \$60 a month per card. The Moovbox system uses two cards, one of which can simultaneously support 16 laptops online. The other card is dedicated to the other features.

A more basic product, the WiFi Lite System, is only for WiFi and is not equipped to handle extreme temperatures. It runs about \$900 per bus. It also can handle 16 users.

Installation, typically done by the client’s maintenance shop, takes about an hour and a half.

Taylo says there are options for helping cover costs. One is having a “splash page,” which comes up when the user connects his laptop to the system. The splash page can have advertising on it. Also, an ad-

ditional charge can be placed on the rental of buses equipped with WiFi.

The ability to offer WiFi on buses can be a powerful marketing tool, says Taylo.

“The idea of connecting fleets to the Internet requires a leap into the market,” he says. “It requires forward-thinking, early-adoption, safety methodology, or a demanding client to drive the idea.”



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