

Bus & Motorcoach NEWS

WHAT'S GOING ON IN THE BUS INDUSTRY

Coach sales slip in '09, business slide takes toll

Sales of new motorcoaches in the U.S. and Canada fell to their lowest level of the decade last year, the result of reduced coach buying that began in the fourth quarter of 2008 and continued throughout 2009.

Still, the severity of the sales slump was less pronounced during the final quarter of last year when new-coach purchases were roughly 8 percent lower than the fourth quarter of '08.

The four previous quarters saw sales declines of 15, 17, 29 and 23 percent.

A total of 1,654 new over-the-road buses were sold in 2009, down from 2,017 in 2008, and 2,173 in 2007, according to figures compiled by *National Bus Trader* magazine.

In 2006, 2,381 new coaches were sold; in 2005, new-coach deliveries totaled 2,058, and in 2004, sales fell to 1,668 new coaches, or 14 more than last year.

But, as *National Bus Trader* Editor Larry Plachno noted, there

was a trend throughout 2009 of an amelioration of the rate of sales decline.

In the final three months of 2009, new-coach deliveries totaled 418 units. That compares to final-quarter 2008 sales of 456 coaches and fourth-quarter 2007 sales of 591 new coaches. The decade's best fourth quarter was in 2006 when 760 new coaches were sold.

The sales picture for the final quarter of last year was very much a mixed bag.

Conversion shell sales remained at a historically low level but were up slightly from the three previous quarters.

Sales into Canada, which had been fairly strong throughout most the year as a result of buying by Greyhound, Coach Canada and others, declined substantially in the fourth quarter.

Public-sector sales in the fourth quarter also were down slightly from the year-earlier period.

That means, according to

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UMA asks support for charter rule

ALEXANDRIA, Va. — The United Motorcoach Association is asking its members — and other coach operators — to write to a U.S. senator whose actions have undercut the less-than-two-year-old federal charter service rule.

Sen. Patty Murray, a Democrat from Washington state, inserted a provision in the U.S. Department of Transportation appropriations bill that exempts King County Metro Transit of Seattle from the charter rule that the transit agency agreed to abide by when it accepted federal funds. (See January issue of *Bus &*

Motorcoach News.)

Under the charter rule, which was negotiated jointly over several months by representatives of public transit systems and private bus companies, transit agencies supported by federal tax dollars are not allowed to operate shuttles if a private carrier is available and capable of performing the work.

The charter-rule exemption Murray afforded King County Metro — the only transit authority in the nation exempted — means taxpayer dollars will be used to provide parking lot shuttle services for Seattle

Mariners baseball games, Seattle Seahawks football games, and other Seattle-area sporting and public events.

"In effect, taxpayer dollars are being used to underwrite pro sports," said Ken Presley, vice president of industry relations for UMA.

"Not only are taxpayer dollars being abused, but the loss of work for Washington state private bus companies will impact the \$140 million in total annual revenues they generate and the \$14 million in business and occupation taxes they contribute

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Feds push safety plan, ban texting

WASHINGTON — Federal transportation safety regulators have wasted little time moving ahead with their heightened effort to bolster commercial vehicle safety.

Just a month after announcing a sweeping safety plan aimed at the motorcoach industry, the U.S. Department of Transportation moved forward with a key element of the program: text messaging.

Acting on reports that driver dis-

traction is an important cause of many commercial vehicle accidents, the USDOT ordered a ban on texting while commercial bus and truck drivers are operating their vehicles.

"We want the drivers of big rigs and buses and those who share the roads with them to be safe," said Transportation Secretary Ray LaHood.

"This is an important safety step and we will be taking more to

eliminate the threat of distracted driving."

The order, issued in late January, took immediate effect. Violators can face civil and criminal penalties of up to \$2,750.

The Federal Motor Carrier Safety Administration said the ban will prevent unsafe activity by drivers.

"We want to make it crystal clear to operators and their employers that

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Newest big-coach supplier, BCI, confronts challenges

JENNINGS, Kan. — With less than four years in the motorcoach market, Bus and Coach International is still the new kid on the block. But to solidify its position as a new-coach supplier, it has positioned itself as an innovator, bringing new systems and features to its buses and the industry.

Soon after it introduced itself and its Chinese-built BCI Falcon 45 coach to the industry at the 2007 United Motorcoach Association Expo in New Orleans, BCI began doing things many of the major builders were just thinking about.

It made passenger seatbelts, anti-collision radar and adaptive cruise control standard equipment on all of its coaches, and it strengthened the roofs of its buses so they

met tough European standards for rollovers.

It also made leather passenger seats and adjustable ergonomic driver seats standard as well, and it cut a deal with national auto parts giant NAPA so the most frequently used parts could be purchased at many of its retail stores.

BCI has more in store for this year, but won't talk about it until this month's UMA Motorcoach Expo in Las Vegas, says Larry Brennan, executive vice president.

"We won't talk about other innovations coming out this year because the company wants to generate some interest at the Expo booth, and we think more people will stop by if we hold off on announcing everything before the show," he said.

Last in a series

He did acknowledge, however, that an upgraded 2010 Falcon 45, powered by an international MaxxForce engine and Caterpillar transmission, will be on display at the show.

The 13-liter MaxxForce built by Navistar is the only engine that will be offered in 2010 that does not use selective catalytic reduction, or SCR, technology to reduce nitrogen oxide emissions. Instead, it uses an upgraded exhaust gas recirculation system, or EGR technology, to cut pollutants.

The SCR system, which uses urea-based diesel exhaust fluid to reduce emissions, requires installation of a storage tank and an injection system, as well as extra piping and

after treatment equipment. Instead of using urea, the EGR method reduces emissions by allowing exhaust gas to enter the intake manifold where it dilutes the air and fuel mixture.

"The MaxxForce does not use urea, which is consistent with our philosophy of reducing operating costs," noted Brennan.

Thinking savings

He said the Caterpillar CX31 transmission used in the Falcon 45 is optimized for

CONTINUED ON PAGE 24 ►



Larry Brennan

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Fullington wins intrastate case

FMCSA sides with operator

WASHINGTON — States do not have the right to regulate some motorcoach line runs that serve interstate passengers even though the buses never leave the state, the Federal Motor Carrier Safety Administration has ruled.

Acting on a petition filed by Fullington Trailways of Clearfield, Pa., the agency said federal regulations trump state authority when a significant number of passengers who ride the buses are headed for other states.

The decision will affect the handful of states — most notably Colorado and Nevada — that continue to maintain schedule- and rate-setting authority over such scheduled services, according to Richard P. Schweitzer, a transportation attorney who handled the case for Fullington.

“It will have a definite impact on those states that still try to regulate the fares and routes of those types of scheduled services,” he said.

Milt Weisman of Fullington

said he was pleased with the decision that favored his company, especially after having to wait years for a decision.

“It’s a big win, not just for Fullington, but for the entire bus industry,” he said.

The case dates back to 2007, when Fullington dropped a line run between State College and Harrisburg, Pa. Some regular riders complained about it to the Pennsylvania Public Utilities Commission, which regulates passenger transportation in the state.

The commission promptly issued an emergency order requiring the company to continue operating the College Station route. However, it said it was not clear if it had the authority to rule on the complaint from the riders and, instead, directed Fullington to take the case to the FMCSA.

Fullington responded by adding College Station to a second line run that it operates between Lewis and Harrisburg and then petitioned the FMCSA for a definitive decision.

Schweitzer argued before the agency that the route should be considered an interstate route and

be under federal jurisdiction because at least 40 percent of the passengers travel to the Harrisburg Transportation Center where they transfer to trains or other buses that take them out of Pennsylvania.

“Although Fullington’s State College-Lewiston-Harrisburg route does not cross state lines, federal law provides that passengers along this route may be engaged in interstate transportation if their origin or destination is out of state,” the FMCSA said. “We conclude that Fullington has provided ample evidence of through-ticketing and actual interstate movements to conclude that it conducts interstate transportation on this route.”

The FMCSA also rejected claims by some of the regular passengers that the three-city route actually is a special operation or a commuter operation, either of which would place them under the authority of the state rather than the federal government.

“Their definitions were kind of grey areas,” noted Schweitzer.

The United Motorcoach Association was among those that filed comments with the FMCSA in support of Fullington’s position.

California operator alleges passenger pirating by rival

SAN LUIS OBISPO, Calif. — A motorcoach company here has filed suit against a rival carrier that reportedly pirated hundreds of its customers from bus stops as they waited to be transported to football games in San Francisco.

Silverado Stages Inc. named El Camino Trailways, as well as its sister marketing firm Accellar and the San Francisco 49er professional football team as defendants in the California Superior Court action.

The lawsuit, which seeks \$200,000 general damages and unspecified punitive damages from each of the defendants, came after El Camino and Accellar owner Kumar Shah apparently ignored an order by the California Public Utilities Commission to stop marketing and operating the shuttles because it was not properly licensed to provide that type of service.

Shah did not return telephone calls seeking comment on the suit.

Silverado has for two years operated a game-day charter service from several communities south of San Francisco to Candlestick Park where the 49ers play their games.

The company sells advance tickets for the service, but also picks up as many as 150 walk-up cash customers at the 20 stops along the six routes it covers.

The routes are similar to those that public transit agencies operated for a number of years before they had to give them up because of the federal charter service rule that gives private operators the first opportunity to handle charters.

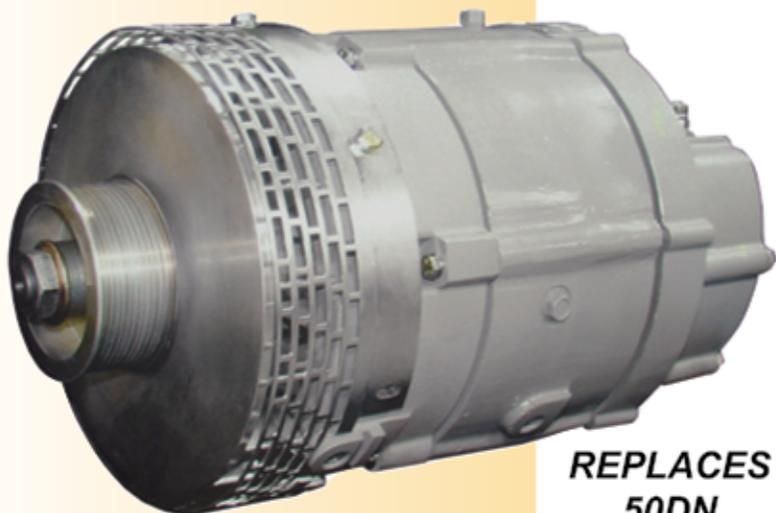
According to the suit and a complaint filed with the PUC by Silverado owner Jim Galusha, El Camino this past football season began running buses along some of the routes just ahead of the Silverado coaches and picked up the cash customers who were waiting at the stops.

“Minutes before we got there, they took on the cash-paying customers right off the curb,” he said.

He contends El Camino drivers told customers that their company now was operating the service for people who had not purchased advance tickets from Silverado and it would be doing it for all 49er home

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THE DOCKET

Obama seeks \$78 billion for Transportation Dept.

WASHINGTON — The U.S. Department of Transportation would receive an additional \$2 billion in fiscal 2011 if Congress approves the budget proposal made by President Obama.

Under the Obama spending plan, USDOT would be allocated \$78.8 billion for the year, an increase of roughly 2 percent from fiscal 2010.

Among the programs included in the administration's request would be \$4 billion for the creation of an infrastructure bank.

U.S. Transportation Secretary Ray LaHood said the infrastructure bank would provide "grants and loans for innovative multi-modal projects," fulfilling a pledge made by Obama as a candidate.

The president's budget also

reiterates the administration's request for a continued delay in reauthorizing the giant federal highway and public transportation bill. (See related article on Page 5.)

In the area of safety, LaHood pointed out the budget requested:

- \$50 million to help states curb distracted driving.
- New money to hire 118 additional bus and truck safety inspectors for the Federal Motor Carrier Safety Administration.

The budget also proposed new funding guidelines for major transit projects undertaken by the Federal Transit Administration.

The new guidelines would be based on livability issues, such as economic development opportunities and environmental benefits, in addition to cost and commuting-time savings.

Rules for vans come home to roost

WASHINGTON — U.S. safety regulators have extended the application of Federal Motor Carrier Safety Regulations to commercially operated 9-15 passenger vans regardless of the distance the vans are operated.

When the Federal Motor Safety Administration applied federal safety regulations to 15-passenger vans in 2003, the rules only applied to companies that operated their vans beyond a 75-air-mile radius from where the van driver normally reported to work. (See Sept. 1, 2003, *Bus & Motorcoach News*.)

The amended rule now makes Federal Motor Carrier Safety Regulations applicable to commercial passenger vans even when they are operated within a 75 air-mile radius (equal to 86.3 statute miles) from the driver's normal work-reporting location.

When the rules were established in 2003, they were primarily

aimed at commercial vans being operated along the border with Mexico. Such vans, called camionetas, are frequently used to transport workers from south of the border to jobs in the U.S., both in border-area commercial zones and further inland.

The rules adopted in 2003 meant that operators of commercial 9-15 passenger vans had to begin complying with many of the same rules that operators of 55-passenger motorcoaches. The only exceptions were the CDL requirement for drivers and controlled-substance and alcohol-testing regulations.

The van operators became subject to compliance reviews and have been assigned safety ratings. They also had to comply with regulations that require:

- Drivers to obtain a medical examiners certificate.
- Drivers to record their duty

status in a daily log each work day.

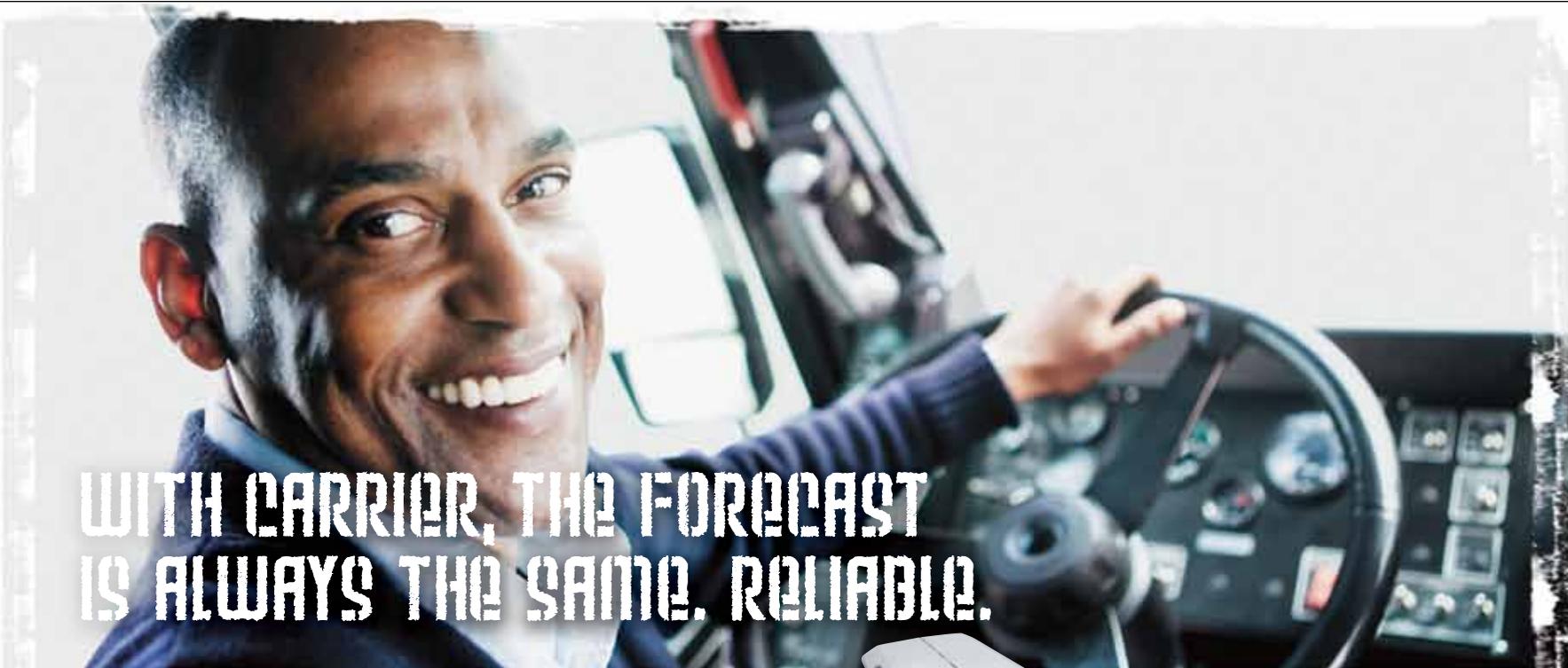
- Operators to create driver qualification files.
- Affected motor carriers to maintain records of inspection, repair and maintenance.

The amended rule still does not make the commercial driver's license and controlled substances and alcohol testing requirements applicable to small passenger-carrying commercial vehicle operators.

The passenger-carrying threshold for a CDL and controlled substances and alcohol testing requirements remains at 16 passengers (including the driver).

The amended rule becomes effective May 3, and carriers must be in compliance no later than June 1.

For more information, contact Loretta Bitner in the Office of Enforcement at the FMCSA. Call (202) 385-2428, or e-mail loretta.bitner@dot.gov.



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LaHood expects highway/transit funding bill by year end

WASHINGTON — U.S. Transportation Secretary Ray LaHood expects the Obama administration and Congress to complete the delayed highway and public transit funding bill before the end of the year.

Others aren't so sure.

The legislation authorizing federal long-term transportation spending expired in September. Since then, Congress has passed a series of short-term extensions. The program currently has funding through late February.

The Obama administration in June asked for an 18-month delay in reauthorizing the surface transportation program.

"President Obama wants a robust, comprehensive transportation bill that meets the needs of America," LaHood said at a meeting here. "The problem is that bill costs between \$400 billion and \$500 billion."

LaHood has repeatedly said the administration opposes raising

fuel taxes to cover spending in a new bill.

"We want to work with Congress... to find the money to pay for it," LaHood said. "We will get there; I believe we will get there this year."

A number of Washington observers aren't so sanguine. They

note that no one has come up with a plan — for funding the massive highway bill — that holds a promise of making it through Congress.

Now there's a new potentially complicating factor, the impact of President Obama's proposed three-year freeze on government spending, beginning next year.

Industry and government officials are unsure how the freeze might affect transportation spending and the chances for a new highway bill.

"We're hearing lots of different messages," said an executive with one construction industry trade association, adding that it was "al-

most a moot question without an answer to what are they going to do about the Highway Trust Fund."

The Congressional Budget Office projects that by year-end, the highway fund would have only \$3 billion remaining, or about one month of spending during the peak construction season.

Study group proposes axe for N.J. tax

TRENTON, N.J. — The transition team for New Jersey's new governor, Chris Christie, has recommended the governor consider advocating the repeal of "the corporate tax on out-of-state tourism bus companies," long a sore point with motorcoach operators.

The recommendation was one of two made by the transition team in the area of tourism. The other seeks to enforce payment of the state hotel-motel occupancy fee.

While a recommendation by a transition team is a long way from actually repealing a tax in a cash-strapped state like New Jersey, at least someone thinks it's a good idea and an important issue.

The transition committee made a number of recommendations related to Atlantic City that should interest East Coast bus operators.

Among other things, it proposed:

- Making Atlantic and Pacific avenues one-way streets
- Bolstering police presence and cleaning up blight around the Boardwalk
- Upgrading the status of Atlantic City as a meeting and convention site
- Doing a better job of marketing Atlantic City
- Fast-tracking construction of the Atlantic City airport terminal expansion

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Federal Government Bans Texting for Commercial Drivers
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A texting ban for commercial motor vehicle (CMV) drivers is now in effect. In a notice that appeared in the Federal Register on January 27, 2010, the Federal Motor Carrier Safety Administration announced that CMV drivers are prohibited from retrieving, reading, preparing, or sending text messages through wireless electronic devices while driving.

The ban is applicable to all CMV drivers who are subject to the Federal Motor Carrier Safety Regulations.

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New I-95 span will have tolls

TRENTON, N.J. — A new toll bridge to carry Interstate 95 over the Delaware River will replace an existing toll-free span north of Philadelphia and west of Trenton.

The decision by the Delaware River Joint Toll Bridge Commission to erect a toll bridge means final design plans can proceed to replace the Scudder Falls Bridge that links Pennsylvania and New Jersey.

Built 50 years ago, the four-lane Scudder Falls crossing operates at what the federal government classifies as the worst level of service during peak travel periods, according to a statement issued by the commission.

In 2007, more than 58,000 vehicles crossed the bridge daily. The number is expected to rise to 77,500 by 2030.

Tolling the proposed six-lane replacement bridge is necessary because no state or federal funds are available to pay for a new span.

Of the 20 bridges the commission operates on the Delaware River, Scudder Falls is the most heavily-used. Seven of the 20 are tolled. Construction is expected to begin next year.

Higher speed adopted in Virginia

RICHMOND, Va. — The speed limit on many Virginia highways is rising to 70 mph, but the motorcoach and trucking industries are lukewarm to the increase that was pushed by new Virginia Gov. Bob McDonnell.

For the most part, Virginia's speed limit has been 65 mph on interstates.

Truckers preferred keeping the 65-mph limit because of fuel savings and reductions in greenhouse

gas emissions, said Dale Bennett, executive vice president the Virginia Trucking Association.

Many trucking outfits have governed their engines to run at 65 mph or slower.

Doug Douglas, a lobbyist for the Virginia Motorcoach Association, told a legislative committee the speed limit should remain at 65 mph for buses and motorcoaches because of their weight.

However, bills passed by both

house of the state General Assembly contain a blanket 70 mph provision.

A study last year by the Virginia Department of Transportation estimated it will cost the state \$1.9 million to implement the increase.

The bills adopted by legislators would allow the higher speeds on highways where traffic engineering studies have deemed it safe.

Gov. McDonnell called for the higher limit during his campaign.

Truckers advocate 65 mph top speed

ARLINGTON, Va. — The American Trucking Associations wants Congress to set the national speed limit — for all vehicles — at 65 mph to increase highway safety.

The proposal was included in a list of recommendations made by the nation's largest trucking association to the National Highway Traffic Safety Administration as it develops its 2010-2015 strategic plan.

Overall, the ATA wants NHTSA to focus on driver behavior as a top safety priority, including improving traffic safety through "safer driving speeds."

The ATA recommended rein-

stating a national maximum speed limit of 65 mph for all vehicles and electronically governing the speed of all class 7 and 8 trucks manufactured after 1992 to 65 mph or less.

ATA also recommended that states consider the use of speed limiters on the passenger vehicles of drivers with certain driving convictions.

In comments accompanying its recommendations, the ATA told NHTSA that distracted driving, speeding and aggressive driving are all dangerous behaviors, particularly as highway congestion worsens as a result of U.S.

freight volume growing faster than highway capacity.

Congestion is a major factor in highway safety, said the ATA, because it is particularly difficult for on-board safety systems to function properly at low speeds and in close-following conditions.

In addition to its recommendations, ATA also said that "in the future, NHTSA should ensure that all regulatory activities are harmonized with other government agencies so that they do not combine with other regulatory initiatives to create standards that are technologically infeasible or economically impractical."

Mich. ponders diesel tax hike

LANSING, Mich. — State lawmakers have proposed a 6-cent increase in the state's diesel fuel tax to help pay for road improvements.

Under the bills introduced in the state legislature, the state's 15-cent per gallon diesel tax would rise to 21 cents this year, a 40 percent increase. It would rise to 27 cents in 2013.

The state's 19-cent per gallon gasoline tax would increase to 23 cents this year under the proposal, and then 27 cents in 2013.

Oregon voters OK tax hikes

SALEM, Ore. — Voters in Oregon approved two ballot measures last month that will raise state income taxes on businesses and the wealthy.

The first proposal raises personal income tax rates for households with taxable income of more than \$250,000, the second raises minimum taxes on corporations and also the top bracket on corporate income.

Both take effect for the 2009 tax year.



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Are cellphone bans curbing crashes? Don't bet on it

Almost everybody agrees that driving while engrossed in a cellphone conversation or while text messaging is a really bad idea. Even folks who do it regularly know better.

But preventing people from doing it isn't easy.

And, surprise, a recently released study by the Highway Loss Data Institute and the Insurance Institute for Highway Safety, found there was no significant reduction in accident claims in states that have banned the use of handheld cellphones behind the wheel.

The study finding is the reverse of those studies that confirm what everybody expected, or believed they knew.

In New York state, for exam-

ple, the legislature forbade motorists to use handheld mobile phones while driving in November 2001. Driver phone use fell by an estimated 47 percent, the HLDI/IIHS study found.

Yet, while monthly collision claims in New York did show a decline after the ban, that drop had actually begun before the ban was enacted.

In California, a handheld cellphone ban became law in July 2008. But HLDI said "no notable change was apparent" because of the ban.

Likewise, Connecticut and Washington, D.C., didn't show a significant change in accident claims after their bans, or compared to other states that had no

cellphone bans.

Some in the safety community say the failure to see lower crash rates suggests stronger enforcement is needed. Others suggest the ban on holding a phone doesn't attack the real problem, which is the distraction of talking to someone who's not in the car.

The study's results could give ammunition to those who say that future legislation or regulation on distracted driving needs to have a broader focus than just holding a handset.

For example, the Governors Highway Safety Association recommends adopting bans on texting but holding off on cellphone bans because there's just "too much conflicting data."

Other highway safety experts worry that the study could cause people to downplay the need to curb cellphone use while driving.

The U.S. Department of Transportation, in a statement, said that "it is irresponsible to suggest that laws banning cellphone use while driving have zero effect on the number of crashes on our nation's roadways."

The USDOT points to a National Safety Council estimate that drivers talking on cellphones cause 1.4 million crashes a year, and driving while texting is responsible for a "minimum of 200,000 additional crashes" a year.

In New York state, a spokeswoman with the Department of Motor Vehicles said "distracted

driving contributes to one in five crashes." The effort to use laws and enforcement to change behavior is just beginning, she added.

But Adrian Lund, president of the Insurance Institute for Highway Safety, says the institute has pointed out for some time that even as cellphone use exploded over the years, highway accident rates haven't risen in parallel.

That surprises many because observations of drivers suggest that the risk that someone using a cellphone behind the wheel will get into an accident is about four times higher than the risk for someone not using a phone.

That risk, Lund says, is about the same whether the driver holds the phone or uses a hands-free setup.

More distractions are coming to automobile dashboards

LAS VEGAS — While the U.S. Secretary of Transportation and safety advocates wring their collective hands about the dangers of distracted driving, U.S. and foreign automakers and their high-tech partners are busy installing internet-connected computers in the front seats of new cars.

Companies ranging from computer chip-making giant Intel, to internet giant Google have turned their attention from the desktop to the dashboard, hoping to bring the power of the PC to the car.

They see both vast opportunity and money in working with automakers to create the next generation of high-tech dashboard devices.

At last month's Consumer Electronics Show here, these companies and others were demonstrating their newest creations, including 10-inch screens above the gearshift showing high-definition videos, 3-D maps and web pages.

The first wave of these "infotainment systems," as the tech and car industries call them, will hit the market this year.

While built-in navigation features were once costly options, the new systems are likely to be standard equipment in a wide range of cars before long.

They prevent drivers from watching video and using some other functions while the car is moving, but they can still pull up content as varied as restaurant reviews and the covers of music albums via touch screens.

Safety advocates say the companies behind these technologies are tone-deaf to mounting research showing the risks of distracted driving — and to a growing national debate about the use of mobile devices in all vehicles, including over-the-road buses, trucks and cars, and how to avoid the thousands of wrecks and injuries

this distraction causes each year.

"This is irresponsible at best and pernicious at worst," Nicholas A. Ashford, a professor of technology and policy at the Massachusetts Institute of Technology, said of the new efforts to marry cars and computers.

"Unfortunately and sadly, it is a continuation of the pursuit of profit over safety — for both drivers and pedestrians."

The high-tech and car companies say safety remains a priority. They note that they are building in or working on technology like voice commands and screens that can simultaneously show a map to the driver and a movie to a front-seat passenger.

"We are trying to make the driving experience one that is very engaging," said Jim Buczkowski, the director of global electrical and electronics systems engineering at Ford. "We also want to make sure it

is safer and safer. It is part of what our DNA will be going forward."

Ford's new MyFord system lets the driver adjust temperature settings or call a friend while the car is in motion, while its built-in web browser works only when the car is parked. Audi says it will similarly restrict access to complex and potentially distracting functions.

But in general, drivers will bear much of the responsibility for limiting their use of these devices.

A complex new dashboard console from Ford brings the auto firmly into the land of electronic gadgets. The 4.2-inch color screen to the left of the speedometer displays information about the car, like the fuel level, while a companion screen on the right shows things like the name of a cellphone caller or the title of the digital song file being played. An eight-inch touch screen tops the central console, displaying things like

control panels and, when the car is not moving, Web pages.

The system has Wi-Fi capability, two USB ports and a place to plug in a keyboard — in short, many of the features of a standard PC.

"Carmakers assume, as most consumers do, that most cars are alike in terms of line quality and safety, and all the old attributes," Art Spinella, an auto industry analyst with CNW Research, said. "Now the way to distinguish yourself is through higher tech."

But a researcher at the Virginia Tech Transportation Institute, says motorists face a much greater crash risk when looking at a screen, even if it is just a simple GPS map.

The longer a motorist looks away from the road, "the risk of crash or near crash goes up exponentially — not a linear increase, but exponentially," says the researcher.

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Bus & Motorcoach NEWS

ISSUE NO. 163

A PUBLICATION OF THE UNITED MOTORCOACH ASSOCIATION

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Support for cap-and-trade bill continues to weaken

WASHINGTON — Is cap-and-trade legislation slipping into limbo?

Earlier this month, President Barack Obama said for the first time that legislation that would require industries to pay for emissions of greenhouse gases may need to be separated from a more popular “green jobs” bill in the U.S. Senate, a maneuver that could kill what once had been one of the administration’s top policy priorities.

In response to a question about green jobs — those connected to renewable energy — and so-called cap-and-trade legislation, Obama said, “The only thing I would say about it is this: We may be able to separate these things out. And it’s possible that that’s where the Senate ends up.”

Previously, the Obama administration had refused to entertain in public the idea that lawmakers might have to split up the climate bill.

The shift by the president appears to be another sign the White House is rethinking strategy on big agenda items such as health care and climate legislation, after public dissatisfaction with its focus on those issues helped cost Democrats their filibuster-proof hold on the Senate last month.

The idea behind the cap-and-trade aspect of the climate bill is to create a market in permits that confer the right to emit greenhouse gases, which are believed to contribute to global warming. Businesses would be required to hold these permits, and over time the government would curtail the supply of permits to reduce the total amount of gases produced.

Isolating the cap-and-trade proposal would make it easier for

Democrats who oppose putting a price on greenhouse-gas emissions to set that part of the climate bill aside, and vote for the more popular jobs incentives now contained in the wide-ranging measure.

The climate bill in the Senate is opposed by legislators from both parties whose local economies rely on fossil fuels, and smokestack in-

dustries like steel mills and coal-fired utilities. These lawmakers worry a cap-and-trade system will burden these industries with new costs.

Additionally, there are new signs of resistance by some Democrats in the House to efforts to combat climate change.

Two senior House Democrats, Reps. Ike Skelton of Missouri,

chairman of the House Armed Services Committee, and Collin Peterson of Minnesota, chairman of the House Agriculture Committee, introduced legislation to prohibit the U.S. Environmental Protection Agency from regulating greenhouse-gas emissions under the Clean Air Act.

In a written statement, Skelton

called for setting aside legislation already passed by the House to cap greenhouse-gas emissions, and instead passing “scaled-back energy legislation” that could command greater support in both parties.

“We cannot tolerate turning over the regulation of greenhouse-gas emissions to unelected bureaucrats at EPA,” Skelton said.

Curbs wanted on oil speculation

WASHINGTON — A growing coalition of farmers, manufacturers, truckers and consumer groups is calling on Congress to more strictly regulate excessive oil speculation.

Crude oil was trading at \$42 a barrel a year ago but this month is over \$75, even though demand is weak, inventories are high and the dollar declined by only 8 percent relative to the Euro.

The Commodities Futures Trading Commission has issued a proposed rule to limit the number of oil futures contracts a trader can hold, but the commission only regulates commodities markets.

The coalition wants Congress to grant the CFTC authority to track oil trading done off the markets and to impose position limits.

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Cruise industry is expecting banner year

FORT LAUDERDALE, Fla. — Among the bright spots in the travel industry is the record number of people taking cruises, meaning increased business for many bus companies that operate cruise-connected charters or supply coaches to the cruise ship industry.

More than 13 million travelers took a cruise in 2009, the Cruise Lines

International Association estimates, and even more are expected this year.

The association said that despite a dismal year for the travel industry, its 25 member lines were able to fill their ships, carrying a record 13.445 million passengers.

It said average occupancy was 104.4 percent, with the average

length of cruise at 7.2 days.

The record numbers have been attributed in part to the arrival of new ships, according to *USA Today*.

Major lines are collectively spending \$6.5 billion this year to launch 12 new ships.

A surge in the number of non-American cruise passengers is also a contributing factor, with 23.5 per-

cent of the total boarding ships being international passengers. A decade ago, international passengers accounted for less than 10 percent of the total.

The cruise line associations forecasts that member lines will carry 14.3 million passengers this year, an increase of 6.4 percent over 2009.

Texting banned

CONTINUED FROM PAGE 1

texting while driving is the type of unsafe activity that these regulations are intended to prohibit," stressed FMCSA Administrator Anne Ferro.

Ferro is expected to repeat that message when she appears later this month at UMA Motorcoach Expo 2010 in Las Vegas.

According to FMCSA research, drivers who send and receive text messages take their eyes off the road for an average of 4.6 seconds — the time it takes for a vehicle traveling at 55 miles an hour to cover the length of a football field. The research also indicated that drivers who text while driving are about 20 times more likely to have an accident than non-distracted drivers.

Many motorcoach operators already have strict company policies that prohibit their drivers from texting, and insurance companies that write coverage for the motorcoach industry long have advised their clients to have such policies in place and to enforce them.

Still, some drivers apparently don't get it.

A driver running a recent charter from Oklahoma to Washington D.C., owned up to exchanging text messages with young people on the bus he was driving, maintaining he didn't believe there was any problem with it.

He was discovered after another passenger called the owner of the company when she returned home from the trip.

"There are some things — like don't come to work naked, or don't come to work drunk — that are so egregious that they should be understood by an adult," said the coach company owner. And texting certainly is one of them."

The operator promptly fired the driver.

He said his only regret was that firing the driver was the worst he could do to him. Whacking with a 2-by-4 was out of the question.

The ban on texting ordered by the USDOT initially was a recommendation of a special summit on distracted driving that was conducted in September and was incorporated into the sweeping Motorcoach Safety Action Plan the department released in December.

In addition to the text ban, the safety plan calls for measures ranging from mandatory seatbelts and electronic on-board recorders, to new roof standards for buses, to getting rogue bus companies off the road.

It was ordered by LaHood in response to a number of high-profile motorcoach accidents last year and in 2008, and frequent criticism the government was not doing enough to promote the safety of bus passengers.

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Coach sales

CONTINUED FROM PAGE 1

Plachno's analysis, purchases by private operators in the U.S. kept fourth-quarter sales from sinking as much as they had earlier in the year.

The fourth quarter is traditionally the best quarter of the year for new-coach sales, as private opera-

tors act to take advantage of tax incentives if they've had a decent year financially. While many operators did poorly last year, reducing their new-coach buying, others fared better and acquired new coaches. There also appears to have been a modest acceleration of buying to grab the last of the coaches with 2009 engines.

The three best-selling models in the fourth quarter of last year represented a market share of 48.3 percent, which was unusually low. Typically, the three most-popular models account for a market percentage in the mid-50s.

"This might tend to indicate a little more diversity in model selection," said Plachno.

The three-best selling coaches in the fourth quarter were the MCI J4500, the Prevost H3-45 and the MCI D4505.

The other coaches on Plachno's "hit parade" of the seven most-popular seated models were the Setra S 417, MCI D4500, Van Hool C2045 and the Van Hool TD925.

Plachno pointed out that eight

specific coach models posted higher sales in last year's fourth quarter than in the final three months of 2008.

Sales of imported coaches — Setras, Temsas and Van Hools — captured just over 25 percent of the market in the fourth quarter of last year, the highest percentage since the third quarter of 2008.

More than 96 percent of the coaches sold were 45-footers, with 2.2 percent either 40 or 41 feet, and seven (1.7 percent) were 35-foot Temsas.

Sales into Canada dropped to 4.8 percent of the total. That was down from 20 percent in the third quarter of last year and 17 percent in the second period. Typically, around 10 percent of new-coach purchases are by Canadians.

Plachno will have a complete report on '09 sales in a future issue of National Bus Trader. Contact him at lplachno@busmag.com.

Silverado suit

CONTINUED FROM PAGE 3

football games.

Silverado took the issue to the PUC, which issued a cease and desist order against El Camino, saying the company did not have the proper license to provide the service.

However, El Camino continued to operate the service for the final six games of the season and on some occasions even brought in buses from other companies to help, according to Galusha.

"Defendants intentionally infringed upon and slanderously informed passengers awaiting pick up by Silverado that Silverado buses were not picking up passengers," the suit charges.

"Furthermore, defendants' actions caused confusion and uncertainty amongst existing and prospective customers, all of which caused Silverado customers to be pre-empted from boarding plaintiff's buses."

The suit said El Camino's actions constituted unfair trade practices in violation of state laws governing unfair competition and unlawful business acts.

Galusha said the 49ers were included in the suit because it is believed the team initially invited El Camino to begin operating its services alongside Silverado.

"They never really wanted us to operate the service," he contends, adding the team discouraged him and other private operators from taking over the service when the transit agencies dropped it in response to the charter service rule that was adopted by the Federal Transit Agency.

Jim Mercurio, of the 49ers, said he could not comment on the suit.

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Wheelchair-lift grants available

WASHINGTON — The Federal Transit Administration has begun accepting applications from private bus operators for grants to help pay for installing wheelchair lifts in coaches.

The long-delayed 2009 federal Over-the-Road Bus Accessibility Program will award grants totaling \$10.7 million for fiscal 2009, which ended last September.

The amount being awarded is an increase from previous years largely because \$1.9 million in fiscal 2006 money that wasn't spent has been added to this year's base of \$8.8 million.

Prior-year totals averaged around \$7 million to \$7.5 million. Typically, around 100 operators end up receiving grants each year.

The grants awarded under the program usually range from \$25,000 to \$180,000, with most being less than \$40,000, or about

enough to pay for one lift on one coach.

Since the program originated early in this decade, roughly half the money each year has gone to large, fixed-route operators, notably Greyhound, which under federal rules must have 100 percent of its coaches wheelchair-lift equipped by the end of October 2012.

Line-run outfits with annual revenue of \$8.6 million or more must meet that requirement. Smaller and non-line-run operators have far less demanding accessibility mandates.

The money awarded through the grant program can be used to retrofit lifts, help offset the cost of a new lift-equipped coach, and pay for training.

Applications for the grant money must be submitted by April 15.

For details, go to www.fta.dot.gov/laws/leg_reg_86.html. Scroll

down to Over-the-Road Bus Accessibility Program Grants, click on one of the links at far right. Or, go to the FTA website, www.fta.dot.gov, click on "Legislation, Regulations & Guidance," and then on "Federal Register," and scroll down to Over-the-Road Bus Accessibility Program Grants and click on one of the links.

Grant applications can be mailed to the FTA regional office in the area where the operator is based, or sent electronically through the federal government grants Website: www.grants.gov.

For general program information, contact Blenda Younger, FTA Office of Program Management, at (202) 366-2053, or by e-mail at blenda.younger@dot.gov.

UMA members with questions can contact Ken Presley at (800) 424-8262, or by e-mail at kpresley@uma.org.

Deadline for intercity bus security grants is extended

WASHINGTON — The deadline to apply for a fiscal 2010 Intercity Bus Security Grant was extended by nearly a week.

The Department of Homeland

Security announced that because of a scheduled "service outage" of the federal grants website, www.grants.gov, earlier this month, the deadline for the security grant pro-

gram was extended to just before midnight Feb. 18, from Feb. 12.

Questions can be directed by e-mail to askcsid@dhs.gov, or by calling (800) 368-6498.

UMA campaign

CONTINUED FROM PAGE 1

annually," Presley added.

"For the most part, private bus companies do not receive public assistance and cannot compete with public transits that do. It is just that simple," continued Presley.

"While the exemption may mean subsidized shuttle rides for sports fans, what it really represents is a devastating loss of jobs, lost capital investment potential, lost tax revenue for the Seattle community, and the abuse of taxpayers' dollars. All in a day's work for Senator Murray.

"It is difficult to believe Senator Murray has any credibility with the unemployment problem when she has single-handedly demonstrated disregard for the (private bus) drivers," Presley noted.

"The city of Seattle and Washington state voters deserve better and should tell Senator Murray to reverse this harmful amendment; let team owners pay their own way and put these bus drivers back to work."

UMA hopes its members will contact Murray's office, and their urge friends in Washington state to do likewise, asking the senator to reverse the amendment.

One operator who quickly put

fingers to keyboard was Smedley W. Lynn, president of Atlantic Coach Trailways in Hagerstown, Md.

In a sharply worded letter to Murray, Lynn said he found Murray's work "offensive," and her action in attaching a "personal agenda item to a national bill" to be "unforgivable."

Lynn said her action justified his new voting resolve: "If you are in office, I will vote you out."

Presley wrote a letter to the editor of the Seattle Times, saying voters in Seattle and Washington state deserve better and should tell Sen. Murray "to reverse this harmful amendment."

Seattle residents have a history of rejecting taxpayer support for professional sports. Voters rejected proposals to use taxpayer money to help pay for a new arena for the Seattle SuperSonics basketball team.

The team moved out of Seattle two years ago, finding a new home in Oklahoma City.

Go to www.senate.gov to find information for contacting Murray's office. That website, plus www.house.gov, has contact information for all U.S. senators and representatives. UMA thinks it would be a good idea for members to contact their own representatives about the issue.

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Southern Trailways of Alabama expands Trailways reach

MONTGOMERY, Ala. — Capital Trailways of Alabama, which purchased its competitor, Southern Transportation Leasing, late last year, has renamed the acquired company Southern Trailways of Alabama and made it the newest member of the Trailways Transportation System.

Based near the Alabama-Georgia state line in Jackson's Gap, Ala., Southern Trailways brings a quarter century of experience and service expansion to both Trailways and its new parent company, Capital Trailways, which is based in Montgomery.

"We purchased a motorcoach company that has been serving central Alabama as a friendly Capital competitor for more than two

decades," said Frank Montgomery III, president of Capital Trailways.

"Southern has specialized for many years in high-end package tours for groups, and we are continuing to carry that tradition forward under the able management of Bill Tilton, former owner of... Southern Transportation Leasing."

Capital Trailways purchased Tilton's business and his fleet of eight Van Hool and Setra coaches.

Southern's offices and facilities in Jackson's Gap, Jonesborough, Tenn., and Auburn/Opelika, Ala., will remain in operation for the foreseeable future, Montgomery said.

With the combining of the two companies, Capital Trailways will open a new office in Columbus, Ga., to better serve the west Georgia market.

In addition to Southern Transportation Leasing, Tilton also owned a commercial vehicle towing and recovery service, which he

retained and continues to operate in addition to managing Southern Trailways.

Capital Trailways has been a member of the Trailways system since 1938, and for many years was a line-run carrier. It continues to offer some scheduled service but is primarily a charter services provider.

Anchor Trailways expands into Ky.

NASHVILLE, Tenn. — Anchor Trailways of Nashville has expanded its business to Paducah, Ky.

Anchor has established Anchor Trailways of Kentucky in Paducah, which is in the southwest corner of the state and about 140 miles northwest of Nashville. The new location will offer charters.

The parent company, Anchor Trailways of Nashville, provides scheduled route, motorcoach leasing and charter services.

Jared Stancil, Anchor vice president, said his company is in an expansion and location-and-service-diversification mode.

"We are providing charter services primarily for schools and universities at our Paducah satellite location," said Stancil. "Buyers include military and university clients, as well as church and senior citizen groups who travel to destinations like Nashville, Branson and St. Louis.

"Quilters are good for our business, too. Paducah is home to the American Quilters Society's annual show, and last year we moved 30,000 people around the city for various activities during its annual conference."

Anchor also is planning to add new scheduled route service later this year from Nashville to Florence, Ala., and from Nashville to Memphis, Tenn., by way of Union City, Tenn. Later this year, it will add service between Lawrenceburg and Memphis.

"We will be adding both staff and new equipment to our fleet this year," said Stancil. "We are definitely in a growth mode."



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Tips designed to simplify traveling to, from Canada

TORONTO — Crossing an international border can be problematic, especially if you're crossing the border with a bus load of passengers.

In recent months, the Ontario Motorcoach Association has received calls from coach operators grousing about the clearance process at the three Niagara border

crossings used by buses returning to Canada from the U.S.

The concerns included allegations of less-than-wonderful customer service on the part of some officers and that bus-passenger-clearance processes created long delays, inconveniencing passengers, particularly at the Queenston crossing.

OMCA officials took the complaints to Canada Border Services Agency management, who agreed to a meeting to hash out the issues.

To help operators, Motor Coach Canada, the national over-the-road bus association in Canada, has issued a new document containing tips for operators and drivers to minimize border-cross-

ing delays when entering or returning to Canada.

"Many of our members have complained about long delays clearing customs and immigration on their entry or return to Canada," said David Carroll, director of safety and maintenance for Motor Coach Canada.

"This document was created

after discussions with Canada Border Services Agency and is intended to minimize delays and assist CBSA officers in performing their duties more efficiently."

The document contains not only tips but also web addresses for checking — in real time — the delays at specific crossings, and sources for government documents that assist carriers to meet legal obligations.

"This document provides answers," said Brian Crow, president of Motor Coach Canada.

To obtain a copy of the document, Helpful Tips for Minimizing Border Crossing Delays, go to www.motorcoachcanada.com, click on "members," then "publications," then "manuals and guides," and then the document at the very bottom of the page. Questions should be directed to Carroll by e-mail at Dave@motorcoachcanada.com.

For details regarding OMCA's meeting with Canada Border Services Agency management, go to the OMCA website, www.omca.com, click on "media/government," then "news releases," and then OMCA Report Background January 22, 2010.

Meanwhile, Motor Coach Industries has compiled a series of tips for coaches traveling from the U.S. into British Columbia, site of the 2010 Winter Olympics. Many of the tips, which are excerpted below, are drawn from Motor Coach Canada materials.

British Columbia regulations.

Operators must be correctly licensed, with liability and workers compensation insurance in compliance with British Columbia regulations.

Information is available at www.th.gov.bc.ca/rpt, or check a link from the Naylor Publications "Tour & Travel Canada" site, courtesy Motor Coach Canada: www.nxtbook.com/nxtbooks/naylor/MTRG0008/#/8.

Hands-free operation. New regulations on both sides of the border make it illegal to use cellular devices without a hands-free unit, such as a Bluetooth device.

Background checks. Make sure drivers coming from outside of Canada can comply with Canadian customs and immigration regulations.

Biodiesel alert. Those fueling in British Columbia will find biodiesel, which can have a solvent effect, reducing fuel filter life. Operators, especially those with older coaches that don't normally run on biodiesel, should be prepared to change fuel filters more frequently.

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