

Bus & Motorcoach NEWS

WHAT'S GOING ON IN THE BUS INDUSTRY

UNITED MOTORCOACH ASSOCIATION

MOTORCOACH EXPO 2014



Industry cautioned about looming insurance issues

LOS ANGELES — A doubling of the minimum amount of liability insurance motorcoach operators are required to carry not only would result in a hefty hike in premiums, but also lead to a substantial increase in the amount of damages lawyers would seek in accident cases, warns a top motorcoach industry insurance executive.

And, he hinted that much of the additional money could end up in the pockets of “gun-slinger” lawyers.

Timothy D. Delaney, senior executive vice president at Lancer Insurance Co., told operators attending UMA Motorcoach Expo at Travel Exchange here last month that if the mandated insurance coverage is increased to \$10 million, from the current \$5 million, their annual premiums could jump by as

much as 60 percent.

Such an increase, he said, would add another \$150 million to the combined \$250 million motorcoach operators currently pay each year to insure their fleets.

The \$400 million total would roughly equate to an average insurance premium of \$10,000 for each of the 40,000 motorcoaches now on the nation’s highways, up from the current average of about \$6,250.

Delaney’s comments come as a closely watched study is being conducted by federal safety officials who are looking into insurance requirements in the ground transportation industry, and have mentioned the \$10 million figure as a possibility for motorcoaches.

Increasing the minimum liability coverage for commercial truckers

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Bus company manager headed to prison for records tampering

HARTFORD, Conn. — The manager of a New Britain, Conn.-based shuttle bus and motorcoach company has been sentenced to 14 months in prison, followed by three years of supervised release, for falsifying and destroying driver records.

Dariusz Szteborowski, 50, of Rocky Hill, Conn., pleaded guilty last year to violating Federal Motor Carrier Safety Regulations. (See May 1, 2013, *Bus & Motorcoach News*.)

Federal attorneys said Szteborowski scheduled drivers at Wisla Express for trips that exceeded federal hours-of-service rules and then had drivers falsify their logs. He later would destroy a paper trail he kept to assure drivers were being paid correctly.

In addition to the jail and su-

pervised release time, U.S. District Judge Alvin W. Thompson also ordered Szteborowski to pay a \$20,000 fine.

The maximum prison sentence Szteborowski could have received was five years and he could have been fined up to \$250,000.

Earlier this year, Wisla Express was sentenced to a five-year term of probation and ordered to pay a \$75,000 fine.

“Wisla Express drivers, at Mr. Szteborowski’s direction, routinely drove many more hours than allowed by federal transportation safety regulations,” said Deirdre M. Daly, U.S. attorney for Connecticut.

“Mr. Szteborowski then attempted to cover up these violations by submitting numerous false driver logs to federal regulators.

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Los Angeles connections

Whether at big events, like the Awards Dinner, above, or on the trade show floor in small groups, at right, attendees at UMA Motorcoach Expo 2014 made business connections at every turn. Additionally, at Expo education sessions they got smarter; at social activities they had fun, and at lunches they, they...made more connections. Coverage of the industry’s “Super Bowl” begins on Page 3.

Photos by David Braun Photography, Las Vegas (www.DavidBraun.com)



Coming in April 1 issue: New buses, new products at Expo 2014

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MOTORCOACH EXPO 2014

Exhibitors flock to Expo, new options for operators; 30th anniversary marked

LOS ANGELES — Thirty years ago, in the wake of bus industry deregulation, the United Bus Owners of America (now the United Motorcoach Association), created the industry's premier trade show, Motorcoach Expo.

Last month, the 30th-anniversary edition of Expo was conducted over five balmy days in Los Angeles, with a record number of industry vendors and hundreds of operators combining to produce what UMA President and CEO Victor Parra only half jokingly refers to as the "Super Bowl of the motorcoach industry."

Typically, 150-170 industry vendors, suppliers and service providers exhibit at Expo. This year there were 190, 39 of which were first-timers.

The No. 1 headline of the show "had to be the expansion of vendors," said Brian Annett of Annett Bus Lines in Sebring, Fla.

"We had more vendor booths on the UMA show floor than ever before. Increased booth numbers... is good news for operators as it brings new options when sourcing parts, services and vehicles.

"I know, as an operator, I want every row of the tradeshow floor to be packed full of options to improve my business; more vendors equal more options. Expo 2014 in L.A. provided a ton of options," added Annett.

Parra agreed. "Exhibit space was virtually sold out and that's a testament to the fact that Expo delivers the kind of quality buyers that suppliers have come to expect from us," he said.

"In Los Angeles, operators were able to see all of the established vendors they already do business with and, at the same time, meet new vendors and see new products and services, too."

He continued: "Many operations are finding that it's necessary to diversify their fleet and their offerings to meet consumer demand. At Expo, we help them meet that need. Along with the full-size coaches attendees traditionally come to see, we had a variety of other equipment on the floor this

year, like transit buses, midsize coaches, shuttle buses and vans."

"Operators really liked the diversity of equipment on the floor. That tells me that their business is evolving, with more attention being focused on contract work," which often requires a more diverse fleet, Parra added.

Expanded education

The other common comment Parra said he heard from operators at the show involved the topics covered during Expo's education sessions.

Operators said they were "right on the mark and very timely."

"Looking back over the past 30 years, including the 16 I've been at UMA, it's clear the industry has matured and changed significantly, and clearly for the better," said Parra.

"Operators are looking for more high-level education to help them take their business to the next level. This was evident by the fact the education sessions were packed, even the ones on the (show) floor.

"And, to meet this demand, we expanded our educational offerings and developed a whole new track of education sessions following the close of the exhibit floor (on Wednesday) — and the operators stayed for it.

"This is a marked change from when I first arrived when the only reason to come to Expo was the trade show floor," Parra said.

"Without question, operators are seeking solutions, not just in the new, better and more diverse equipment choices, but also are digging deeper to find new ways to expand their business and improve profitability."

Travel Exchange II

Expo 2014 marked the second time the UMA show has been located side by side with the annual convention of NTA, formerly the National Tour Association. The umbrella event is referred to as Travel Exchange.

The advantages of such an



Gene Wright of B&W Charters in Kalamazoo, Mich., at left, discusses tour-and-charter software with the team

from Relational Bus Systems. From left, Walter Buist, Laura Horvath and Bob Schecter.



The UMA 30th-anniversary cake waits to be cut on the Expo floor. In the background, UMA President and CEO Victor Parra discusses the show with Alan Castillo of

Indbus in Skopje, Macedonia. Indbus exports an oversized midsize bus to England, Europe and Australia. Information at www.indbus.eu.



Greg Lamberti of SuperSprings International in Carpinteria, Calif., a new Expo exhibitor, explains the com-

pany's suspension components to Gene Wordekemper of Arrow Stage Lines in Denver.

Industry faces busload of legislative, regulatory issues

LOS ANGELES — The motorcoach industry is going to have its hands full keeping up with the array of federal legislative and regulatory issues it faces this year.

“It’s the nanny state gone wild,” industry lobbyist Becky Weber told operators at a special update session at UMA Motorcoach Expo at Travel Exchange here last month.

She said key issues, ranging from possible tax increases to higher infrastructure spending to expanded transportation safety rules to the validity of third-party bus inspections, all bear close scrutiny by the industry.

Getting much of the attention currently is the development in Congress of a new federal highway and public transportation bill that will replace the expiring Moving Ahead for Progress in the 21st Century Act. MAP-21 was adopted by Congress 20 months ago after nearly two years of wrangling.

Although no bills to replace MAP-21 have been introduced in Congress yet, both House and Senate committee leaders say they hope to have bills in place well before the law expires Sept. 30.

Weber said a top priority is making certain the measure continues to protect the motorcoach industry from federally subsidized public school districts operating charters in competition with private carriers.

“We have to fight those all of the time,” she emphasized.

She said the motorcoach industry also will push for legislation to obtain the same federal fuel tax exemption that public school district and public transit agencies receive.

Private motorcoach companies are eligible for a 17-cent-per-gallon federal fuel tax exemption but still must pay 7.6 cents per gallon. Public transit agencies and schools pay no federal fuel taxes.

“There’s no reason you folks should pay anything,” she said, adding that a full exemption would save the industry \$50 million a year.

Weber said another priority is legislation that would make the federal government the sole regulatory entity of the motorcoach industry. Such a measure would be designed to address the growing industrywide concerns about third-party bus inspections.

Changes to Obamacare also are on the motorcoach industry watch list.

Weber said the industry supports proposed legislation that would change the definition of “full time” to 40 hours, from the 35 hours currently contained in the Affordable Care Act. Such a change would impact motorcoach operators who are required to offer medical insurance to full-time employees.

On the regulatory side, the industry is facing more than 40 approved or proposed new rules, reported Ken Presley, UMA vice president of industry relations.

He said a great deal of attention is being paid to the National Highway Traffic Safety Administration, which is developing rules to follow up its mandate of last year that, beginning in late 2016, all new motorcoaches be equipped with three-point seatbelts.

New mandates being developed by the agency would require new buses to have crush-proof roofs, anti-ejection windows, fire-suppression equipment, and a number of other safety improvements, all of which could significantly impact the price of a new motorcoach.

Presley said the industry also is closely monitoring a proposal by the National Labor Relations Board that would shorten the time for conducting a union organiza-



UMA Vice President of Industry Relations Ken Presley reviews the industry’s regulatory challenges.

tion election from 31 to 14 days from the date a request is filed.

“This would reduce the opportunity for employers to respond to the union,” he noted.

He said operators also need to be aware of a new rule that allows federal safety investigators to include in their Compliance Reviews the results of safety audits and other information for a motorcoach company going back three years.

In the past, said Presley, regulators concentrated largely on recent operations during their investigations. But now they can look back and use past problems while doing their evaluations. “So, you need to pay close attention to your past,” he added.

Presley also urged motorcoach operators to consider rejoining the Federal Transit Administration charter registration list, which would make them eligible to receive notices from public transit agencies that are considering



UMA lobbyist Becky Weber outlines key legislative issues.

doing charter work.

Operators are required to renew their inclusion on the list every two years.

“We now have less than 200 operators on the list,” he said, noting that at one time more than 1,600 operators took part.

Presley has warned in the past that the lack of interest could lead to efforts by public transit agencies to change the federal charter rule that limits the type of charter work they are allowed to do without first offering the work to private carriers in their area.

Safety scrutiny of industry to continue

LOS ANGELES — The more than 4,000 motorcoach companies operating across the United States can expect to see continued aggressive federal safety scrutiny.

That was the bottom-line message last month from the Federal Motor Carrier Safety Administration’s chief safety officer, Jack Van Steenburg.

Three months on from its “successful” Operation Quick Strike sweep that led to the shutdown of dozens of carriers between April and November, Van Steenburg put operators on notice that the FMCSA has no intention of relaxing its efforts to improve the safety of motorcoach travel.

“It is a different era,” Van Steenburg told operators attending the State Association Summit at UMA Motorcoach Expo at Travel Exchange here.

He said the agency needs to continue its push to identify dangerous companies and put them out of business before they get into crashes.

The eight-month Quick Strike effort involved detailed compliance investigations of 214 companies and safety inspections of more than 1,300 vehicles.

A total of 52 bus companies received orders to shut down, and out-of-service orders were issued for 340 vehicles.

Although 52 operators were ordered closed, 28 companies took corrective action to fix violations and avoided being shut down. Many of the violations incurred by the companies were administrative issues rather than breaches of safety rules.

Van Steenburg said the FMCSA’s primary safety enforcement program, known as CSA (Compliance, Safety, Accountability), remains a major part of the agency safety campaign.

“CSA is here to stay because it is a predictor of crashes,” he asserted.

Several independent studies have questioned whether CSA is an

effective tool to gauge a company’s propensity to have a crash. (See March 1 *Bus & Motorcoach News*.)

The program, introduced in 2010, was set up so safety enforcement officers could utilize the resources of the FMCSA and its state partners to identify carriers whose behavior could reasonably lead to accidents.

Meanwhile, motorcoach operators can expect to see more federal rules and regulations designed with safety in mind, said Van Steenburg.

Among them are mandates for driver drug and alcohol reporting (see story on page 26); an electronic logging device mandate (see



Jack Van Steenburg

story on page 26); a registry of personnel allowed to give medical exams to drivers, and possible hours-of-service changes.

Industry standouts are recognized at Motorcoach Expo

LOS ANGELES — The motorcoach industry's top honors were handed out at UMA Motorcoach Expo at Travel Exchange here last month, with seven major awards going to companies and individuals who were recognized for a range of achievements.

The motorcoach industry's best and brightest, along with those receiving awards from NTA, were honored at a variety of Travel Exchange events, including the Awards Reception and Dinner, the UMA Active Member Meeting, and two joint UMA-NTA luncheons.

UMA Expo, and now Travel Exchange, is the premier industry event for honoring motorcoach industry stars, and the ultimate awards given at the show are the twin UMA Vision Awards.

The awards recognize a pair of companies — a large and a small operator — that have established high standards of performance, raising the bar in such areas as marketing, maintenance, operations, safety and innovation.

The UMA Vision Award/Small Operator (15 or fewer coaches) went to American Heritage Trails of Fort Wayne, Ind., and its founders and owners, Bill McKinley and Matt Inlow.

McKinley, who drove coaches part time during his college years, and Inlow, who owned a trucking firm, started American Heritage Trails 10 years ago — when both were in their 20s — with a single motorcoach.

During the past decade, despite the tough economy, the company has grown to a fleet of 14 MCIs. Company services have expanded to include sightseeing tours, casino runs, airport shuttles, college sports-team trips, senior citizen leisure travel and, of course, bread-and-butter charters.

Nearly a half-dozen years ago, Inlow and McKinley added a trucking operation that now includes 35 tractor-trailers.

"When we started with one bus 10 years ago, we had no idea we would be where we are today," McKinley said in accepting the award.

Could there be something in the water in Fort Wayne, population 255,000? American Heritage Trails is the second Fort Wayne-based operator to win the UMA Vision Award for small operators in the past five years. At UMA Motorcoach Expo 2009 in Orlando, Excursions Trailways walked away with the honor.

The UMA Vision Award/Large Operator (more than 15 coaches) went to Northfield Lines of Northfield, Minn., and its principal, John Benjamin.

Northfield is known, and has been recognized previously by industry publications, for its safety record, driver professionalism, quality equipment, service, support for other operators, and providing enjoyable travel experiences.

In accepting the award, Benjamin noted that it was 25 years ago that his late brother, Larry, wanted to buy a motorcoach company and have John join him in the business.

John recalled that his brother enticed him by promising they could "take a vacation whenever we wanted to. You know how that turned out," he smiled, the audience laughing at his sarcasm.

Benjamin told Awards Dinner attendees that Northfield Lines had been able to grow and prosper over the years because of its strong staff.

Northfield is a member of the International Motor Coach Group and operates a fleet of 30 motorcoaches, 7 midsize buses and vans, and 75 school buses.

Larry Benjamin died just over two years ago of cancer at the age of 58.

UMA Safety Leader: Godfrey LeBron of Paradise Travel in Franklin Square, N.Y.

The safety leader award, which is co-sponsored and selected by the Daecher Consulting Group, honors an individual who has been instrumental in accomplishing innovative or beneficial safety achievements for their company or the industry.

In presenting the award, Matthew Daecher noted that LeBron has been an outspoken safety advocate at both the state level, as a president of the Bus Association of New York, and at the national level, as a chairman of UMA.

He also has helped conduct seminars on motorcoach wheelchair safety and operator compliance with ADA rules all across the U.S.

In accepting the award, LeBron said he was never much of a believer in safety awards. "Motorcoach safety," he said, "should be like breathing. It should come natural."

As someone who thinks that all critical safety decisions are made by drivers, LeBron is an advocate for strong management focus on drivers.

And young drivers, he said, have to be managed differently, with a more hands-on approach.

LeBron and his wife Lauren started their company 25 years ago and operate in metropolitan New York City.

UMA Green Highway Award: Northeast Trailways of Lewiston,



Metro magazine Publisher Frank Di Giacomo, left, presents Metro's Motorcoach Operator of the Year award to Larry and Lorna Hundt of Kitchener, Ont. Their daughter, Michelle, joined them for the presentation.

Maine, and its founder, owner and president, Scott Riccio.

The award, which was established a half-dozen years ago and is sponsored by Motor Coach Industries, recognizes companies that demonstrate leadership in reducing carbon emissions and a commitment to "environmental stewardship" — internally, externally and industrywide.

Companies are recognized for implementing policies to conserve energy in their operations, offices and maintenance facilities.

In presenting the award, MCI Vice President Pat Ziska noted that Riccio and Northeast Trailways had taken a characteristic of the motorcoach industry, that it is inherently "green" because it takes autos off roadways, and effectively promoted it as part of its marketing, urging customers to "make a difference in the environment" by choosing group travel provided by Northeast Trailways.

In accepting the award, Riccio said his company's green philosophy goes beyond touting the environmental benefits of coach travel to include an extensive company-wide program to "decrease our own carbon footprint."

Here are a few of the ways Northeast Trailways contributes to a "greener Maine." It:

- Makes extensive use of motion lights to save on electricity
- Has converted all of its lights to CFL and T5 bulbs
- Has installed fans with variable speeds to push heat down to the garage floor and improve circulation
- Recycles all cardboard, paper and plastic products left on buses
- Has developed a bottle redemption program, even for buses
- Recycles all scrap metal



John Benjamin



Bill McKinley



Matt Inlow



Godfrey LeBron



Scott Riccio



Greg Lammers



Sander Kaplan



Sen. Mark Begich

from the garage

- Heats its service garage with natural gas and waste oil
- Uses 100 percent synthetic motor oil in all buses to reduce oil consumption
- Purchased a 6,000 gallon diesel fuel tank so it would fuel its buses on its property rather than driving to the closest fuel station. With the tank, the company says it saves 4,000 gallons of diesel fuel annually.

Riccio started Northeast Trailways 15 years ago. The company has a diverse fleet of coaches, school and midsize buses, vans and limousines.

The **UMA Maintenance Interchange Maintenance Competition** was conducted for the eighth consecutive year as part of Motorcoach Expo. Those individuals attending the Interchange are invited to participate in a competition involving a written test and a timed diagnostic inspection.

The competition was conducted at the MCI sales and service facility in Los Alamitos, Calif.

This year's champion was Greg

Lammers of Cavalier Coaches in Owatonna, Minn.

Lammers also won the maintenance competition at UMA Motorcoach Expo 2008 in San Francisco, and was runner-up at Motorcoach Expo 2011 in Tampa.

Dave Meyerhofer of Kobussen Trailways in Kaukauna, Wis., was this year's runner-up. Meyerhofer won the competition last year at UMA Motorcoach Expo in Orlando, and was runner-up at UMA Motorcoach Expo 2012 in Long Beach, Calif.

The second runner-up this year was Leo Wilt of All Aboard America in Mesa, Ariz.

Lammers was presented with a plaque and took home \$500.

The UMA Maintenance Interchange and maintenance competition is coordinated by Kevin Whitworth of Whitworth Bus Sales in Dayton, Ohio. This year's interchange was the 17th such event.

Two motorcoach industry awards were presented during one of the joint luncheons.

Metro Magazine Motorcoach

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Prevast CEO Gaetan Boulduc announces major commitment.

Prevast partners with UMA to develop 'Prevast Prep'

LOS ANGELES — Prevast and the United Motorcoach Association used UMA Motorcoach Expo here last month to officially launch the Prevost Preparatory School for Professional Motorcoach Drivers, or "Prevost Prep."

The initiative was developed to update and expand the driver education component of Bus and Motorcoach Academy, the online professional development school operated by UMA.

Prevast Prep is designed specifically to meet the driver training needs of the motorcoach industry.

Prevast recognizes that motorcoach operators are greatly challenged in recruiting, training and retaining qualified drivers, Prevost CEO Gaetan Boulduc told Motorcoach Expo attendees.

"Drivers are one of the industry's cornerstone resources and we must do what we can to encourage skilled drivers to enter the industry. Training is an important part of that attraction and retention," he said.

Federal Motor Carrier Safety

Regulations require that bus and motorcoach operators ensure their drivers are knowledgeable and comply with safety rules.

Prevast Prep will help prepare drivers to pass the CDL written exam or, for those who already have a CDL, provide a thorough review of applicable industry rules and regulations.

Through the program, driver training can be quantified and proven for insurance purposes. Participants who have completed the program satisfactorily will receive a letter of completion that can be submitted to an insurance company for insurance renewals.

Prevast has committed to supporting the program over the next 10 years to expand the curriculum, update existing courses, and provide scholarships for drivers.

To inaugurate the Prevost Prep program, Prevast also pledged \$10,000 in scholarships of \$200 each towards tuition to the first 50 companies that sign up for the spring 2014 semester.

Obamacare

Expert: Latest changes good for employers

LOS ANGELES — The latest round of changes to the Affordable Care Act, announced last month, are good news for employers, says an expert on employee benefits.

The changes gave midsize companies a second, 12-month reprieve to provide health insurance for their employees, and offered large companies more time to provide coverage to some workers.

Companies having 50 to 99 workers now have until 2016 to offer insurance or face penalties of \$2,000 per employee per year. The original deadline set for this year had already been pushed back once.

Under the revised rules, large companies with 100 or more employees will have to offer coverage to 70 percent of their full-time workers in 2015, and 95 percent in 2016 and beyond.

For purposes of the Affordable Care Act, "full-time employees" are those who work an average of at least 30 hours per week.

Stephen Salinas, a certified employee benefits specialist, told operators attending UMA Motorcoach Expo here that the tweaks to the healthcare law are good news for companies.

"They're more advantageous for you as an employer. Very, very little did they actually make more onerous," he said.

Salinas works for BridgePort Benefits of Agoura Hills, Calif., which is a partner company of the United Motorcoach Association, providing the UMA Well-Care program for members of the association.

Small businesses, those with fewer than 50 full-time workers, are generally exempt from the 2010 law, which is commonly known as Obamacare. That includes a majority of motorcoach companies and some 96 percent of the nation's businesses.

However, Salinas cautioned that owners of multiple companies should be aware of the law's business aggregation rules, which may lump together employees of various business enterprises for purposes of the law. The aggregation rules may require some small businesses to offer coverage to their full-time employees, or risk penalties if they are part of commonly owned businesses.

He said people should not assume they are exempt "just because you (own) a small percentage, or it's a really small company, or maybe it's my wife's company, or I put it in my kid's name a long time ago."

"A lot of people think that those are ways to get out of grouping companies together for the law, but



Stephen Salinas

it's not," he said.

"You need to have somebody who understands how it works make sure to give you the proper guidance. This may require legal analysis and employers need to be aware of the possible implications."

He also explained the two types of penalties large employers can face for violating the law, which he called "no play" and "some play" penalties.

"No play" is for companies that don't offer coverage. It's a \$2,000 per full-time employee per year penalty.

"Some play" is for employers that offer insurance, but with policies that fail to cover a set of essential services, such as outpatient care and prescription drugs, or are deemed not affordable, that is, costing more than 9½ percent of a worker's gross wages.

The "some play" penalty of \$3,000 per worker kicks in when an employer fails to offer affordable coverage and an employee buys a subsidized plan on a state or federal exchange.

Salinas explained that employers can avoid paying the "no play" and "some play" penalties by offering a minimum essential coverage plan, or MEC, which covers an array of 60-plus preventative-only services, and a minimum value plan that matches the government's bronze level benefits at an affordable rate.

"It's certainly going to cost you money, but in a lot of cases not huge amounts of money, and by offering

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Industry honors

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Operator of the Year: Larry Hundt, owner with his wife, Lorna, of Great Canadian Holidays and Coaches in Kitchener, Ont.

The award is given annually to an individual or individuals who have made significant contributions to their organization, as well as the industry. It was the 24th time the magazine has given the award.

Hundt was honored for his service to the industry, both in Canada and the U.S., as well as his record in building his company into one of Canada's premier — and most recognizable — tour-and-charter operators.

Hundt serves on the board of

UMA and is chairman of its Meetings Committee, which has responsibility for overseeing the execution of UMA Motorcoach Expo. Hundt has adopted a strong, effective, hands-on approach to helping coordinate Motorcoach Expo.

Great Canadian operates a fleet of 52 motorcoaches which are distinguished by their patriotic livery. You want to know more about Canada, its history and accomplishments, read the sides of Great Canadian Holidays' coaches.

The award was presented by Metro Publisher Frank Di Giacomo.

BUSRide Motorcoach Industry Achievement Award: Sander Kaplan of A Candies Coachworks in Gainesville, Fla.

In announcing the winner,

BUSRide Editor David Hubbard noted that A Candies Coachworks had begun life as a limousine company "and morphed into a motorcoach company."

Kaplan founded the business in 1986 and in 2006 it purchased its first motorcoach. Just over a year ago, Kaplan acquired much of what was left of Fabulous Coach Lines, a Florida coach company founded by one-time motorcoach industry wunderkind Ray Land.

A Candies operates a fleet of 17 coaches and, yes, the company name is what it is because Kaplan wanted to be among the first companies listed in the Yellow Pages.

NTA, formerly the National Tour Association, which co-locates its annual convention with

UMA Motorcoach Expo, creating what is called Travel Exchange, paid tribute to Sen. Mark Begich, D-Alaska, honoring the senator with the NTA Pioneer Award for his "unwavering support for the travel industry."

Since entering Congress in 2008, Begich has sponsored or supported a stream of legislation aimed at advancing travel and tourism, including the Travel Regional Investment Partnership Act and the Travel Promotion Act, which created Brand USA.

Begich is co-founder of the Senate Travel and Tourism Caucus.

"We believe tourism is a critical part of our economy that is often forgotten," Begich told the more than 1,000 travel and tourism

professionals attending the NTA-UMA Travel Exchange event where he was presented the award.

"We know what you're doing every day to drive jobs, create opportunity and make people's lives great."

The award was presented to Begich by Mark Hoffmann, NTA chairman and CEO.

Hoffmann noted that Begich has attended several NTA conventions and has been a featured speaker for the past four years at NTA's annual grassroots event in Washington, D.C.

The next UMA Motorcoach Expo will be Jan. 18-22, in New Orleans, with the show again co-located with the annual NTA Convention, recreating Travel Exchange.

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UMA gets new directors, officers; Capitol Hill Days pushed

LOS ANGELES — Members of the United Motorcoach Association have elected three new board members and re-elected four directors.

The UMA board, meanwhile, also has a revamped slate of officers.

The new board members elected to three-year terms are:

- Dave Dickson, co-owner and fleet manager of Elite Coach in Ephrata, Pa.

- Alan Thrasher, president of Thrasher Brothers Trailways in Birmingham, Ala.

- Bob Greene, senior account executive, motorcoach division, Radio Engineering Industries in Omaha, Neb.

Re-elected to the UMA board were Jeff Polzien of Red Carpet Charters in Oklahoma City; Dennis Streif of Vandalia Bus Lines in Caseyville, Ill.; James Brown Sr. of Magic Carpet Tours Bus Service in Richmond, Va., and Michael Neustadt of Coach Tours in Brookfield, Conn.

Polzien and Streif, who represent UMA Region I (the West), ran unopposed.

Brown and Thrasher were the top vote getters in UMA Region II (the Midwest and Southeast).

Neustadt and Dickson had the highest number of votes in UMA Region III (the Northeast).

Greene was elected “non-coachbuilder representative” to the UMA board. He becomes the first person elected to the position using a new voting procedure that mirrors the process used to elect UMA operator board members.

Previously, both the non-coachbuilder and coachbuilder representatives on the board were elected by the association’s associate members

at a meeting conducted during UMA Motorcoach Expo.

Under the new process, the two board representatives are to be elected via ballots mailed to the appropriate UMA associate and coachbuilder members. Non-coachbuilder UMA members vote for the non-coachbuilder representative, while only coachbuilder members vote for the coachbuilder representative.

Greene’s election also breaks a cycle. It has been more than a dozen years since anyone other than an insurance executive has been the non-coachbuilder representative on the UMA board.

In recent years, Greene has been a vocal and active participant during the meeting of UMA associate members held on the Expo show floor before the trade show begins each year.

Thrasher grew up in the motorcoach industry, washing buses as a preteen for his father’s company. After graduating from college, he drove entertainer buses for several years before eventually establishing his own fleet of entertainer coaches.

Eventually, he assumed ownership responsibilities of Thrasher Brothers Trailways with his sister, Alice.

Dickson has been involved in the industry since 1997 when he joined his father- and brother-in-law to purchase Elite Coach.

Leaving the UMA board, and honored at UMA Motorcoach Expo here last month, were directors:

- Dan Shoup of Cardinal Buses in Middlebury, Ind. Shoup had been appointed to the UMA board three years ago to fill an unexpired term.

- Tom Foley of TIB-Transportation

Insurance Brokers, who held the non-coachbuilder representative seat for three years. Foley did not seek re-election.

- Steve Brown of Brown Coach in Amsterdam, N.Y. Brown served on the UMA board for three terms.

For those keeping track, there now is only one individual with the surname of Brown on the UMA board — James.

Until a year ago, there had been three. Long-time board member and former UMA chairman, David Brown, CEO of Holiday Tours in Randleman, N.C., did not seek re-election in 2012. Brown served 12 years (four terms) on the UMA board and two years as chairman, 2004-06.

Last year, Steve Brown did not seek re-election.

James Brown, however, stood for re-election and keeps the Brown name alive and well on the UMA board.

Following Expo, the UMA board reorganized, transitioning to a new chairman, electing three officers, and making committee assignments.

Brian Annett of Annett Bus Lines in Sebring, Fla., became chairman, succeeding Bill Allen of Amador Stages Lines in Sacramento, Calif.

Annett was elected vice chairman two years ago. Under UMA bylaws, Annett automatically moved into the chairman’s seat this year with the expiration of the two-year term of Allen.

Being chairman of UMA was especially meaningful for Allen since his father, Alex Allen, was one of the founders of the association. The senior Allen died last year.



Brian Annet



Dale Krapf



Gladys Gillis



Tom Ready



Dick Dickson



Alan Thrasher



Bob Greene

Elected vice chairman, succeeding Annett, was Dale Krapf of Krapf Coaches in West Chester, Pa. For the past two years, Krapf has chaired UMA’s important Legislative and Regulatory Committee. He will become chairman in two years.

Elected board secretary, for a one-year term, was Gladys Gillis of Starline Luxury Coaches in Seattle. Gillis has served the past two years as UMA treasurer.

Elected treasurer was Tom Ready of Ready Bus Lines in La Crescent, Minn. Ready is a former chairman of UMA (2010-11) and long-time board member.

Under UMA bylaws, the secretary and treasurer are officers of the association along with the chairman and vice chairman.

During a variety of UMA Motorcoach Expo sessions, various speakers made strong pitches for motorcoach operators to come to Washington in late June to participate in the association’s annual Capitol Hill Days.

Many operators — who’ve previously participated in the event — describe it as a highly rewarding experience and perhaps the only time they felt their voice was heard in Washington.

This year’s Capitol Hill Days, which involves briefings by legislators and calling on House and Senate members or key members of their staffs, will be June 24-25.

Last year, a record number of industry executives — nearly 70 — from across the U.S. converged on Capital Hill, spreading the industry message to dozens of congressmen and women.

Those interested in participating should plan on flying or driving in on the 24th; there will be a reception for participants that evening. The next day, there will be a morning briefing followed by visits to congressional offices.

On the evening of the 25th there will be a reception and fund raiser for Rep. Bill Shuster, R-Pa., chairman of the important House Transportation and Infrastructure Committee. Shuster’s committee is responsible for writing the House version of federal highway and public transportation legislation.

For more information or to sign up, contact Ken Presley at UMA at kpresley@uma.org, or call (800) 424-8262.

How to contact us

To submit or report news, Letters to the Editor, articles, news releases or to report corrections:

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Hollywood: Here we are

The famed Universal Studios Hollywood theme park was the site of the Motorcoach Expo 2014 Welcome Reception. Park attractions, tours, shops, food and drink were there for all to enjoy and indulge. Below, Stan Holter, general manager of Richfield Bus Co. in Bloomington, Minn., at left, and Gene Farrell of Amaya-Astron Seating, catch-up on the Expo show floor. At bottom, Emily Gohman of Trobec's Bus Service in St. Stephen, Minn., won one of UMA's floor drawings and is presented her prize by association board member Dennis Streif of Vandalia Bus Lines in Caseyville, Ill.



Maintenance matters at Expo

Motorcoach Expo attendees, who participated in this year's Maintenance Interchange, pose for the traditional class photo. At left, Interchange coordinator/guru, Kevin Whitworth, keeps the discussion on track.



Show Stopper

There was a time when Marilyn Monroe could halt traffic on a dime. It didn't work at Motorcoach Expo. Attendees swallowed up Marilyn, at right, as they swept onto the show floor after UMA Chairman Bill Allen, left, cut the ceremonial ribbon.



Show Stars

Industry icon and stand-up-comedian Lou Sardo, left, welcomes attendees to the Sardo Upholstery stand. At right, NTA President Catherine Prather and UMA President Victor Parra jointly host a Travel Exchange event.



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Bronwyn Wilson, president of International Motor Coach Group, center, joins a group of UMA board members for the opening session of Motorcoach Expo 2014. From right, are UMA directors Tom Ready, Callen Hotard, Wilson, Bob Greene, James Brown and Dale Krapf.



Husband-and-wife operators Cary and Gina Martin of Little Rock (Ark.) Tours talk with Greg Black of TIB, Transportation Insurance Brokers, center.



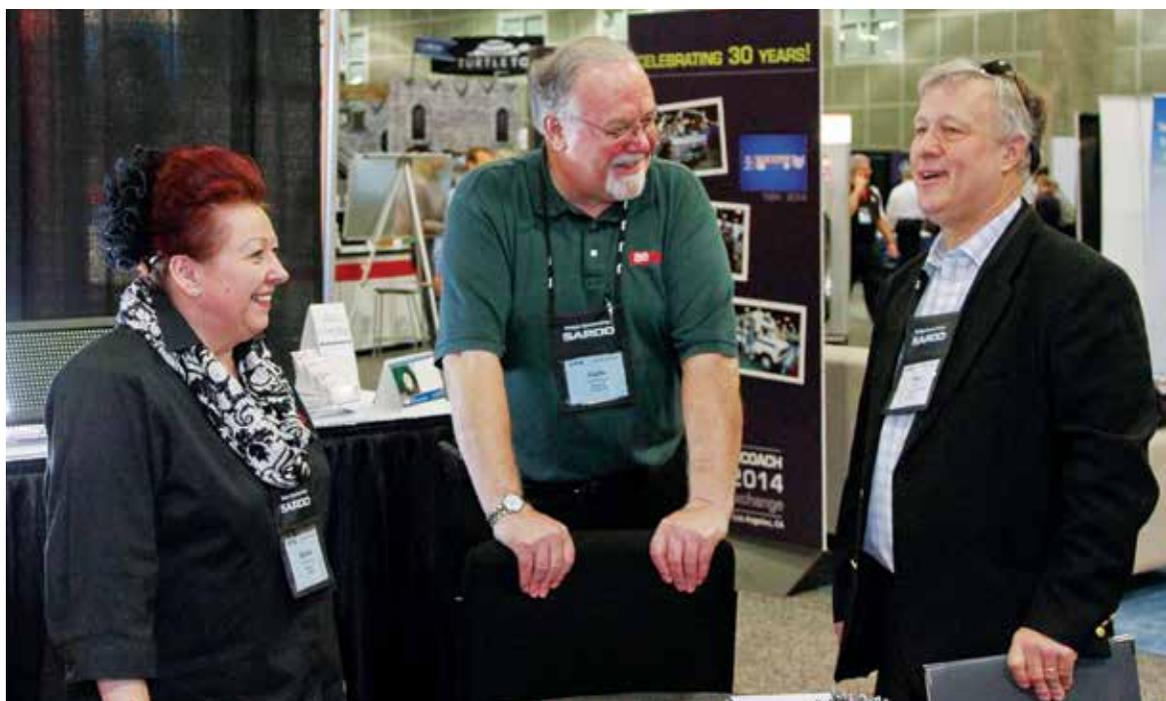
Poised for one of the door-prize drawings at the UMA booth are, from left, J. Morgan Brown of Magic Carpet Tours Bus Service in Richmond, Va.; Daniell Mouzon of Unlimited Tours in Baltimore, and Eric David of Potomac Tours in Gaithersburg, Md.



Far from the Minnesota cold, Dan Holter of Rochester City Lines, left, and Rick Thielen of Thielen Bus Lines in Redwood Falls, Minn., enjoy the Expo Cigars & Cordials after-dinner event.



Cigars & Cordials' attendees socialize in the glow from an ice sculpture recognizing event sponsor Bridgestone Americas Tire Operations.

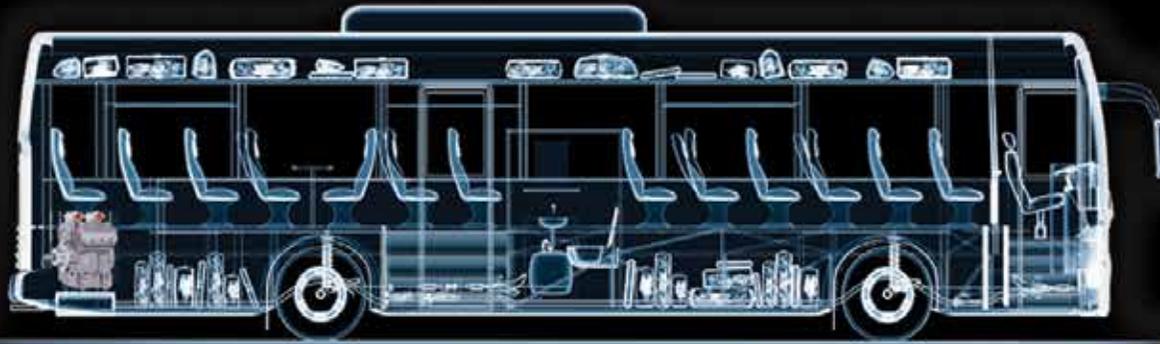


Sharing a light moment, while discussing destination-sign systems at the Aesys stand, were Evelyn McGregor, left, and Colin McGregor, center, of Aesys, and Skip Neff of Coach USA/megabus.



David Messick of Blue Ridge Coach Lines in Culpepper, Va., relaxes with a little light reading. He says he never misses an issue.

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CONTINUED FROM PAGE 1

to \$3 million, from the current \$750,000, reportedly also is being studied.

Payouts would soar

Delaney, who made his remarks during Expo's State Association Summit and expanded on them in an interview later, suggested that — if the liability minimum were increased — awards going to people involved in bus accidents would skyrocket because lawyers representing them would have a higher starting point when they file claims against a carrier.

"They'll go all the way," he said, adding that annual payouts for bus accidents under the higher minimum coverage could jump by as much as \$75 million.

Although Delaney avoided voicing either support or opposition for higher minimum insurance levels, his remarks did indicate a new mandate may not be necessary.

He noted, for example, that out of about 250,000 claims filed over the years with Lancer, only two were settled for over the mandatory minimum.

"That's only two," he emphasized. "Only two."

If Lancer's experience, as the industry's largest motorcoach insurer, is projected across all insurance companies serving the industry, then the total number of claims exceeding the mandatory minimum likely would total fewer than 10 — out of hundreds of thousands of claims.

He also noted that in 2012 and 2013, fewer than 4 percent of Lancer's motorcoach clients purchased liability coverage higher than the required \$5 million.

Shunned by feds

Additionally, Delaney surprised many in the audience by reporting

Headed to prison

CONTINUED FROM PAGE 1

"We believe this investigation and prosecution may have prevented a highway tragedy caused by fatigued drivers, and we hope that this sentence will serve as fair warning to other commercial operators," Daly said.

According to court documents and statements made in court, Wisla Express, operates a fleet of vans and midsize buses to transport individuals to and from airports, and tour buses to locations outside of Connecticut.

Szteborowski was responsible for the day-to-day operations at Wisla Express, including scheduling driving assignments and maintaining the company driving records.

According to the court record, between September 2008 and Sep-

tember 2010, Szteborowski scheduled and assigned drivers to trips knowing the drivers would be exceeding hours-of-service limits, and also instructed drivers and others to falsify driving logs by recording the drivers were off-duty during times when they were, in fact, driving.

To pay drivers for time actually spent working, Szteborowski instructed drivers to submit separate pay sheets and notes that accurately detailed their hours.

Szteborowski then destroyed the pay sheets and other documentation that accurately recorded the drivers' work schedule.

In response to an FMCSA investigation of Wisla Express that was initiated in August 2010, Szteborowski produced the falsified driver logs and withheld other records that would conflict with the logs.

Last year, Szteborowski plead-

ed guilty to one count of submitting a false statement to the U.S. Department of Transportation. The company pleaded guilty to the

Diminished trust

crash resulted in a small article in the local newspaper, two to 10 minor injury claims, and the attorneys seeking minimal amounts of damages.

Today, he said, those same accidents get national attention in the social and news media, 50 or more people go to the hospital with a wide range of injury claims and attorneys seek enormous settlements.

Lawyer tactics

Additionally, he said many people who are injured in bus accidents hire "gun-sliding" lawyers who spend large amounts of money pursuing their cases, including one who spent \$1 million to roll two new motorcoaches to show a jury what can happen in a bus crash.

"We have to hire experts to counter their experts and that means more expenses," he said.

Delaney said lawyers also have developed a new strategy to sway

juries, including getting away from simply emphasizing the injuries suffered by a bus passengers and, instead, hitting much harder at a much broader impact.

"They now stress to jurors that the driver's actions affect you and your community and you have to take action," he said.

Delaney also cited the aging of motorcoach drivers as another major contributor to the problem, noting that while the average age of drivers is 53.25, motorcoach operators still employ many older drivers. He said the number of drivers 51 years and older is up 32 percent, those 61 and older is up 53 percent and those 71 and older is up 12 percent.



Tim Delaney of Lancer Insurance presented a busload of facts and figures.

get better at recruiting new drivers and paying them better.

"It's a very sticky situation," he said.

To help turn the legal challenges in favor of the insurance and motorcoach industries, he said operators should urge federal safety regulators to do a better job getting unsafe motorists off the highways and call on Congress to tackle major tort reform.

"They're driving us out of business," he said of the many problems bus accidents and lawsuits are creating in the motorcoach industry.

Meantime, Delany said the insurance business remains a gambling proposition, noting that Lancer last year recorded after-expense losses in its motorcoach business of between \$12 million and \$14 million.

Much of the loss, he said, was because of the settlement of a number of older claims.

"We had a bad year," he said.

Stable: Property/casualty insurance market

SAN FRANCISCO — The insurance unit of one of the nation's largest financial institutions, Wells Fargo, is predicting the property-and-casualty insurance market will be stable and competitive this year, meaning likely rate stability.

The Wells Fargo Insurance 2014 Insurance Market Outlook forecast comes on the heels of a generally profitable year for the property/casualty insurance industry in 2013.

The Wells Fargo outlook covers such insurance product segments as workers' compensation, employment practices, property, and technology.

"We expect 2014 to be a good year for the majority of our commercial property-and-casualty insurance customers," said Simon Hodge, head of the professional risk group at San Francisco, Calif.-based Wells Fargo Insurance.

"We anticipate significant marketplace capacity, excellent coverage quality in many areas, and do not expect a lot of pricing volatility."

Key findings in the report include:

Larger companies are generally prepared to resist upward rate pressure. Many have cut operating costs during the recession and in-

same charge.

During his three-year term of supervised release, Szteborowski and his wife cannot be involved,

directly or indirectly, in Wisla Express or any other business under the jurisdiction of the U.S. Department of Transportation.

Wells Fargo says this year is a buyer's market for property-and-casualty insurance. It expects very low- to flat-rate reductions or increases in 2014.

Reptilian lawyers have bus industry in their sights

LOS ANGELES — It's no secret that plaintiff attorneys will go to great lengths to win cases and obtain hefty recoveries.

For the motorcoach industry and its insurers, that could mean facing an attorney willing to spend as much as \$1 million to buy new motorcoaches to conduct his own crash tests.

And, facing attorneys who use a legal playbook of novel investigative and trial tactics.

"We just have to assume today, in this world, with lawyers who are this good and will chase things this hard, any accident has the potential to be a big case, an expensive case, a case that means something to you in the long run and your business," said Paul Berne of Lancer Insurance Company.

He warned operators, during a session called "Bus Operators Beware! Plaintiff Attorneys Have You in Their Crosshairs," at UMA Motorcoach Expo here last month that attorneys specializing in cases against the passenger transportation industry are aware that motorcoach companies are required to carry at least \$5 million in insurance coverage.



Paul Berne, left, and Bob Crescenzo explain tactics being used by gun-slinger lawyers.

"They know how to get to the Federal Motor Carrier (Safety Administration) websites and get that information. Many years ago, we would normally encounter plaintiff's lawyers who would say, what are the limits," he said.

Many attorneys at big firms have "virtually unlimited resources" to develop cases, he said, pointing to James W. Vititoe of Vititoe Law Group in Westlake

Village, Calif., who represented plaintiffs involved in a catastrophic bus crash.

Vititoe, who was part of the legal team made famous in the movie "Erin Brockovich," said in a video: "We bought two new buses and we rolled them to see what would happen. The testing showed that the lack of the seatbelts allowed the ejection.

"We decided we would medi-

ate this case. We had to find the deep pocket to go after, and the one to look at was the manufacturer," he said.

But even attorneys with small practices "have gone to school to learn how to target cases against commercial auto defendants and the motorcoach industry," Berne said, citing the techniques and tactics used by many lawyers:

- "They are going to over-

emphasize irrelevant issues. Many, many accidents we face today are where the motorcoach company is clearly not at fault. After there has been an inspection of the vehicle, one brake is out of adjustment. . . . (I)f you're a plaintiff lawyer, and you see something like that, you're going to hone in on that and try to find other things that could show deficiencies in the operation. What else was going on that can move the case away from a simple accident to these other issues?"

- Use ideas from a book titled *Reptile: The Manual of the Plaintiff's Revolution*, a primer for trial attorneys by Don Keenan and David Ball. "The technique is to solicit juror feelings of immediate and imminent danger, scare and upset them and get them to think that fair compensation can diminish the danger in their community. . . . You take a very small accident and you begin to paint this picture of a company acting irresponsibly."

- Claim the plaintiff has suffered a traumatic brain injury. "Twenty, thirty years ago when there was a routine bus accident,

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Plaintiff attorneys

CONTINUED FROM PAGE 15

the probability that we would see anyone claim brain injury from that was probably less than 1 percent. Now we're beginning to see cases where individuals are alleging that they struck their head against something and that has caused slurring of speech, loss of

memory, physical incapacity of some type.

"We've had brain injuries presented — as has anyone who is engaged in this industry — in cases where there were 5 mile-an-hour-or-less impacts. What should be a \$10,000 or \$15,000 case becomes a multiple-million dollar case."

Berne turned to Bob Crescen-

zo, also of Lancer Insurance, to provide solace to operators, and to offer suggestions about potential lawsuits.

"You are probably thinking, how can we work with this? What can we do?" Crescenzo said. "I'm going to suggest that you go back to your very basic business management approach.

"You're running a company with a philosophy of safety, customer care, customer service and respect your employees. If you take that approach, and you build through that, we, if we're defending you, we'll be able to take that and demonstrate your everyday activity."

Here are some of his other ideas:

- Establish a policy for hiring drivers and stick to it. "If you have a standard for hiring drivers and you deviate from the standard, a plaintiff attorney can easily say, here's your standard, but this driver doesn't meet that standard. Anytime you deviate from the standard, you're going to become liable for that even in a small crash."

- Monitor your company's FMCSA Compliance, Safety and Accountability and Safety Measurement System scores monthly. "Look at the information, and use it in your regular operation. Work it into your driver training, your policies and procedures. Then, we can say, this is a company that is working very hard with the information they have, and this was an accident, and it was minor."

- Systematically use information from onboard driver monitoring and reporting equipment. "If you don't give them additional training, if you don't discipline them, or deal with the issue, it appears as if you are letting that driver speed."

Obamacare

CONTINUED FROM PAGE 6

(minimum value) coverage, along with the MEC, you'd eliminate all penalty exposure for yourself very affordably on a net-net basis," he said.

He said employers also might want to consider augmenting the plans with offerings such as health reimbursement accounts (HRAs), health savings accounts (HSAs), flexible spending plans (FSAs), and gap plans.

"These supplemental plans may be voluntary or an employer may contribute to the cost. That's dependent upon your budget and your situation. But there's no reason that a plan has to have a huge financial exposure for an individual," he said.

He also suggested that employers invest in benefits administration technology, such as decision-support tools that tailor communication to the employees' gender, age, income and other criteria.

"Every study shows that when you implement technology, you actually save money. Not only money on administration, but you will save money on your benefits costs, especially when using a defined-contribution model," he said.

"When people have all of the information very readily available and the message is tailored to them, they tend to hoard their money. They tend to buy less and make their money go as far as possible.... Which, in the end, saves you money."

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Valuable tips for gaining more customers, more sales

LOS ANGELES — Even in a marketplace where “price, price, price” is the customer mantra, motorcoach operators who stress value over rock-bottom prices can attract new clients, close more sales and attain higher profits.

That was the message Peter Shelbo, president of Tour West America in Phoenix, and Gladys Gillis, CEO of Starline Luxury Coaches of Seattle, delivered during the UMA Motorcoach Expo here last month.

“I can’t sell to this guy because he just wants this bus too darn cheap. How many of you deal with that?” Shelbo asked a roomful of operators at a talk on “Converting Price Shoppers to Value Buyers.”

The problem is pervasive enough that Scott A. Riccio, president of NorthEast Trailways in Lewiston, Maine, devoted part of another session, “Smart Ways to Raise Prices,” to ways to combat it.

Here’s advice from both presentations:

Be certain a live person takes sales calls. “If you cannot send your call to a live person to help deliver the sale, you’re way behind,” said Shelbo. “Please do not have your valuable, gold caller go to an answering machine.”

Said Riccio: “We get probably 15 email inquiries a day and we usually follow-up via email, and then I make the sales people pick up the phone. You can’t create a relationship via email. Pick up the phone. It makes a tremendous difference.”

Be diligent and listen to your customers. “Ask questions, build a relationship. Have a conversation,” Riccio said. “‘Have you traveled with us before?’ ‘How did you hear about us?’ Do they have any special needs or requests? Driver guides, coolers, maybe WiFi is important.”

Follow the formula: Feature + Benefit = Value. Teach your sales staff to show how your company’s features, such as a good safety record or professional drivers, will benefit the customer.

“The benefit (of professional drivers) to the person on the other end of the phone is that the drivers know where they’re going, where the pick up and drop off locations are, that means you can have confidence in the driver’s ability to meet your needs while you’re out there,” Gillis said.

Lead a sales training session on “bridge statements.” Phrases such as “that means” and “this ensures” can be used to link features and benefits.

Gillis offered these examples:

“We have professional drivers... that means you can always count on them.” Or, “We have a diverse fleet size...that means we can help you manage your budget.”

Know your market. Try to anticipate supply and demand, and price accordingly. “Is there a high season and a low season? Are you busy on the weekends, not so busy midweek or vice versa? Know

where your price should be before divulging the quote,” Riccio said. “Shoot high, settle average, know when low is too low and you’re better off leaving the coach in the yard. Don’t be afraid to say, ‘We can’t offer that rate. It’s just too low.’”

Encourage your sales staff to ask for the sale. “That’s a tough thing to get your salesperson to say. I don’t know why that is, but it

is,” Shelbo said. “The perfect bus is here for you...can I reserve it for you right now?”

Follow up if the answer is “no.” “Even if you don’t make the sale, send the potential customer a note, saying thank you for the opportunity. It’s a good way to build a relationship for the next time. I know a company that has a three-by-five index card that they’ll send

with a handwritten note....Everything else is pictures of their equipment or people, whether it’s charter bus, school bus, minibus, weddings (which can) give them ideas for next time,” Riccio said.

Check with your customer after the trip. Make sure their expectations were met.

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CONTINUED ON PAGE 20 ▶

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Expo highlights

CONTINUED FROM PAGE 3

arrangement to both organizations extend beyond the obvious economic benefits of being able to negotiate better convention center, hotel and other service rates for an event that has 3,500 attendees versus one that has 1,750, which had been the typical size of a UMA Expo and an NTA Annual Convention prior to co-locating the shows.

"I was extremely pleased with our second step in bringing these two shows together," said Larry Hundt, a UMA board member and chairman of the UMA Board Meetings Committee, which oversees Expo. Hundt owns Great Canadian Holidays and Coaches in Kitchener, Ont.

"There was a great deal more exchange (this year) between the NTA and UMA participants. More interaction and more appreciation of all the additional benefits these two shows are bringing to our industry," said Hundt.

"We have two associations, committed to truly serving, growing the market and bringing additional value to all of our members," he noted.

Added Parra: "Now that we expanded to bring in the NTA members, we have everyone involved in the entire group travel business process from the tour operators who charter our members' buses to the hotels where they stay, the restaurants where they eat, the amusement parks and destinations that they visit.

"As a result, we're all learning about all the pieces that go into providing a high qual-



Victor Parra

ity, safe experience for the customer. And more importantly, understanding that if one piece breaks down, then the entire customer experience is damaged.

"This is what we're trying to address through our partnership with NTA. If we can get everyone working together and understanding each other's role in this business process, we can do a more effective job in growing the industry, the ultimate goal," said Parra.

Attendance slips

Overall attendance at Expo 2014 dipped by more than 10 percent this year, reflecting the typical decline when UMA conducts its annual show on the West Coast.

There were other factors contributing to this year's attendance fall-off, including more individuals calling at the last minute, saying they could not attend because of illness; bad weather in the Northeast and New England, and fewer International Motor Coach Group members in attendance because the annual IMG Maintenance and Safety Forum was held in Nashville in January.

Expo 2014 highlights included:

- UMA and Prevost announcing the establishment of the Prevost Preparatory School for Professional Motorcoach Drivers, which will sponsor the driver education program of the Bus & Motorcoach Academy. Prevost made a 10-year commitment to the effort. See story Page 6.

- Sixty-seven percent of the show floor space for Expo 2015 in New Orleans being sold before Expo 2014 closed. That is a near 20 percent increase from the amount of 2014 show-floor space sold before Expo 2013 closed last year in Orlando.

- Industry organizations, ranging from the Ontario Motorcoach Association, to the National Association of Motorcoach Operators, to the Hispanic Motorcoach Council to the California Bus Association, conducting meetings at Expo.

- A new association, the Faith Travel Association, being formally launched during Travel Exchange.

- Dru Carey of the Asian American Mo-

torcoach Owners Association being on hand to spread the word about that newly formed group.

- UMA announcing it has added Scheig Associates to its offerings of member benefits. Scheig supplies hiring systems so companies can more easily identify top performers.

- The UMA WellCare program, provided by Bridgeport Benefits, being revamped to adapt to the Affordable Care Act, "making this member benefit even more valuable," said Parra.

- Expo's 30th anniversary being marked with a cake and appropriate remarks at the UMA booth on the show floor.

- The Awards Reception and Dinner again being the social highlight of the exposition, with its reception, banquet, awards program, after-dinner cordials and cigars, dancing, and — an addition this year — a "fashion show" featuring leaders of both UMA and NTA sporting outfits from Macy's. Bridgestone Americas Tire Operations again sponsored the cigars and cordials event.

- The Welcome Reception being held at the famed Universal Studios Hollywood theme park, which was the exclusive domain of Travel Exchange attendees for several hours.

- Many new products being unveiled, including a 45-foot coach from Temsa, a Platinum Sponsor of Expo.

The April 1 issue of *Bus & Motorcoach News* will contain a comprehensive run-down on the new equipment exhibited at Expo 2014, plus a focus on many of the new products.

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Don't lose sight of state/local issues, operators urged

LOS ANGELES — Rather than focusing exclusively on what's going on in Washington, D.C. these days, motorcoach operators need to pay closer attention to what's happening in their own states.

If they don't, they just might see new rules and regulations that could impact all phases of their operations.

That was the warning industry leaders delivered to operators at the annual State Association Summit during the UMA Motorcoach Expo at Travel Exchange here last month.

"The battleground has shifted from the federal government to the states and what you are doing at the state level has become much more important than ever before," stressed UMA President and Chief Executive Victor Parra.

He said that while activity at the federal level remains at a high level and still warrants close monitoring, state legislators and regulators have turned up their desire to get more involved in the motorcoach industry and they need more scrutiny, too.

"The states don't believe they can rely on Washington, D.C. any

more — and who can blame them — so they want to take things into their own hands," he suggested.

Parra's observations won a quick endorsement from summit moderator Godfrey LeBron a former chairman of UMA and former president of the Bus Association of New York State, who emphasized that operators run the risk of facing damaging regulations if they do not monitor the activities of state and municipal officials.

"The battle isn't just states versus Washington now, but it is within each state," he said. "State and local officials need to hear from you and you need to support your state association."

He and others suggested that the need for increased involvement at the state level is magnified by concerns that if one state is successful in developing a regulation that the motorcoach industry opposes, others could pick up on it and develop similar rules of their own.

Operators in a number of states are facing a variety of issues ranging from old standbys, such as school districts running illegal charters, to new problems such as whether wine tour bus drivers should be allowed to collect fees



Joe Gillis of NW Navigator Luxury Coaches in Portland, discusses safety initiatives in Oregon at the State Association Summit. To his left is his wife and partner, Roxanne; Mary Presley of the Maryland Motorcoach

Association; Tim Wilson of Gunther Charters in Hanover, Md., and Jim JeBran of Trans-Bridge Lines in Bethlehem, Pa., a director of the Greater New Jersey Motorcoach Association.

for wine tasting.

California Bus Association President Tom Giddens said operators in his state continue their never ending tussle with school districts that want to operate charters.

"It's one battle at a time," he said. "You win one and there's another one right afterwards."

Additionally, he said operators are struggling with a series of city issues, including a police officer in Culver City who has been strictly

enforcing a state law that bans buses over 40 feet from traveling on certain roads (see Feb. 15 *Bus & Motorcoach News*) and a regulation in San Francisco that prohibits coach traffic in some areas of the city where residents have complained about increased noise and traffic (see Dec. 15 *Bus & Motorcoach News*).

Meanwhile, the ongoing federal discussion on raising the minimum wage nationally is spreading to

some states and cities, including Maryland where an increase from \$7.25 to \$10.10 has been proposed, and Seattle, Wash., where a starting wage of \$15 is being considered.

Operators in Maryland say they believe state legislators likely will settle on a much smaller increase, possibly \$1, which would raise the minimum pay to \$8.25, while in Washington, operators are unsure of where the proposal is headed.

CONTINUED ON PAGE 22 ►

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Bloggers could assist in expanding tour business

LOS ANGELES — Interested in drumming up (some or more) tour business for your motorcoach company?

Well...it could be easier than you might think.

That's the message tour industry veteran Jim Reddekopp, owner of Hawaii-based Earth Bound Tours, delivered to motorcoach operators at a UMA Motorcoach Expo seminar here last month.

In addition to the obvious steps of selecting tour specialties, choosing an attractive logo, creating an effective web page and developing a broad media campaign, he suggested checking out Internet bloggers as well.

"They've become the new tour operators," he said.

"Now they're called tour designers."

Reddekopp said there are more than 180 million bloggers out there today — up from 63 million just a few years ago, and many of them are writing regularly about the places or activities that operators can feature on a tour.

To get started, operators can simply do an Internet search of the niches they want to cover on their tours and they'll find a number of bloggers who not only write about them, but have a pretty decent size following of regular readers, too.

Additionally, they are the same bloggers potential tour customers would find when they search the places or activities they are considering for a tour.

Reddekopp said once an operator identifies a favorite blogger or two who specializes in the niche they plan to cover, they need to contact them and work a financial deal to have their name, logo and other company information featured on the bloggers' websites.

"The bloggers might even want to go on a tour," he said.

Reddekopp said Internet tour sales have been rising steadily the past several years and now are believed to represent 95 percent of all of them.

"It really is wide open if you just put your mind to it," he stressed.



Peter Shelbo of Tour West America in Phoenix and Gladys Gillis of Starline Luxury Coaches in Seattle

conducted a session and give-and-take discussion on pricing right to win customers.

Getting customers

CONTINUED FROM PAGE 17

should do your own diligence and check with the driver and dispatch or maintenance to make sure the trip went OK. Did they have an A/C malfunction? (If they had a bad experience, pick up the phone and say, 'I've talked to maintenance, I've read the report, I talked

to the driver and I understand we had some issues, I'm hoping we can talk about that and make it right for you.' That can make a big difference," Riccio said.

Be part of your community. "When they call us for a quote, we invite them to our shop. Come look at our equipment, let me take you around, meet our staff, meet our drivers," said one operator at-

tending the session.

"We work with different non-profits in the area. We've built alliances with them. If you send us your client, if you put us on your invitations for your events, we will donate 3 percent back to you for every person you bring to us.... You get the right clients, they're not going to call you for price, they're going to call you for value."

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Calendar

MARCH 2014

19 Pennsylvania Bus Association Marketplace 2014, Valley Forge Casino Resort, King of Prussia, Pa. Info: www.pabus.org.

20 Maryland Motorcoach Association Marketplace 2014, Valley Forge Casino Resort, King of Prussia, Pa. Info: www.marylandmotorcoach.org.

20 Greater New Jersey Motorcoach Association Winter Meeting, Bally's Atlantic City (N.J.). Info: www.gnjma.com or email monica@gnjma.com.

20 California Bus Association General Membership Meeting, Masonic Temple, Sacramento. Info: www.cbabus.com.

APRIL 2014

8 Bus Association of New York

Lobby Day, State Capital, Albany, N.Y. Info: tammy@alleventsinc.com, or go to www.banybus.org.

13-16 Ontario Transportation Expo Conference & Trade Show, Sheraton Toronto Airport Hotel and the International Centre, Toronto. Info: www.omca.com.

JUNE 2014

12-14 The Bus History Association 2014 Annual Convention,

Country Inn & Suites at Mall of America, Minneapolis. Info: www.bus-history.org.

18-21 New England Bus Association 2014 Annual Conference, Hilton Mystic, Mystic, Conn. Info: mitch.guralnick@mcicoach.com.

24-25 UMA Capital Hill Days, Washington, D.C. Info: Ken Presley at UMA, email kpresley@uma.org, or call (800) 424-8262.

State summit

CONTINUED FROM PAGE 19

Gladys Gillis of the Northwest Motorcoach Association said she has serious concerns about the impact a \$15 minimum wage would have on businesses, especially start-up companies, many of which don't last more than three to five years.

She suggested that if a minimum wage is adopted, new businesses should be exempt from it for the first five years of their existence.

In addition to the minimum wage proposal, Seattle operators also are facing a possible new requirement that employees earn one hour of paid time off for every 40 hours they work.

A paid time off regulation in Portland, Ore., has created a book-keeping nightmare, according to operator Joe Gillis. He said the rule, which provides mandatory paid time off for employees who work more than 240 hours in a quarter, has created hourly tracking problems because it only impacts motorcoach drivers when they are driving within the city limits.

"It's very difficult to figure out," he said.

Operators in Virginia are battling an unusual proposal in their state that they say could damage their popular wine tours, according to operator J. Morgan Brown Jr.

He said state officials are considering prohibiting tour carriers from collecting the fees for wine tasting at the vineyards. Currently, passengers who want to sample wine while on a tour can pay the fee on the bus, even though they don't get to taste any wine until they are at the vineyard.

"They just don't want us to collect the fee," Brown said in an effort to explain what possibly might be behind such a regulation.

Meantime, operators were urged to continue their involvement with federal issues by attending the annual UMA Capitol Hills Days in Washington, June 24-25, when operators will get to speak directly to their representatives in Congress.

Further expansion of megabus in SE

ATLANTA — megabus.com has expanded its network in the southeastern U.S.

The latest route additions mean the nation's largest curbside bus company is operating in 34 states, plus the District of Columbia and the Canadian provinces of Ontario and Quebec.

In mid-February, megabus.com began service between Columbia, S.C. and Fayetteville, N.C.

Additional service also was being introduced between Atlanta and Athens, Ga., and Durham, N.C.

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Fight develops over offer for National Interstate

RICHFIELD, Ohio — The effort by American Financial Group to convert leading motorcoach industry insurer National Interstate Corporation into a private company turned into a multifaceted stockholder fight last month.

At least two class-action lawsuits were filed challenging the financial fairness of the American Financial Group offer and seeking to halt the transaction.

Additionally, National Interstate's two largest independent stockholders, company founder and former chairman, Alan Spachman, and the mega-investment firm of T. Rowe Price Associates, announced in separate, strongly worded statements they too opposed the deal, calling it unfair, inadequate, troubling, and coercive.

Spachman also raised the specter that American Financial Group had directed that National Interstate loss reserves be increased during 2013, the affect of which was to reduce company earnings, resulting in a drop in the price of National Interstate shares. National Interstate's reserves were increased by roughly \$25 million last year.

In a letter sent to National Interstate Chairman Jeff Consolino, and five other "non-independent" company directors, a pair of T. Rowe Price vice presidents said the investment firm did not "intend to participate in the tender offer disclosed on Feb. 21 under the terms offered."

Last month, American Financial Group announced it wanted to purchase all of the shares of National Interstate Corporation that were not already owned by Great American Insurance Co., a subsidiary of AFG. (See March 1 *Bus & Motorcoach News*.)

There are just over 19,720,000 shares of National Interstate outstanding, with 10,200,000 shares, or about 52 percent, owned by Great American.

Even though National Interstate is effectively controlled by American Financial Group and Great American, it operates as a quasi-independent public company by virtue of having 9,520,000 shares that are publicly traded and owned by several hundred stockholders. If American Financial Group acquires enough additional National Interstate shares it plans to take the company private.

When American Financial Group announced its plan to purchase the 9.5 million shares not owned by Great American, it offered to pay \$28 per share, making the total value of the deal \$266.6 million.

Roughly two weeks after the initial offer was made, American Financial Group bumped the offering price to \$30 per share, increasing the value of the proposed transaction to more than \$285 million.

American Financial Group also stated that the \$30 per share "is our best and final price."

T. Rowe Price clients own 1.57 million shares of National Inter-

state, representing roughly 8 percent of the outstanding stock.

Straight talk from T.

"As experienced investors in the U.S. smaller companies marketplace broadly, and the property-and-casualty insurance industry specifically, we understand the value that can be created as a result of the well-executed combination

of complementary businesses. We also understand the dynamics of industry consolidation within the P&C business well," wrote T. Rowe Price vice presidents Preston G. Athey and J. David Wagner.

"We do, however, always apply extra scrutiny to any transactions involving a conflict of interest between the negotiating parties, such as Great American Insurance Com-

pany's offer for National Interstate. This approach is based on many years of investment experience, which have made clear that such conflicts are exceedingly difficult for boards of directors to manage while also meeting their duties of loyalty to all shareholders.

"Having analyzed this transaction carefully, we note that we have

CONTINUED ON PAGE 24 ►



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National Interstate

CONTINUED FROM PAGE 23

rarely come away with concerns as substantial as those we have identified here. In short, we are quite troubled about both the process the National Interstate board undertook to evaluate the transaction, as well as the consideration offered.

"In our view, four of you, as directors on the National Interstate board, face a direct conflict in terms of serving both the interests of Great American, where you are professionally affiliated, and the interests of the National Interstate shareholders you represent.

"... we would have expected the board to have made every effort to mitigate its conflict, to the best of its ability, using well-established techniques such as (a) establishing an independent review committee comprising the independent members of the board; (b) facilitating the use of separate legal counsel and valuation expertise by the independent review committee, and (c) insisting on some form of a majority-of-the-minority clause for shareholder approval of the offer.

"In our experience, when a conflicted board takes the care to employ some or all of these procedures, it provides at least some measure of comfort to the minority shareholders of the entity being acquired that their interests were considered alongside the (conflicting) interests of the majority owner. Such procedures also ensure that more information is made available for the minority shareholders facing a voting or tender decision.

"With the Great American tender offer, none of these procedures was employed, and therefore none of the incremental information they would have produced is available to us," wrote Athey and Wagner.

'We are appalled'

"We are particularly appalled that no fairness opinion was obtained for the most recent offer. With a fiduciary duty to the advisory clients we represent, we are hampered in our ability to make this tender-offer decision on their behalf without any assurance that a fair, thorough and independent assessment of National Interstate's value was ever undertaken.

"For this reason, we have elected not to participate in the offer at this time. Our concerns are so strong about the lapses in basic standards of corporate governance evident in this situation that we will file this letter with the U.S. Securities and Exchange Commission in order to make public our position.

"In an effort to be fair and transparent, we felt it was appropriate to first notify you, the non-independent directors responsible for this improper tender-offer process, about our intentions."

Spachman weighs in

Not only did T. Rowe Price demur at both American Financial Group offers, but so did National Interstate founder, Alan Spachman, and two groups of stockholders who sued.

In a statement filed with the Securities and Exchange Commission, Spachman noted that based on his experience with National Interstate and its operations, financial performance and the volatility of its share price since he founded the company in 1989, he "does not believe the increased offer price reflects the fair value of the shares." He noted that company shares traded above \$30 for a significant portion of last year.

Spachman owns nearly 1.7 million shares of National Interstate, or 8.6 percent.

In his filing, Spachman also said he believed the offer by American Financial Group "was opportunistically timed to take advantage of the shares trading near their 52-week low price."

The closing share price on the day prior to the AFG offer was \$22.17, slightly higher than the 52-week low closing price of \$21.82 on Jan. 8. The 52-week high closing price was \$35.68 on July 17, 2013.

Actions questioned

Further, Spachman "believes the share price prior to the commencement of the tender offer was influenced by the actions" of AFG.

"In particular, Mr. Spachman notes that the share price was negatively affected by reserve increases made by the company during 2013.

"For many years, (American Financial Group) has provided actuarial services for the company. As part of these services, (AFG) has reviewed the adequacy of (National Interstate's) loss reserves.

Until 2013, (AFG) opined on the adequacy of the company's loss reserves only after the company had closed its books for each financial quarter. In 2013, however, (AFG) actuaries began to recommend significant changes to the company's loss reserves for the prior quarter before the company announced its financial results for that quarter. This new process," said Spachman, "was implemented by management without advance review by, or knowledge of, the company's full board or audit

'We are particularly appalled that no fairness opinion was obtained.'

committee.

"As a result of this new process, loss reserve deficiencies were reported, and reserves increased, in the second, third and fourth quarters of 2013.

"Following release of the company's 2013 second-quarter earnings on July 29, 2013, which was the first time the company's results were impacted by reserve increases resulting from this new process, the share price declined by approximately 18 percent."

Spachman also said the share price immediately prior to the commencement of the AFG tender offer also was negatively affected by the early release by the company of preliminary fourth-quarter and full-year 2013 earnings (which included additional reserve increases).

"The acceleration of the release of the company's preliminary year-end results was a departure

'The share price was negatively affected by reserve increases made by the company.'

from the company's historical practice. The tender offer was commenced three trading days following this accelerated release. During those three trading days, the company's stock price declined by approximately 5 percent."

'Flawed process'

Spachman accused AFG and National Interstate's non-independent directors of having "orchestrated a flawed process designed to deny shareholders a fair price for their shares."

After AFG announced its purchase plan, Spachman and National Interstate's three other independent directors "requested that the board form an independent special committee to evaluate and negotiate the tender offer on behalf of the company's public shareholders and to make a recommendation to such public shareholders.

"Despite the ubiquitous use of such committees to protect the interests of minority shareholders in similar situations, the request was denied" by the six non-independent National Interstate directors.

Spachman also said he objected on multiple occasions to the efforts by Consolino, the chairman of National Interstate, and the other non-independent directors "to control the process of advising the company's public shareholders concerning the tender offer and actively undermine the possibility of meaningful independent review of the tender offer."

Additionally, Spachman questioned whether the non-public directors had violated the company "Code of Ethics and Conduct," and said he believed the tender offer was "being conducted in a coercive manner that denies the company's shareholders the benefits of a fair process designed to achieve a fair price for their shares."

Short deadline?

He criticized the March 6 deadline for shareholders to act, saying it did not "provide the company's board with reasonable time to consider and respond to the tender offer on behalf of unaffiliated shareholders in an appropriate manner."

Three days before the March 6 deadline, AFG changed the expiration date of the offer to March 17.

"The tender offer has been designed to be extremely coercive," continued Spachman. "... The coercive effect of this structure is magnified by the fact that, under Ohio law and the company's organizational documents, (AFG) can unilaterally effect certain significant corporate actions once it obtains ownership of two-thirds of the outstanding shares, which would require the purchase of only an additional 15 percent of the outstanding shares in the tender offer."

Spachman requested that AFG suspend its offer and the National Interstate board appoint an independent committee to negotiate — with AFG — on behalf of the company and the unaffiliated shareholders.

Suits challenge deal

The two lawsuits challenging the American Financial Group offer were filed in separate state courts in Ohio. One was filed by Robert Bernatchez, who was identified as a former employee of National Interstate.

That complaint alleges the AFG offer is coercive because AFG could cash out National Interstate shareholders who do not tender their shares in the offer at a lower price than the offer price, and because there is a limited amount of time for National Interstate's shareholders to make a decision regarding the offer.

The complaint alleges the pro-

cess undertaken by National Interstate's board involved conflicts of interest and that the offer price was unfair.

A subsequent motion asked the court for a temporary restraining order and preliminary injunction prohibiting AFG from taking any steps toward completing the tender offer.

In early court action, the judge hearing the suit rejected the request for a restraining order to block the offer.

The second class-action suit was filed by Cambridge Retirement System, which accuses AFG of breach of fiduciary duty and aiding and abetting a breach of fiduciary duty by National Interstate's directors.

Like the other suit, it also says the tender offer is unfair and coercive.

In filings with the SEC, AFG said it intended to defend itself "vigorously" in both suits.

AFG assertions

In statements filed with the SEC by AFG, the Cincinnati-based company insisted the \$30 offering price was fair.

To assess an appropriate premium to be paid to National Interstate's unaffiliated shareholders, AFG said it reviewed prices paid by acquirers in selected minority transactions since 1998 where the acquirer owned at least 50 percent of the target before the transaction, and the buyer and/or target were U.S. insurance companies.

AFG said the median premium for the transactions it examined was 24.6 percent, compared to the 26.3 percent premium of the initial offering price of \$28 per share for National Interstate stock. The \$30 offer amounts to a "35 percent premium," said AFG.

Additionally, AFG said it had concluded "that the offer and the merger, including the going-private transaction relative to the offer and merger, are both substantively and procedurally fair to National Interstate's unaffiliated shareholders (whether those shareholders tender their shares in the offer or decline to tender and elect instead to remain as shareholders of National Interstate until the merger is effected)."

It noted, too, that none of the five independent research analysts who follow National Interstate common stock had a "buy" rating for the shares, and the highest 12-month target price identified by any analyst was \$28 per share.

Finally, AFG pointed out that the offer represented a 70 percent premium over the company book value per share of \$17.63 on Sept. 30.

THE DOCKET

FMCSA shuts down Philadelphia-to-New York operator

PHILADELPHIA — A Pennsylvania motorcoach operator with an Atlanta address and four misleading Philadelphia addresses has been declared an imminent safety hazard and ordered shut-down by the Federal Motor Carrier Safety Administration.

STSC Transportation Services Inc. was launched with considerable fanfare last year, operating daily scheduled service between Philadelphia and New York City with a fleet of five coaches.

The operator's voice mail indicates the company also traveled to Duluth, Ga., before it was ordered out of service in late February.

Federal safety auditors, attempting to examine the company's records found, "widespread and serious noncompliance with federal safety regulations," the FMCSA order stated, adding that STSC coaches ordered out of service for mechanical violations last

year were found back on the road without repairs.

According to the order, STSC "does not have a systematic vehicle inspection, repair and maintenance program" and "does not maintain all required vehicle records with the date and nature of inspections, repairs and maintenance conducted on its motorcoaches.

"Further, STSC Transportation also fails to correct safety-related defects listed on driver vehicle inspection reports and roadside inspection reports."

As for driver records, the order said STSC Transportation does not have safety management practices in place to assure its drivers are complying with regulations covering duty status, hours of service and mandated controlled substances and alcohol use and testing.

The order listed instances recorded last August and September in which STSC coaches were re-

peatedly cited by Pennsylvania and New York safety enforcement officers for the same defects.

The defects included an inoperable brake warning device, defective emergency exit handle, loose side mirror, inoperative windshield washer fluid system, inoperative tail lamp and an engine oil leak.

These incidents triggered a full investigation of the carrier.

Buses absent

The FMCSA also asked the Pennsylvania State Police to conduct Level 1 inspections of the company's five motorcoaches.

"On the date of the inspections, STSC Transportation only made three motorcoaches available for inspection," said the imminent-hazard order. All three were placed out of service.

"The Pennsylvania State Police contacted STSC Transportation several times to schedule a

date to inspect the other two motorcoaches. STSC Transportation failed to respond to the repeated requests, however, and has yet to make the two motorcoaches available for inspection.

"STSC Transportation's refusal to provide two motorcoaches for inspection shows its intent to avoid compliance and cover up its noncompliance."

Auditors found no maintenance records, inspection forms or repair receipts "showing that any vehicle defects had been corrected."

Information filed by STSC with the FMCSA gives an Atlanta address for the company, but the out-of-service order called this misleading "because only two employees are located in the Georgia office and its motorcoaches are located in another state. STSC Transportation conducts a significant portion of its business in Philadelphia."

Inspectors found the company's Philadelphia addresses also were "misleading." Addresses given by the carrier were found to house a restaurant, a travel agency and an auto repair shop. A fourth address was described as "a multi-story red brick building."

Avoiding compliance

"STSC Transportation's use of misleading addresses on its records and filings evinces the carrier's continual intent to avoid compliance and cover up its non-compliance with the (Federal Motor Carrier Safety Regulations)," said the order.

According to news reports, STSC buses went into service last April and opening ceremonies were held in July.

"The company, launched by attorney Jeremy Walker and two

CONTINUED ON PAGE 28 ►

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Driver drug/alcohol database rule is made official

WASHINGTON — The Federal Motor Carrier Safety Administration has formally issued a rule that would establish a national database of bus and truck drivers who have failed or refused to take drug and alcohol tests.

The rule delineating the drug and alcohol clearinghouse was published in the *Federal Register* late last month.

It was announced last month that the rule had cleared the White House Office of Management and Budget and would be published shortly. (See March 1 *Bus & Motorcoach News*.)

The rule will require motor carriers and medical personnel to “report verified positive, adulterated and substituted drug test results, positive alcohol test results, test refusals, negative return-to-duty test results and information on follow-up testing.”

The information will be reported to what is called the “Commercial Driver’s License Drug and Alcohol Clearinghouse.” Essentially, operators and medical personnel will upload information regarding positive drug test results to the clearinghouse.

The rule also will require em-

ployers to search the clearinghouse database for positive drug and alcohol test results, and refusals to test, on an annual basis for current employees, and as a part of the pre-employment process for prospective employees.

Currently, employers must rely on information provided by the driver, “who might not disclose prior positive drug or alcohol test results, or refusals to test,” the rule says.

Drivers will be allowed to appeal results by requesting administrative review by submitting a

written request and a written explanation of why he or she thinks the clearinghouse has erred. FMCSA would then make a decision within 60 days.

If a driver successfully completes the return-to-duty process after failing a drug test, positive results will remain accessible for either three or five years, per FMCSA’s proposed rule.

If a driver does not complete the return-to-duty process, the information will remain in the clearinghouse indefinitely.

In a situation where a DUI ar-

rest does not lead to a conviction the FMCSA would be required to remove a driver’s information from the database within two business days.

FMCSA says it hopes to have two levels of queries — full queries and limited queries. Full queries would allow carriers to see reportable information in a driver’s record and would require written consent from a driver.

The limited query would not allow carriers access to specific reportable information, but would acknowledge whether there is in-

formation in the database about a driver.

The limited query would be primarily used for the annual current employee screenings, FMCSA says, while the full query would be for pre-employment queries.

FMCSA will be required to report information back to a carrier within seven days of a query.

Carriers will be required to submit their DOT numbers and the name of the person or persons they authorize to access the clearinghouse, and that information would be updated annually, per the rule.

Publication of the rule in the *Federal Register* kicks off a 60-day period during which the public can submit comments by multiple means, including a federal website.

Public comments can be made via the Federal eRulemaking portal at www.regulations.gov; via fax, (202) 493-2251; by mail, Docket Management Facility, U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Ave. SE, Washington, D.C. 20590; or hand delivered to the same address.

All public comments must use the docket number FMCSA-2010-0031.

Logging device rule deadlines slip, slide

WASHINGTON — It has been a year since Federal Motor Carrier Safety Administration Administrator Anne Ferro told members of Congress — at a House subcommittee hearing — that she expected her agency to publish a proposed rule mandating the use of electronic logging devices (also known as electronic onboard recorders) in six months.

On March 14, 2013, in front of the House Transportation and Infrastructure’s Highways and Transport Subcommittee, Ferro

said she expected the rule to be published in September.

That was then backed up to Nov. 18.

Which was backed up to Dec. 23.

Then Jan. 28.

Then Feb. 27.

Feb. 27 came and went last month, of course, and the rule still hadn’t cleared the White House Office of Management and Budget.

Of course, the FMCSA can’t force the OMB’s hand on clearing rules, so the agency is not exclu-

sively to blame for the continual set-and-miss dates for the rule’s unveiling.

But they are well behind schedule.

The current MAP-21 federal highway funding law directed the agency to publish a rule within one year of its passage.

MAP-21 was signed into law by President Obama 19 months ago.

The regulation could clear the OMB any day.

But, at this point, does it matter?

Price of diesel surges past \$4

WASHINGTON — The national average price of diesel fuel has pushed past \$4 a gallon for the first time in almost a year, to just over \$4.01, the Department of Energy reports.

The motorcoach industry’s main fuel, which has risen steadily during the past month and a half, had not topped \$4 nationally since March 25, 2013, according to DOE records.

Despite the increase, diesel remains roughly 14 cents a gallon less than a year ago when it hit \$4.159 a gallon — the highest price since the record-setting summer of 2008.

Gasoline, meanwhile, has climbed to \$3.45 a gallon, the highest price in five months, DOE said.

The nation’s No. 1 motor fuel has climbed nearly 15 cents a gallon in recent weeks, its sharpest rise since jumping 14.7 cents a gallon in mid-July.

Still, gasoline is about 30 cents a gallon below a year ago, but is the highest it has been since it was nearly \$3.50 a gallon at the end of September, according to DOE records.

The escalating prices for die-

Tolls cut for Verrazano-Narrows Bridge

NEW YORK CITY — Frequent users of the Verrazano-Narrows Bridge, which connects the city boroughs of Staten Island and Brooklyn, will pay reduced tolls starting next month.

New York Gov. Andrew Cuomo and legislative leaders endorsed a plan that they then shoved off on the board of the New York MTA, which owns many of the city’s bridges and tunnels, including the Verrazano-Narrows Bridge.

Under the plan that was rubberstamped by the New York MTA board late last month, commercial

vehicles using the Verrazano-Narrows Bridge more than 10 times a month would receive a 20 percent discount on tolls.

That means the toll for a three-axle motorcoach will be reduced to \$25.29 from the current \$31.52. For a two-axle bus, the new toll rate will be \$15.43, down from \$19.24.

The discounts only apply to vehicles using New York E-ZPass transponders and cross the bridge 10 times or more a month.

The plan will bring the E-ZPass rate for passenger vehicle

drivers who live on Staten Island to \$5.50, compared with the current \$6 for drivers who cross more than three times a month, and \$6.36 for less-frequent drivers.

The discounted rates take effect April 1.

The reduction many only be temporary, however.

The plan will cost \$14 million, with \$7 million coming from the state budget and the other \$7 million from the MTA budget.

If funding for the program is cut in future years, the toll relief will disappear.

Tunnel tolls slip in Hampton Roads, Va.

HAMPTON ROADS, Va. — Initial tolls on the Midtown/Downtown tunnels here are half the level originally expected. Tolling began last month.

The tolls are being used to pay for construction of the \$2.1 billion Elizabeth River Tunnels project, which includes building a new Midtown Tunnel tube, and rehabilitating the existing Midtown and Downtown tunnels.

The toll for buses using the Midtown/Downtown tunnels during off-peak hours is \$2.25 one-way, and the peak-hour rate is \$4 for those with E-ZPass.

Originally, buses were looking at a peak-hour, round-trip rate of \$16. The off-peak rate for passenger vehicles is 75 cents, down from \$1.59, and the peak-hour toll rate is \$1, down from \$1.84.

Virginia Gov. Terry McAuliffe

directed his transportation secretary to take the lead in reducing the tolls “so they would lessen the financial burden on commuters and businesses who use the tunnels every day.”

McAuliffe calls the construction of a third tunnel “a critical project that must be built to reduce congestion, improve safety and propel economic opportunities for the region.”

sel and gasoline are mirroring the price of oil, which is the highest since October.

The nation’s headiest overall diesel fuel prices are on the East

Coast, where they average around \$4.42 cents a gallon. On the West Coast and Rocky Mountain regions, which often have the highest prices, diesel is around \$4.04 and

\$3.95 per gallon, respectively.

Each week the USDOE surveys about 400 diesel filling stations and 800 gasoline stations to compile national average prices.

Obama seeks tougher rules for emissions

WASHINGTON — The Obama administration has proposed an additional set of carbon-dioxide emissions and fuel-economy improvements for heavy- and medium-duty trucks and buses that would go beyond standards that take effect this year and in 2017.

President Obama ordered the U.S. Transportation Department and Environmental Protection Agency to develop a second major rule by March 2016.

The USEPA and DOT’s National Highway Traffic Safety Administration wrote the 2011 rule that set carbon emissions and fuel standards for trucks and buses that went into effective in January and the follow-on requirements that are mandated for 2017.

The president said he wants EPA and NHTSA to have a proposed rule completed by the end of March 2015 and the final rule done a year later — about 10 months before he leaves office.

While the effective date would be contained in the actual rule, people familiar with the regulatory process said January 2020 is a reasonable estimate.

Charters run by jitney association again challenged

ATLANTIC CITY — The Federal Transit Administration has again been asked to examine the charter activities of the Atlantic City Jitney Association.

The new request, which comes from a private transportation company that operates in the area, alleges the jitney association is using federally-paid-for buses and a maintenance facility to improperly provide charter service in competition with private companies.

A year ago, the FTA's chief counsel, Dorval Carter, issued a cease-and-desist order to the Atlantic City Jitney Association after finding the association was "in violation of the FTA's charter service regulations when (it) used federally-funded vehicles for charter service."

The opinion was requested by Richard Adelizzi, owner of Five Mile Beach Electric Railway Co. of North Cape May, N.J. Five Mile Beach Electric offers a variety of bus and shuttle services, including charters, convention transportation, local resort transit, trolley tours and casino runs.

The company operates under the names Great American Trolley Co., Cable Car Concepts and At-

lantic City Trolley Tours.

The Five Mile Beach Electric complaint accuses the Atlantic City Jitney Association of violating terms of a federal grant used to buy many of its shuttle buses by providing charter services, including private transportation to weddings, parties and sporting events.

Because the jitney association received "millions of dollars in taxpayer money," Adelizzi complained, it was in "the enviable position of being able to offer lower prices on charters than a private carrier can."

The jitney association appealed the 2013 order, arguing that only part of its fleet was purchased with federal assistance.

Tom Woodruff, president of the association, said 100 of its vehicles were purchased with federal grants awarded in 2009 and 2010, but there were 90 buses purchased with private funds.

The association said the FTA agreed it should abandon some private charter service at the local airport but could continue to offer charter service using privately-purchased buses.

The jitney association describes itself as "190 individually

owner-operated vehicles who service Atlantic City 24/7, 365 days a year. We also provide shuttle bus service from the Atlantic City Rail Terminal to the various casinos located throughout the city."

On Nov. 19, Adelizzi filed a new complaint with Kathy D. Breeden, ombudsman for charter services at the FTA. The complaint, filed on the letterhead of the Great American Trolley Co., alleges the Atlantic City Jitney Association was continuing to provide charter service in violation of federal charter service regulations, as well as the previous cease-and-desist order.

Continued violations

Adelizzi also said the jitney association had not filed the required compliance plan for last year's order. Further, he wrote, "ACJA has continued to do charter work, supposedly using the privately-funded vehicles only, but facts and observations indicate ACJA is doing charter service with federally-purchased vehicles as well."

In addition, Adelizzi wrote, the jitney association used federal funding to install compressed nat-

ural gas fuel systems in all of its jitneys, including vehicles purchased without federal assistance. He stated that the association also received federal funding for a fuel and storage station "where the jitneys are fueled and most of the jitneys are stored."

The jitney association uses "the 'locally-funded' argument as a ruse to circumvent the order by performing charters with a mix of privately purchased and federally funded vehicles," Adelizzi continued. "Moreover, it turns out the 'so-called' privately purchased vehicles were not wholly locally funded and had substantial federal assistance."

Ongoing damage

"The predatory pricing of ACJA continues to damage our company, as well as several local carriers and several small cab companies. ACJA can cut their prices because most of their vehicles and all of their fuel systems were paid for with federal money, moreover their vehicles are fueled and stored at a federally funded facility."

Adelizzi wrote that "there has been no oversight or enforcement"

of last year's cease-and-desist order" and asked FTA "to eliminate the subterfuge."

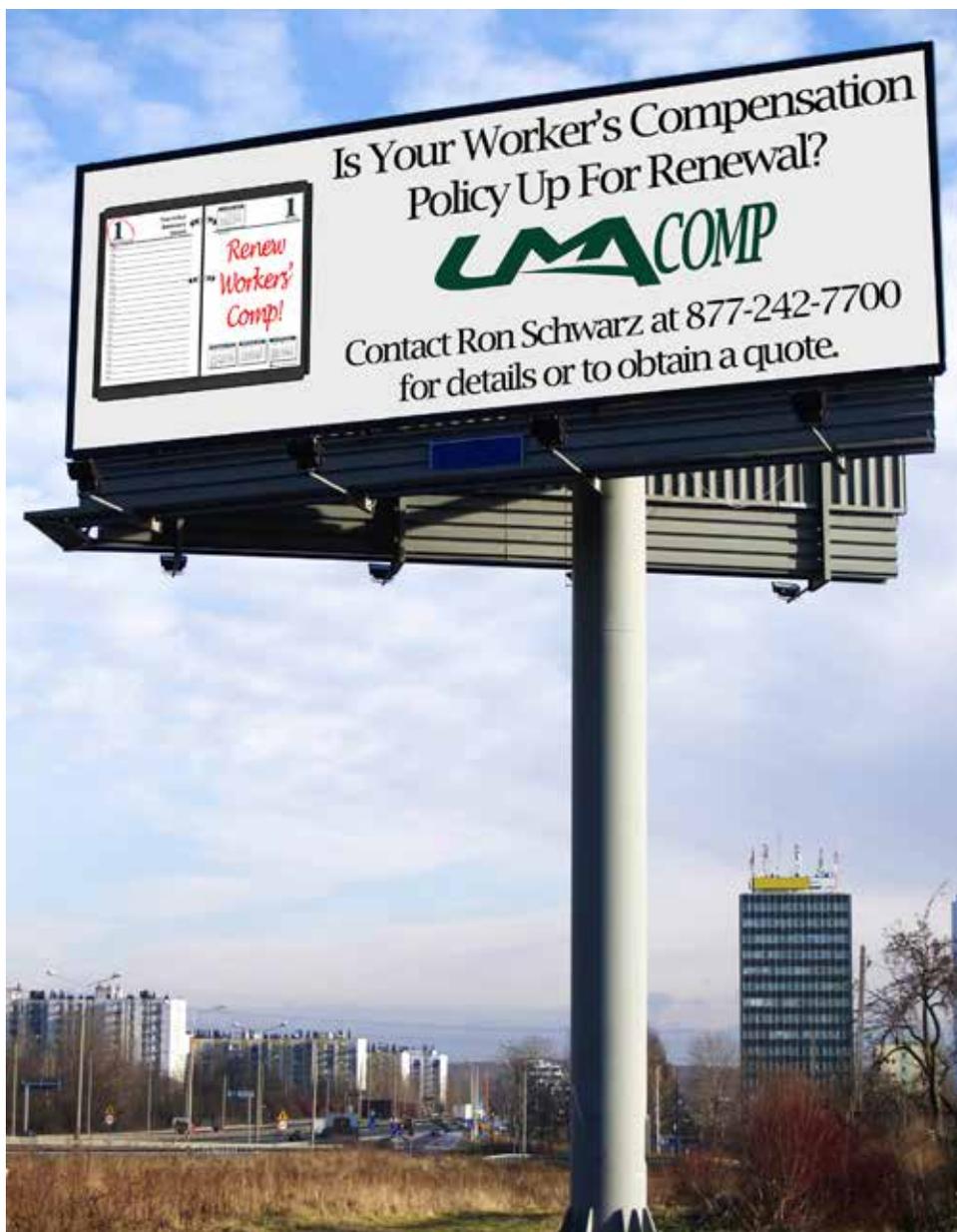
Keith A. Davis, an attorney for the Atlantic City Jitney Association, responded with a letter to FTA. "All of the allegations raised by complainant are denied," he wrote.

He argued that public funds applied to the purchase of the CNG fuel systems and fueling station did not make the association's jitneys ineligible to provide charter service because the federal charter "prohibition only applies to assistance for the purchase of buses and vans." Also, he said, the fueling station is not owned by ACJA.

As for the jitney association's operation of airport charter service, he stated that proper notice of this service was provided and "no charter operator expressed interest in operating this charter in a timely manner."

"Complainant (Great American Trolley Co.) is attempting to broadly construe these regulations to affect buses that were not purchased with federal funds to gain a competitive advantage. We submit that the FTA cannot allow this to

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Foxx nixes fuel tax increase to pay for highways, transit

WASHINGTON — Transportation Secretary Anthony Foxx says the Obama administration still believes there's a better way to raise the money needed to upgrade the nation's highway infrastructure and bolster public transportation than to raise the federal fuel tax.

Private investment and corporate tax reform are preferable ways to come up with money, Foxx said at a U.S. Chamber of Commerce transportation conference last month.

"In my view, we should stop aiming just to get the Highway Trust Fund level again," Foxx said. "We should aim to cut into a bigger piece of the infrastructure deficit."

The Congressional Budget Office has estimated the highway fund could be insolvent by the end of the fiscal year, which is Sept. 30.

Foxx has predicted it could run out of money in August.

In the past the fund has been bolstered with general tax revenues.

Fuel taxes II

WASHINGTON — House Transportation Committee Chairman Bill Shuster, R-Pa., said he wants a five- to six-year highway bill but is not backing higher fuel taxes to pay for improvements and new capacity for the nation's roads and bridges.

The chairman's rejection of higher fuel taxes came a year after he assumed the committee chairmanship, saying at the time he would consider all funding options for transportation.

"I just don't think that there's the will out there with the American public or the Congress. Even our president has said we're not



Anthony Foxx

Bill Shuster

going to do that," Shuster said of a fuel tax increase. "So we're going to have to find different ways at this time."

Shuster made the comments at a transportation and infrastructure event held last month.

Asked to name alternatives for generating infrastructure investment, Shuster said a tax on vehicle miles traveled is one alternative.

Two other speakers at the forum, former Pennsylvania Gov. Ed Rendell and former U.S. Transportation Secretary Ray LaHood, called for higher fuel taxes, saying the nation is in the midst of an infrastructure disaster.

In-vehicle cameras OK'd in California

SACRAMENTO, Calif. — Bus and truck operators in California can use recordings from in-vehicle, driver-monitoring cameras for disciplinary purposes, the state's attorney general concluded in an opinion.

Attorney General Kamala Harris said commercial vehicle operators have not violated any state laws by using the data to take action against a driver.

Harris' opinion deals with

companies contracted by carriers to provide the monitoring, and she stated carriers can use the third-party services to record drivers and inspect the video.

Typically, the third-party services use front-facing and driver-facing cameras to record in a continuous loop until a triggering event, like hard braking or swerving, make them retain the recording.

California law, Harris said, al-

Jitneys challenged

CONTINUED FROM PAGE 27

occur," Davis wrote.

"Complainant makes the preposterous assertion that ACJA is guilty of 'subterfuge' because of its successful and cost-effective private charter operations. If anyone is culpable of subterfuge with respect to this matter it is the complainant. Complainant's continuous stalking of ACJA members who are attempting to earn a living and these repetitive and frivolous complaints filed with the FTA are nothing more than harassment, intended to gain a competitive advantage in the marketplace."

That line of reasoning concluded: "We would respectfully ask the FTA to direct complainant to cease utilizing the FTA's complaint process as a means of harassing ACJA to gain a competitive advantage."

Then a thinly-veiled threat: "All civil legal rights are specifically reserved by ACJA."

Great American Trolley re-

sponded with a letter that disputed the process used to notify other operators of requests for the airport charter service.

Adelizzi said the "customer contact information is ACJA's contact information. How can any registered charter provider do any customer contact when the only contact is ACJA?"

He also argued that federal funding rules previously addressed the issue of fleets comprised of both federally- and privately-funded vehicles. He attached a section of FTA charter service "Q&A" published in the *Federal Register* on Aug. 1, 2008. It states:

"If the recipient receives FTA funds for operating assistance or stores its vehicles in a FTA-funded facility or receives indirect FTA assistance, then the charter regulations apply. The fact that the vehicle was locally funded does not make the recipient exempt from the charter regulations."

Further, Adelizzi said, federal money was involved in the construction of the CNG fueling sta-

lows carriers to store no more than 30 seconds before and after a triggering event.

If a carrier uses the video for disciplinary purposes against a driver, the recording must be available to the driver or the driver's bargaining representative.

State Sen. Jerry Hill asked Harris for the opinion due to concern over the potential for the recordings to violate an 85-year-old state statute prohibiting blacklisting.

tion used by ACJA and it should not matter "what federal program the transit money came from."

The Great American Trolley's submission concludes: "It is clear that ACJA views the complaint as a nuisance that will hopefully go away but small private operators like our company and several other carriers affected have no other recourse but FTA for assistance... FTA is the only entity powerful enough to enforce the rules against this type of unfair competition."

Davis and the jitney association filed a response to that letter in January. The attorney argued that Great American Trolley had no interest in the questioned airport charter service because neither it nor any other carrier expressed interest in providing the service.

The jitney association reiterated the argument that the federal charter rule should be applied only to buses purchased with federal funds.

"The FTA rules do not cover funding in which there is merely a 'federal interest' as GATC sug-

Plans to shrink U.S. military would impact coach industry

WASHINGTON — The motorcoach industry is eyeing, with more than a little apprehension, the Obama administration's push for a smaller U.S. military.

Reducing the size of the military likely would adversely impact many motorcoach operators that contract with the Department of Defense to transport military personnel.

Last month, Defense Secretary Chuck Hagel proposed shrinking the Army to its smallest size in three-quarters of a century, hoping to reshape the military after more than a decade of war in Iraq and Afghanistan, and roped in by fiscal constraints set by Congress.

In announcing the proposed cutbacks, Hagel said the Pentagon was "repositioning to focus on the strategic challenges and opportunities that will define our future: new technologies, new centers of power and a world that is growing more volatile, more unpredictable and in some instances more threatening to the United States."

Tickets issued in Connecticut under snow/ice removal law

HARTFORD, Conn. — State law enforcement officers in Connecticut have issued 230 tickets to drivers of commercial vehicles and other motorists who failed to remove snow and ice from the roofs of their vehicles.

Tickets carry fines ranging from \$120 for motorists, to \$500 for commercial drivers, which means the state has issued at least \$27,600 worth of them since the law took effect Jan. 1, the Associated Press reported last month.

Connecticut has had 12 major snowstorms this year.

The so-called "ice missile" law is designed to reduce the

At its core, the Pentagon cut-back plan sees the U.S. military as no longer sized to conduct large and protracted ground wars. Instead, more emphasis will be on versatile, agile forces that can project power over great distances, including in Asia.

The active-duty Army would shrink from 522,000 soldiers to between 440,000 and 450,000. That would make it the smallest since just before the U.S. entered World War II.

Other contentious elements include proposed Army National Guard reductions, and domestic military base closings.

The last time the active-duty Army was below 500,000 was in 2005, when it stood at 492,000. Its post-World War II low was 480,000 in 2001, according to historical tables provided by the Army.

In 1940 the Army had 267,000 active-duty members, and it surged to 1.46 million the following year as the U.S. approached entry into World War II.

chances that ice would fly off a vehicle and hit another one. It was passed in 2010. New Jersey and Pennsylvania have similar laws. (See Feb. 1 *Bus & Motorcoach News*.)

Critics of the law say it is often very difficult to comply with for operators of large commercial vehicles because there are few options for removing snow and ice from the roof of a tall vehicle.

Commercial drivers are subject to the large fine if snow or ice falls or flies off their vehicle and damages another one or causes a crash.

Operator shutdown

CONTINUED FROM PAGE 25

investors, is actually the first black-owned and operated transportation company in Philadelphia," reported a publication called *The Network Journal*.

The *South Hill Enterprise News* called Walker "one of Philadelphia's trailblazing entrepreneurs" and said he had been practicing law through his own firm since 2006. Telephone calls to the

gests... "We submit that GATC's complaint is without merit and respectfully ask the FTA to dismiss

carrier's office were answered by a voice mail system. A call to Walker's law office had not been returned by deadline.

The carrier initially charged flat fares of \$10 and later raised those to \$12 each way. There were eight daily roundtrips between Philadelphia and New York City. A city councilman who attended the grand opening said STSC filled a void left in Chinatown after another bus company went out of business in 2012.

it in full."

The parties await a ruling from FTA.

Are today's safety campaigns grounded in reality?

By Dave Millhouser

My Great Aunt Gertrude always cheated.

DeeDee ("Great Aunt Gertrude" was too cumbersome a sobriquet for our young brains) often babysat my brother and I, entertaining us with board games.

She constantly changed the rules...to make sure we won. She controlled the outcome and, for us, it was always happy.

Everyone needs a DeeDee ... someone who thinks you're perfect, and is always on your side (even when you're wrong).

Problems can arise when those who control the rules have a less pleasant agenda, and possess the power to change them any time things aren't going as they wish.

We're currently in the throes of a seemingly well-intended safety campaign by the federal government.

But officials often appear to either change the regulations periodically, or allow individual enforcement folk to interpret them as they see fit.

Make no mistake, there's an agenda, otherwise they wouldn't proclaim the number of accidents prevented, or lives saved.

Just how DOES one tally an ac-

cident that didn't happen?

Why do press releases trumpeting the closing of unsafe operators often include the same miscreants time and again?

Is it about safety or making the regulators relevant? (Or, to be fair, both?)

It's disturbing when a top administrator suggests we sacrifice profit for more safety. After all, safety costs money and paying for more driver training and the latest, greatest and safest equipment comes FROM profits.

There are plenty of existing — very powerful — incentives for most bus companies to operate safely. Mess up and you're out of business; mess up BIG and you may be personally bankrupt and in jail.

Toll booths are demonstrably unsafe, but government keeps building them because it needs the revenue. I'm not saying tolls are unnecessary, I'm just weary of the hypocrisy.

It was a big deal when that administrator did a "ride along" in a truck.

I ride airplanes a lot, but I wouldn't presume that translates into significant knowledge about how to pilot one, let alone regulate the airline industry.

When a regulator blows it, they

MIGHT be disciplined, or even transferred to another bureaucracy.

In recent years, companies that had just received the highest rating possible were involved in serious accidents (then forced out of business when re-inspected).

What happened to the functionaries who gave the initial stamps of approval?

Have we given serious thought to whether what they're measuring has serious impact on safety in real life?

It would be refreshing if there were a significant presence in the regulating agencies of people who've actually participated in the industry they control, who actually earned the profits necessary to build and operate a safe company.

Having hearings and listening to operators at meetings is OK but, in the end, regulators have no stake in the industry surviving or thriving.

One of the worst maritime disasters in history occurred when the steamer Eastland capsized at her Chicago dock. A major contributing factor was the (heavy) lifeboats installed on her upper decks, making the ship unstable.

They were retrofitted as the result of standards adopted in the wake of the Titanic disaster three years before. It wasn't the only cause, but a well in-

tended, but poorly executed, regulation helped kill more than 800 people.

Ever wonder what "denatured" alcohol is?

During Prohibition, authorities were frustrated by bootleggers ability to obtain, and resell, industrial alcohol. They cleverly decided that if they forced industrial distillers to add poison to their product, the public would take notice, and stop trying to drink it.

Wanna guess what happened?

A well-intended (that phrase again) regulation was responsible for killing thousands of the folks it was meant to protect.

Two key points:

Good intentions are no substitute for competence. The more real industry exposure regulators have, the more likely they are to get it right.

Populating agencies with individuals who eventually will move on is not a good solution, nor is filling them with bureaucrats whose primary goal seems to be to justify their jobs.

No matter how sincere, and well intended, real safety will always be a secondary goal for those folks. These bodies need to include some experienced transportation professionals, not as witnesses, but as participants.

And, enforcing arbitrary rules for

the sake of appearances, looking like we're "doing something," making sure that every company inspected has some measurable (and "fineable") violation, may accomplish the opposite of what's intended.

Regulatory perfection doesn't equal safety.

The least safe bus is still less dangerous than the safest automobile. When regulation — that has a marginal impact on real world safety — drives coach companies out of business, people will be forced into cars, with the congestion, pollution and traffic deaths that accompany the shift.

Those deaths will be just as hard to measure as the accidents and deaths "prevented" by the current regulatory blitz.

DeeDee was truly "well intended" and I cherish her memory. But the current regulatory regime is not my Great Aunt Gertrude.

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



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Trailways launches giving program at annual meeting

MIRAMAR BEACH, Fla. — Trailways kicked off the spring motorcoach industry meeting season early this month by conducting its 78th annual conference here.

Trailways used the event — March 9-11 — to launch an initiative designed to benefit charities in the community where it conducts its annual meeting.

This year's conference was at the beachfront Sandestin Golf and Beach Resort, on northwest Flor-

ida's "Emerald Coast," between Pensacola and Panama City, and eight miles east of Destin.

Five Destin-area groups benefited from the initial program, which is being financed via a funding-raising auction conducted during the conference.

Proceeds from this year's auction were earmarked for a diverse group of charities:

- Fisher House Foundation, a network of homes where families

can stay at no cost while a loved one is receiving treatment. The homes are typically located at major U.S. military and VA medical centers.

- Fishing & History Museum.
- Boys & Girls Club of Destin.
- Sharing Hands Network, which aids the poor and homeless.
- Shriners Hospitals for Children of Florida.

Tony Fiorini, chairman of the

Trailways board and owner of Silver State Trailways of California and Nevada, developed the charity program for the organization.

"This is the first year of our donation program. We want to give to various organizations that help the local community in different ways. Sometimes a little can go a long way."

Roughly \$5,000 was raised to launch the program.

"We hope to build the program

in the future to give even more," Fiorini said.

More than 125 company owners and industry leaders attended the Trailways conference, with a dozen coaches in Trailways livery on hand to symbolize the event.

Trailways was founded in 1936 with five companies, and today includes a network of 76 ground transportation companies with a fleet of roughly 8,500 vehicles, serving 2 million customers annually.

Greyhound museum founder, Gene Nicoletti, dies at 88

HIBBING, Minn. — Gene Nicoletti, who channeled his passion for history into creating one of the North American bus industry's best-known museums, has died at the age of 88.

Mr. Nicoletti was the founder and moving force behind the Greyhound Bus Museum here, where Greyhound got its start 100 years

ago, and was the museum's dedicated custodian and curator for more than two decades.

Nicoletti opened the museum in September 1989, in the Hibbing Municipal Building under the name Greyhound Bus Origin Center.

The story is that Mr. Nicoletti, who was the longest continuous-

serving Hibbing City Council member at 16 years, found a plaque in the abandoned local Greyhound Terminal, honoring the town as the birthplace of the bus industry.

After discovering the plaque, Mr. Nicoletti asked a simple question: Why don't we have a Greyhound museum? He then proceeded to develop one.

Today, the museum has its own building and a fleet of more than a dozen antique and vintage buses, including a 1914 Hupmobile, 1936 "Super Coach," 1948 "Silverside," 1956 Scenicruiser, and 1977 MC8 Americruiser.

Exhibits in the museum tell the story of Greyhound, acknowledging its role in moving America, especially its soldiers during World War II, and displaying memorabilia from its history.

That Nicoletti was able to accomplish what it did in a community of just over 16,000 residents, that is miles from nowhere, is remarkable. Hibbing is in northern Minnesota, roughly 200 miles north of Minneapolis, 75 miles northwest of Duluth, and built on the rich ore of Minnesota's famed Mesabi Iron Range.

At the edge of town is the largest open-pit iron mine in the world.

Mr. Nicoletti's son, Gene Nicoletti Jr., says his father, like many people who were caught on the wrong side of the Great De-

pression, had an impoverished childhood.

"As an adult, he turned his humble beginnings into a most remarkable life. He never dwelled on the past and instead focused on all the wonderful possibilities that laid in front of him. He was a true optimist in every sense of the word."

At the age of 17, Mr. Nicoletti enlisted in the Navy. He served as a pharmacist's mate during World War II, and a hospital corpsman during the Korean War.

After leaving the Navy, he worked for National Foods, starting in a store produce department and eventually rising to district manager. He left the grocery business after 23 years and became a sales representative for Prudential Insurance for 15 years before retiring.

In Hibbing, he volunteered for everything and was a huge promoter of the community. He served on committees, was a member of civic organizations, and worked on projects of all sorts.

His proudest civic achievements were the saving of The Androy hotel and the founding of the Greyhound Bus Museum. The Androy was a grand hotel built in 1921 by a mining company. It served as the focal point of Hibbing's business and social life until it closed in 1977. After standing vacant for 14 years, a demolition permit was approved by the city.

Mr. Nicoletti and others led a

grassroots effort to save the structure and restore it. Today, The Androy is a combination of senior housing units and commercial space.

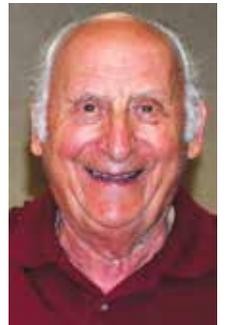
Mr. Nicoletti also rang the bell for The Salvation Army red kettle at Christmas, delivered meals-on-wheels on Saturdays, and was the host of a local television program, "Talk of the Town."

"However, if you were to ask him what he enjoyed most," said his son, "he would certainly say being invited to give talks or giving tours at the bus museum for grade-school children."

He also was an artist. He designed and built many of the displays at the Greyhound museum. He also built displays for the Minnesota Museum of Mining and for the Hull Rust Mine.

For his funeral last month, Greyhound donated a coach to transport friends, colleagues and admirers from Minneapolis to Hibbing. Two Greyhound executives were among the mourners.

Besides his son, Mr. Nicoletti is survived by his wife of 60 years, Norma, and a daughter, Lori Harter.



Gene Nicoletti

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Cummins keeps top market share

SOUTHFIELD, Mich. — Engine maker Cummins Inc. maintained its North American-leading market share last year, at 40.4 percent, even though most proprietary engine builders said their share increased during 2013, *WardsAuto.com* reported.

Gains in diesel engine sales by Daimler AG, Volvo Group and others did not erode Cummins' overall share because the Columbus, Ind.-based manufacturer sold

more engines to Navistar.

Daimler boosted its engine market share to 25.9 percent in 2013 from 24.2 percent the year before, Ward's said.

Volvo increased its share to 17.5 percent, up from 16.5 percent.

Though Cummins' market share remained above 40 percent, its sales volume fell nearly 11 percent, to 98,256 engines in 2013 — closely mirroring the 11 percent decline in industry-wide engine

shipments, to 243,003.

Some analysts are forecasting similar results for this year and Cummins probably will offset losses by growing its business with Navistar.

Cummins, the No. 1 engine in the motorcoach industry, as well as the transit bus sector, supplies diesel power plants to such coach builders as MCI, Van Hool, Temsa and Caio, plus a large number of cutaway bus makers.



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