

# Bus & Motorcoach NEWS

WHAT'S GOING ON IN THE BUS INDUSTRY

## *Company stories*

### Little Rock operator focuses attention on healthcare law

Take a telegenic motorcoach operator from Little Rock.

Put her on "Huckabee," the Fox cable network program, to talk about healthcare and small businesses, and what do you get?

Possibly more industry buzz about the Affordable Care Act in a week than in the three years since it became law.

"I think operators are starting to pay attention. It's really going to be a lot more impactful than most people realize," said Gina Martin, who founded Little Rock Tours

and Travel with her husband, Cary, 10 years ago.

Martin, a former TV news reporter who hosts a morning radio talk show in Little Rock, appeared on the Saturday evening TV talk show hosted by former presidential candidate and former Arkansas Gov. Mike Huckabee for a segment called "Cost of ObamaCare: Burden on Employers."

She described for Huckabee and his viewers the challenges the law presents to small motorcoach operators and others in the trans-

portation industry employing fewer than 50 workers.

"(W)hen our drivers are on the road, you have to keep in mind that they spend the night," she said. "So, their part-time hours add up very quickly, and we're trying to figure out their full-time equivalency, and whether or not we will have to require the health care with our employees or not."

According to her calculations, she said, her company most recently employed 47 full-time equivalents, including the part-

time drivers.

"Next week, we might have a great week. In the real world, that's a good thing, unless we exceed the 50 full-time equivalency mandate, and then at that point, we would have to provide health insurance," she told the show's million-plus viewers.

Further, she said, "When you add that up with the unpredictably of diesel fuel and all of the regulations the transportation industry is enduring, it spells disaster for our industry."

She called the healthcare

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### Debate focus: Inspections vs. enforcement

LOUISVILLE, Ky. — A seemingly unlikely debate has broken out between truck and bus safety regulators and enforcement officials on one side, and organizations representing truck and bus operators on the other.

The latest forum for the debate was a Commercial Vehicle Safety Alliance meeting here last month during which a trucking leader's call for police to put more emphasis on traffic enforcement — rather than roadside inspections — yielded a polite "thank you" from the enforcement community and disagreement with some of his message.

Traffic enforcement is important, but it must be done in concert with vehicle and driver inspections, said Stephen Keppler, executive director of the CVSA.

Keppler was responding to a speech at the CVSA meeting by Phil Byrd, president of Bulldog Highway Express and first vice chairman of the American Trucking Associations.

Byrd said on-road traffic enforcement is the best way to improve safety, even if it means taking resources away from roadside inspections.

"We very much appreciated Phil Byrd's presentation," Keppler told one trucking publication in an email. "We would agree with some of what he said, we do not agree with all of it."

CVSA is the organization that brings together police and other enforcement officials from the U.S., Canada and Mexico, as well as industry representatives, to set North American bus and truck safety enforcement policies.

Keppler said traffic enforcement of trucks, buses and cars is effective, but it is part of a comprehensive enforcement effort that

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### Trip Tracker offers passengers a new window

SEBRING, Fla. — It has a name as catchy as the Veg-O-Matic or the Popeil Pocket Fisherman.

It's the amazing Trip Tracker.

The Trip Tracker is a vehicle tracking tool that allows passengers to view the location of their bus on a map in real time, much as customers of some airlines can track a flight.

And it's offered as a complimentary feature exclusively to customers of Annett Bus Lines.

Here's how it works: Custom-

ers simply enter the charter ID (similar to an airline flight number) into the Annett Bus Lines' website to display a constantly updated map with the corresponding bus for that trip.

According to Brian Annett, president of the company, it's great for parents sending their kids off to summer camp for the first time, or travelers anxious about making it to the airport in time for a flight.

Even conventioners wondering when the next shuttle bus will

arrive can stop tapping their feet and jump on the website to see their bus.

"It's a great tool. Not only for our customers, but for our own business," says Annett, who runs the Sebring-based company with his brother David.

"If our sales people get a call, and they need to know where a bus is quickly, they can go to our GPS portal, which has where all the buses are.

"But it's a lot easier to pull up

our website and put in the charter ID, and it puts the bus on the screen. It's a very useable tool, both inside the company and for the customer."

And it's a great sales tool, Annett adds.

But wait, there's more!

"I think it also gets back to showing the philosophy of our company, which is we want to be safe, we want to be transparent, we want to show the customer what

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### Stolen bus creates 'nightmare' for operator

LYNDHURST, N.J. — For Paul Pacer, president and owner of Cavalier Tours in Columbus, Ohio, it has been the most frustrating experience of his nearly 20 years in the motorcoach industry.

And, yet, it sounds so simple: One of his motorcoaches was stolen.

The theft of Cavalier Tours' 1997 MCI DL3 from a hotel parking lot here touched off a series of events that were still causing frustration days after the coach was found and the thief arrested.

Pacer's ordeal began last month when Cornelius Talley, a driver for Cavalier, took a group to New York City. Talley dropped off his passengers in the city and then drove to New Jersey where he fueled the coach — at a cost of \$800, and checked into the Quality Inn here.

When Talley arose the next morning and went out at 9 to inspect the coach, it was gone.

The driver immediately called the company to ask what he should do. Thinking perhaps Talley had

parked the bus illegally, and it had been towed, Pacer had Talley check with the hotel and the Lyndhurst Police.

"No," said the police, the bus had not been towed. The driver filed a police report, saying the bus had been stolen.

Of course, Pacer had to arrange alternative transportation — seldom an easy task — for his group in New York City.

#### Reading the fine print

Meanwhile, Talley noticed that

a coach belonging to Lakefront Lines of Cleveland, which he had parked next to in the hotel parking lot the night before, was missing its license plates.

It quickly was assumed that whoever stole the Cavalier coach had taken the plates off the Lakefront bus.

Back in Columbus, Pacer was digging out his auto liability insurance policy and educating himself about its provisions related to a stolen vehicle.

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# FMCSA shuts down D.C. operator

WASHINGTON — The Federal Motor Carrier Safety Administration has shut down a Washington-based bus company that specialized in tours and parties.

In shutting down Washington DC Party Shuttle, the FMCSA cited a number of safety-related infractions.

The agency said the company, which also operated in New York City, hired and repeatedly used a driver who tested positive for drugs or alcohol. The firm's buses were found to have numerous mechanical violations.

"We are making good on our pledge to get unsafe bus companies off the road," said Transportation Secretary Ray LaHood. "We are committed to protecting the traveling public."

The FMCSA has closed imminent-risk companies since a Mexico-based operator, Scapadas Magicas LLC, crashed a bus in California Feb. 3, killing eight people.

The shutdown of Washington DC Party Shuttle was the first since a team of 54 investigators targeting high-risk carriers began work in April, the agency said. (See May 1 *Bus & Motorcoach News*.)

The DC Party shuttle also did business as Onboard DC Tours and operated primarily as a tour-bus

service in metro Washington. It used two buses to run a similar business in New York City from the location of an out-of-service company, the agency said.

The Onboard DC Tours website indicated it specialized in tours of Washington landmarks. It also offered outings to Mount Vernon and Alexandria in Virginia.

After beginning in New York, the company has been operating in Washington and Las Vegas, according to the website.

## Diesel price falls

WASHINGTON — The decline in diesel fuel prices continued this month, dropping to its lowest level in nine months, the U.S. Department of Energy reported.

The motorcoach industry's main fuel has fallen in price to near the level of last August, when the national average was \$3.85 a gallon.

The price is roughly 20 cents a gallon less than it was a year ago.

Diesel topped out at \$4.159 a gallon in late February and since then has plunged nearly 30 cents a gallon.

The national average price of gasoline, meanwhile, has fallen to about \$3.50 a gallon.

Gas is nearly 35 cents a gallon under a year ago

In shutting down the company, the FMCSA said it used new authority it got from the two-year transportation law Congress approved last year.

Agency spokesman Duane DeBruyne said the FMCSA has twice suspended or revoked operating authority for companies that obstruct safety investigations.

In early April, the agency's bus investigators started fanning out in teams of two, often paired with state vehicle inspectors, to look at companies and equipment.

They are targeting 250 companies with poor safety records.

The agency's investigation of Washington DC Party Shuttle "revealed egregious violations" demonstrating the company's "blatant disregard for motor-coach passenger safety."

The company "repeatedly used a driver known to have tested positive for controlled substances" to carry passengers, and lied to investigators about whether it had stopped using the driver, the order said.

Investigators also found the company sent a bus taken out of service back on the road before repairs were made. After inspections, FMCSA investigators ordered three-fourths of the company's buses off the road, it said.

# Charter Notice: Hurry IF you want to sign up

ODESSA, Texas — In the five years since the federal charter bus rule went into effect, public transit agencies from one end of the U.S. to the other have tried all manner of means of avoiding, evading and escaping its provisions.

But Beth Donnell of the Midland-Odessa Urban Transit District, known locally as EZ-Rider, has adopted graphic (and unpleasant) imagery, as well as rigorous hurdles, in an attempt to discourage private operators from providing charter service for the annual Cinco de Mayo celebration in Odessa.

In a charter service notice emailed last month to 50 private operators, including one in Mexico, Donnell said EZ-Rider wanted to know if any operator was interested in providing "FREE, safe-ride transportation from the Ector County Coliseum (in Odessa) to residential areas on May 4th, during the Cinco de Mayo Festival."

The service was to begin at

around 10 p.m. and end at roughly 1 a.m.

"Sponsors may be solicited to cover the cost of the service, as well as any promotional material necessary to raise awareness of the FREE, safe-ride-home program," said Donnell.

"Private charter providers need to know they would be responsible to take calls from the public to schedule their free rides. In addition, the (service providers) will need to coordinate with local agencies to ensure that Midland/Odessa residents are aware of the program and work with the media to promote the FREE, safe ride."

And, then, Donnell added the kicker: "Since the buses will be used to transport intoxicated individuals, there is a high probability that their actions (vomiting/urinating/defecating) could cause damage to your vehicles."

As one operator, his tongue planted firmly in cheek, observed: "I like the way this transit tries to get you not to bid!"

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# THE DOCKET

## FMCSA panel: Hold some CSA scores

### Agency advisers want data fixed

LAS VEGAS — A Federal Motor Carrier Safety Administration advisory subcommittee has recommended withholding from public view at least three safety score categories that are part of its Compliance, Safety, Accountability program until underlying data problems are corrected.

The announcement was made here at the Transportation Intermediaries Association annual meeting by two members of the subcommittee's 19-member panel appointed by FMCSA Administrator Anne Ferro last year.

"The attention CSA has brought to the industry has been healthy," Robert Petrancosta, vice president of safety for Con-way Freight and a member of the CSA subcommittee, told meeting participants.

"But make no mistake, there are some problems."

The subcommittee recommended that the Controlled Substance/Alcohol and Driver Fitness scoring sections of CSA's Behavior Analysis and Safety Improvement Categories (BASICs)

become private.

In addition, the subcommittee said FMCSA should require only crashes that are fatal or cause serious injuries to be recorded in a U.S. Department of Transportation database, but that the crash data be excluded from carriers' Crash Indicator score if the carrier was not at fault.

The subcommittee — composed of representatives from transportation firms, safety interest groups and trade associations — began its review in October. It is part of the Motor Carrier Safety Advisory Committee, a permanent advisory panel of FMCSA.

The recommendations "provide a very important perspective on our CSA program," FMCSA spokesman Duane DeBruyne told a leading trucking publication. "We will carefully consider their recommendations as we move forward and continue to welcome feedback on CSA from all interested parties."

Petrancosta said making the scores private would not prevent law enforcement and FMCSA officials from viewing them.

Jeff Tucker, a subcommittee member and CEO of Tucker Co. Worldwide, said even top FMCSA

officials seem unable to support the notion the data itself distinguishes a safe carrier from one that is unsafe.

"I believe the program's safety improvement is dubious at best," Tucker said. "But I'm a believer that CSA is a good program that can improve."

Petrancosta was also skeptical of the CSA scoring system because of its failure to accurately predict a carrier's risk of crashes.

"If the CSA mission is to identify carriers in greater risk of future crashes, then I would argue that one of the things we need to work on is accountability," he said.

"There's a big difference in being involved in a crash and behavior that actually caused that crash," Petrancosta added.

FMCSA officials have called the CSA program, launched in December 2010 to improve commercial truck and bus safety, a "work in progress." Since then, its safety scoring system has been tweaked several times.

It was designed to replace the SafeStat program that combined current and historical safety performance information to measure

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## DataQs: Tips for coping with 'correction' system

LOUISVILLE, Ky. — For nine years, the Federal Motor Carrier Safety Administration has maintained a controversial program called DataQs.

The online system can be used by drivers, motor carriers, federal and state agencies, and others to file complaints or concerns about data maintained in the FMCSA Motor Carrier Management Information System and released to the public by the agency.

The DataQs system gives carriers, drivers and others an opportunity to seek and obtain correction of information maintained and disseminated by FMCSA.

The DataQs website accepts what are called Request(s) for Data Review (RDR) and documentation supporting the request.

The website acknowledges receipt of RDRs, notifies the FMCSA and appropriate state agencies when RDRs are received, accepts FMCSA and state postings or responses related to RDRs, provides automated notification capability, provides reporting capability based on pre-set parameters, and tracks RDRs from submission through resolution.

Last month, speaking at a

Commercial Vehicle Safety Alliance meeting here, Indiana State Police DataQs coordinator Michael Wilson offered various tips for submitting a successful DataQs' Request for Data Review in the event of an erroneous inspection or violation or an incorrectly assigned crash.

While Wilson's tips make the DataQs process sound neat and tidy, ultimately, he said, "there are always two sides to everything."

For example, two attendees at the session complained their drivers were ticketed for not wearing "corrective lens" (i.e. eyeglasses) while driving, when, in fact, the drivers simply took off their glasses before speaking to the police officer who approached their vehicle.

If the officer sticks to the story, saying he or she actually "observed the driver driving" without glasses, "we're stuck," said Wilson.

The DataQs website is getting a makeover to make it more user-friendly for both carriers and drivers, says the FMCSA. In fact, the site may have been unveiled since this issue of *Bus & Motorcoach News* went to the printer. Find it at <https://dataqs.fmcsa.dot.gov/>.

Meantime, here are the basics of Wilson's presentation, with tips on completing a successful challenge/Request for Data Review through the DataQs system.

1. Make the request as timely as possible.

While there is no time limit on challenging a piece of information contributing to a company's CSA scores/profile, getting the challenge in before two years is up, when it falls off the CSA radar — three years if you're a leased owner-operator or company driver and your carrier hasn't done it already — is a no-brainer.

2. Specify the correct request-for-data-review type. Wilson's office spends no small amount of time, he said, correcting RDRs even at the initial submission level. From the get-go when inputting your RDR, make sure you select the appropriate action type, delineating that it has to do with a particular violation, an inspection, crash, etc.

3. Provide the accurate report

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## Administration gives go ahead to bridge at Detroit

DETROIT — The Obama Administration has approved a second bridge connecting Detroit with Windsor, Ontario.

Detroit-Windsor is the busiest crossing along the U.S.-Canada border, with the majority of traffic using the 83-year-old Ambassador Bridge.

According to the U.S. State Department, a presidential permit has been issued, allowing Michigan to participate in building a new bridge connecting the two countries.

The U.S. approval came after federal officials determined the new bridge will help meet future capacity requirements in the critical travel corridor.

The Ambassador Bridge handles thousands of crossings daily, with truck traffic alone expected to triple over the next 30 years.

The owner of the Ambassador Bridge, the Detroit International Bridge Co., has opposed construction of a second bridge.

Michigan and Canada signed an agreement last June to build a second bridge, bypassing the Michigan legislature, which had previously blocked the project.

## Canada plans improvements at border stops

OTTAWA — Transport Canada has announced improvement projects at three border crossings, totaling \$80 million.

Ontario's Lansdowne crossing has been allocated \$60 million, while the Emerson border crossing in Manitoba and the Saskatchewan North Portal crossing will receive \$10 million each.

The Lansdowne crossing handled more than 800,000 passenger vehicles last year.

Manitoba's Emerson crossing handled more than 300,000 passenger vehicles in 2012, while the North Portal recorded 92,000 passenger cars.

The projects are aimed at improving Canada's flow of goods and people.

Separately, the Canadian government announced it is spending \$47 million in an effort to expand and update facilities at the Lacolle Border Crossing.

In 2012, the Lacolle, Quebec-Champlain, N.Y., border crossing handled more than 780,000 cars and buses entering Canada.

## Canadian border crossing fee proposed by DHS

WASHINGTON — An entry fee for Canadians traveling across the border into the U.S. has been proposed in the 2014 U.S. Department of Homeland Security budget.

The proposal calls for a study on the costs to collect an entry fee from vehicles and pedestrians

entering the U.S.

The proposed land border crossing fee has drawn a lot of opposition on both sides of the border.

Canadian Chamber of Commerce President Perrin Beatty slammed the proposal, saying "it flies in the face of the intention of the joint-border accord."

"The purpose there was to make the border more transparent to legitimate trade, and legitimate travelers."

The study on the feasibility and costs of collecting a border crossing fee at Canadian and Mexican borders is to be completed in nine months.

Currently, air passengers pay to enter the U.S. but the fee is included in the price of airline tickets.

Drivers, passengers and pedestrians do not pay a border crossing fee, although bridges spanning the border charge tolls that go to the bridge authorities.

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## Ohio bridge to block buses/trucks

PADUCAH, Ky. — Traffic on a key bridge that links Kentucky, Illinois and Missouri is being restricted, starting next month, meaning a near 90-mile detour for buses and trucks.

The Kentucky Transportation Cabinet began receiving bids late last month for a major maintenance project on the busy U.S. 51 Ohio River Bridge between Wickliffe, Ky, and Cairo, Ill.

Buses and trucks will be rerouted for at least 70 days beginning in June.

"We're seeking bids...for repairs on bridge deck stringers and replacement of seven joints on the bridge decking," said Kentucky Transportation Cabinet District 1 Chief Engineer Jim LeFevre.

The project will restrict larger buses and trucks from using the bridge during the work, starting sometime after June 10.

Excluding vehicles wider than 84 inches and longer than 20 feet from the bridge work zone turns a six-mile trip from Wickliffe to Cairo into a 90-mile detour.

"We recognize this is going to be a major inconvenience.... However, this maintenance work is required to maintain the long-term viability and reliability of this important river crossing," LeFevre said.

"We want to give...as much notice as possible so (users) may begin planning their route adjustments."

A spokesman for the bridge

engineering team said there will be ample signage warning large vehicles about the work and detour.

While the project is scheduled for 70 working days, LeFevre says his engineers are optimistic it can be completed more quickly than that if the weather cooperates.

The U.S. 51 bridge also carries U.S. 60 and U.S. 62 between Kentucky and Illinois. It connects with the U.S. 60/U.S. 62 Mississippi River Bridge, which carries traffic between Illinois and Missouri.

The structure opened to traffic as a toll bridge in late 1936. Tolls were removed from the crossing in 1948, when the highway departments of Kentucky and Illinois assumed responsibility for maintenance.

## Alabama begins detour along Interstate-20

BIRMINGHAM, Ala. — Driving through a stretch of central Alabama has become more complicated with the start of the first phase of a major reconstruction project along Interstate 20.

The Alabama Department of Transportation has closed eastbound lanes of I-20 for 10 miles between the I-20/59 split near the

Birmingham airport and Interstate 459, roughly affecting exits 130 through 136.

Eastbound I-20 traffic is being diverted north along I-59, then to I-459 southbound in Trussville to reconnect with I-20 near Irondale and Leeds, east of Birmingham.

Once work on the eastbound lanes is completed, work will start

on the westbound side. Westbound I-20 traffic will be diverted to I-459 northbound to Trussville and then to I-59 south.

The project is making rush hour traffic along the route more intense. The state DOT estimates about 72,000 vehicles travel the area every day. It is scheduled to be completed in the early winter.

## UMA Capitol Hill Day will be late next month

WASHINGTON — With Congress and the White House engaged in a full-throated debate over federal spending and priorities, it's a perfect time for motorcoach operators to make their opinions known to their representatives and senators.

And the perfect opportunity to do that is the United Motorcoach Association Capitol Hill Day on June 26.

"There is strength in numbers, and this is your opportunity to join with your industry peers to interact with congressional delegates and important agency officials to let them know about your business and the industry," says UMA President and CEO Victor Parra.

"Make sure your voice is heard and plan to join us June 26 in Washington."

To learn more, go to [www.uma.org](http://www.uma.org), or call (800) 424-8262.

### Tourism is D.C. topic

WASHINGTON — More than 300 travel and tourism professionals from 45 states paid hundreds of visits to U.S. senators and representatives, covering more than

half of Congress, during Destination: Capitol Hill, the legislative fly-in organized by the U.S. Travel Association along with NTA, the Southeast Tourism Society and the Destination Marketing Association International.

The event combined advocacy with education.

Prior to visiting their representatives and senators, 100-plus NTA members participated in educational sessions with elected officials, leaders from federal agencies and tourism associations, plus seasoned lobbyists, all discussing tourism issues.

The sessions prepared participants for meetings with their senators and representatives, said Patti Culp, executive director of the Alabama Travel Council and recipient of NTA's James D. Santini Award for long-term commitment to advocacy.

NTA's legislative priorities center on ways to increase tourism by easing restrictions on international travelers, continuing U.S.-inbound marketing efforts and improving the nation's transportation infrastructure.

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# U.S. Chamber: Hike fuel taxes to shore up highway funding

WASHINGTON — Add the U.S. Chamber of Commerce to the list of organizations and groups that say federal fuel taxes need to increase to avoid Highway Trust Fund insolvency — unless funding can be found elsewhere.

Janet Kavinoky of the U.S. Chamber told the House Budget Committee last month the federal tax on gasoline should be increased 11 or 12 cents per gallon, to a total of about 30 cents per gallon, from the current 18.4 cents.

Otherwise, lawmakers will again have to dip into the Treasury Department's general fund, said Kavinoky, the Chamber's executive director for transportation and infrastructure.

Such a recommendation is in line with proposals previously put forward by the National Commission on Fiscal Responsibility and Reform, also known as the Simpson-Bowles commission.

"The simplest, most straightforward, and effective way to generate enough revenue for federal transportation programs is through increasing federal gasoline and diesel taxes — and the one that is most often dismissed because the

challenge is one of political will," Kavinoky said.

While the chamber favors both higher gasoline and diesel fuel taxes, the group has not made a specific recommendation on how much the diesel tax should be raised.

The current federal diesel fuel tax is 24.3 cents per gallon. Motorcoaches pay 7.3 cents per gallon in taxes on diesel fuel as a result of a 17-cent industry exemption.

Meanwhile, Fred Smith, the founder and CEO of FedEx Corp., told a special House Transportation and Infrastructure Committee panel that the U.S. will lose its global competitive edge unless it

modernizes its infrastructure.

For highways, the key will be a stronger funding mechanism — a higher fuel tax or perhaps a vehicle mile tax, he said.

Derek Leathers, president and COO of Werner Enterprises, one of the nation's largest trucking companies, reminded the panel that the American Trucking Associations supports raising and indexing federal fuel taxes to pay for infrastructure reinvestment.

"This is the most efficient and least harmful way to prevent a catastrophic collapse of the federal-aid highway program," he said.

Ed Wytkind, president of the

Transportation Trades Department of the AFL-CIO, told the panel that "it is time for our political leaders to tell the truth to Americans and businesses: unless we increase revenues flowing into the collapsing Highway Trust Fund — yes, by raising the federal fuel user fee — our highways, bridges and public transit systems will fail us and our economy will crater."

A recent Gallup poll, showing little public support for raising the fuel tax, outlines the panel's challenge, Wytkind said.

"We are failing to paint an honest picture for the American people on the severe impact to our

economy of continuing to neglect our severely aging infrastructure."

The current trajectory of the Highway Trust Fund is unsustainable, according to the Congressional Budget Office, which estimates fund spending will substantially outstrip revenues in fiscal 2015.

It is taking in less and less revenue from fuel taxes as people drive less and fuel efficiency improves. That has generated shortfalls that lawmakers have made up with \$41 billion in general fund transfers since 2008, with \$12.6 billion authorized for 2014.

The United Motorcoach Association continues to lobby for a full diesel-tax exemption for the motorcoach industry.

The association contends motorcoaches should be exempt from federal fuel taxes because coaches take automobiles off highways, helping reduce congestion; motorcoaches are the most fuel-efficient form of passenger transportation, and public transit agencies and Amtrak are exempt from fuel taxes and private bus operators providing the same service should be treated equally.

## Vermont fuel taxes are heading higher

MONTPELIER, Vt. — Lawmakers in Vermont have given final approval to legislation increasing the state diesel fuel and gasoline taxes.

The measure, which is expected to be signed into law by Gov. Peter Shumlin, raises the diesel tax by 2 cents per gallon in July and another penny next year, while the gasoline tax would increase by 5.9 cents per gallon this month.

The governor and other support-

ers of the increase say the money is needed so the state does not lose out on more than \$50 million in matching federal highway money.

At one time lawmakers were looking to increase the taxes slightly more than they voted for, but opposition to the bigger increase reined in such plans.

Vermont's current tax on diesel fuel is 29 cents a gallon, while the state tax on gasoline is 20 cents.

Meanwhile, the state transpor-

tation agency said it had budgeted about \$324 million for transportation projects during the construction season now getting under way, the *Burlington (Vt.) Free Press* reported.

That's about 1 percent higher than last year and includes \$108 million for road paving, \$61 million for interstate bridges, \$54 million for state highway bridges and \$53 million for other roadway work, the newspaper said.

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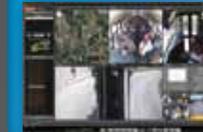
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# Insight offered into why Americans are driving less

## A possible opening for coach industry?

WASHINGTON — Americans continue to limit their driving.

According to the latest U.S. Department of Transportation data, travel on all roads and streets dropped 1.4 percent in February, compared with February of last year — the equivalent of roughly 3.1 billion miles.

Cumulative travel for the first two months of this year declined

0.4 percent, or 1.8 billion miles.

The slowdown looks more dramatic when you go back a few years and adjust for population growth.

Doug Short, vice president of research at Advisor Perspectives, calculates that after adjusting for population increases the estimated miles driven on all U.S. roads has plunged 8.75 percent since June 2005.

So, why are Americans driving less? Historical perspective suggests the lackluster economy can't be the only cause.

After the OPEC oil shock in

the 1970s, miles driven fell about 6 percent from the peak, though they started climbing again by the end of the recession in 1982.

So far, the economic recovery has not led to more driving throughout the U.S.

One analyst suggests there are "profound behavioral issues" apart from the economy, gasoline prices and other factors that are influencing miles driven.

These include the demographics of an aging population in which older people drive less, continuing

high unemployment, and the ever-growing ability to work remotely in the era of the Internet.

There has also been a startling drop-off in the car culture of American youth: "From 2001 to 2009, the average annual number of vehicle-miles traveled by young people (16- to 34-year-olds) decreased from 10,300 miles to 7,900 miles per capita — a drop of 23 percent, according to a Frontier Group study.

The same study also noted that from 2000 to 2010, the share of 14- to 34-year-olds without driv-

ers' licenses increased from 21 percent to 26 percent.

An increasing number of young people apparently prefer to live where they can walk, bike or take public transportation. Some may be ditching cars for environmental reasons.

There's also the possibility young people aren't getting out as much.

According to Frontier Group, "Communications technology, which provides young people with new social-networking and recreational possibilities, has become a substitute for some car trips."

## Traffic congestion in big cities picks up after two-year slide

Traffic congestion in major metropolitan areas during the first three months of this year rose after two consecutive years of declines, with congestion up 4 percent from 2012, according to traffic information provider Inrix in its sixth Traffic Scorecard Annual Report.

The "good news," says the report, is "that after a tumultuous economic year in 2012, the economy is back on the mend, bringing increased traffic congestion."

Inrix says the uptick in traffic congestion follows a 22 percent de-

crease in 2012 and the "stop-and-go" nature of the results indicate an overall economic climate that has not yet returned to pre-recession levels in many areas, including total jobs and unemployment rates.

The company reported that traffic congestion increased each month during the first quarter of this year, the first such consecutive-month increases in two years.

The increase is consistent with the rise in employment during the first three months of 2013.

It also found that 61 of Ameri-

ca's top 100 most-populated cities experienced increased traffic congestion, a dramatic shift from 2012, where only 6 cities experienced increases and 94 saw decreases.

Los Angeles has the most time lost due to congestion, 59 hours, a 6 percent increase in the first quarter of the year from 2012. It was followed by Honolulu; San Francisco; Austin, Texas; New York City; Bridgeport, Conn.; San Jose, Calif.; Seattle; Washington, D.C., and Boston.

All but Washington reported

increases of between 3 and 30 percent, with D.C., registering a 5 percent decline in hours lost in traffic congestion.

### Worst jams in North America

VANCOUVER — Vancouver is not only the most traffic-congested city in Canada, it's the second worst on the continent, behind only Los Angeles.

What's more, Toronto and Montreal also make the list of the 10 worst cities for traffic congestion, according to TomTom, the

Dutch GPS company.

And once again, to no one's surprise, Los Angeles was the most congested on the continent.

According to TomTom's measure, "on average, journey times in Los Angeles are 33 percent longer than when traffic in the city is flowing freely and 77 percent longer during evening rush hour." The runners up (after Vancouver) are:

Honolulu (3), San Francisco (4), Seattle (5), Toronto (6), San Jose (7), Washington (8), New Orleans (9) and Montreal (10).

## Airport in San Francisco blocks rideshare companies

SAN FRANCISCO — San Francisco International Airport has issued cease-and-desist orders to six different app-based rideshare companies like Lyft, SideCar and UberX.

The companies connect regular drivers — not licensed taxi, limo or shuttle bus drivers — to passengers via smartphone applications.

The driver gets paid through a voluntary donation, also done through the applications.

Doug Yakel, a spokesperson for the airport, said the orders are not about shutting out new forms of

transportation.

"We're very open to new business ideas and we would like to provide a way to provide those options, but we have an obligation to safety," he said. "We also have to keep a level playing field and promote fairness."

On its website, SideCar says it shouldn't be regulated like a taxi or limo company, because it isn't one. It says the company is a "peer-to-peer ridesharing app," not a typical dispatch service that requires regulation.

SideCar says it simply facili-

tates trips that are legal in California — think casual carpools.

Yakel acknowledges that carpooling and traditional ridesharing are legal, but he maintains that SideCar and similar companies have a key difference.

"The difference is money is being exchanged for transportation and the company is keeping some of the profits," Yakel said.

In other words, app-based rideshare companies can't claim they're just helping people find rides — so the airport says they should be regulated like taxis and shuttles.

In November, the California Public Utilities Commission issued cease-and-desist orders and fines to Lyft, Uber and Sidecar to stop all operations within the state.

Since then, Lyft and Uber have entered into operating agreements with the CPUC, meaning they've shown proof of insurance that will protect their passengers in the case of accident or injury. But that's a temporary arrangement.

The CPUC is studying how the agency should regulate ridesharing companies — if at all.

"We're concerned for the safe-

ty of riders and everyone involved in these new operations," said CPUC spokesperson Andrew Kotch. "We're figuring out how rules might be revised to include these new transportation entities."

Meanwhile, airport spokesman Doug Yakel said the airport permit process is closely linked to the CPUC's. "Before we could begin the airport permit process, they have to clear the CPUC and MTA (San Francisco Municipal Transportation Agency) processes," he said. "These companies have to find their place in the transportation process."

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## Letter to Editor

This morning, I read with great concern the approach the USDOT and FMCSA have begun to implement in the name of safety enforcement. (See May 1 *Bus & Motorcoach News*.)

It occurs to me there is a fine line between enforcement on the one hand, and harassment on the other, and, well, Fascism on the third.

What I would like to read is some thoughtful analysis by some respected administrative law and/or constitutional experts, lawyers and law professors about these proposals.

One of the best (if not THE best) transportation attorneys ever to practice before the Interstate Commerce Commission, Maxwell Howell Sr., once told me, you can do anything you want to do until someone objects.

Who has the wherewithal to object to the government? Even BP didn't, and BP is larger than the (entire) U.S. coach industry.

Regrettably, in our judicial system where one gets all the justice he can afford, it would take a coach operator with very deep pockets to corral the freewheeling, unbridled enforcement practices the government is apparently proposing to use against coach operators in an industry populated by companies

that have the financial resources available barely to keep up with coach and insurance payments.

If Americans want a bus industry controlled by three or four huge companies — well, we've had that, and the pendulum swung to a point where every jerkwater church and bar and grill could buy a coach on the \$100 down, \$100 when you catch me plan, and soon we have to be careful that the pendulum doesn't gain too much momentum to the point that passenger coach service goes the way of passenger rail service.

While enforcement is appropriate and necessary, the acrimonious atmosphere that currently exists between regulators and the regulated in our industry does not bode well for the industry.

My fear is that this upcoming series of administrative pogroms

being planned by FMCSA and USDOT will mark the end of small, family-owned coach operators in the three-to-five-bus size.

Safety is one thing but compliance programs designed as one size fits all and necessarily tailored for large coach operators but forced down the throats of the entire industry likely will do little to reduce crashes until the fundamental problems of overpriced equipment earning rates not much greater than were quoted in 1990, and drivers who, while qualified on paper, are far from capable of performing as grown-ups appropriately entrusted with vehicles approaching a half-million dollars.

What *Bus and Motorcoach News* described is a calculated reign of terror about to befall the motorcoach industry.

Ours is not an industry tallying

up enormous profits like oil and gas, where regulatory enforcement in the millions of dollars is just the cost of doing business.

Coach operators, by comparison, are Low Rollers, not unlike family farmers whose success is dictated by the vagaries of weather, fuel cost, and the availability and cost of help. Plus, we have finicky passengers constantly demanding the latest in entertainment wizardry for less than they paid last year.

With a nationwide shortage of qualified drivers topping off the challenges, coach operators are proverbial fish in barrels at the hands of regulatory enforcement officials with the full faith and credit of the United States government behind them.

There are no programs from the UDDOT or FMCSA to help

coach operators improve their safety posture; there are only threats and intimidation.

And when small coach operators of two or three vehicles are distracted from the real business of providing safety for the traveling public by responding to Compliance Review results complaining only that 19 logs failed to identify the commodity the company was carrying (Passengers — like it would be something else?), or that the tire size is not boldly identified on the company's maintenance files, one has to wonder if this crackdown is motivated by a handful of blue ribbon coach operators hoping to crush competition through regulation.

It wouldn't be the first time.

The barriers to entry into the bus industry are already too great to inspire any rational entrepreneurs from entering the business.

Indeed, if my intuition is correct, this is a better regulatory scheme than was regulation. There is no need to protest against an upstart applying for a certificate of need and necessity.

The piles of regulations alone, coupled with a list of horrors waiting for those who trip up, will prevent new entrants from even considering the bus business as a sound investment of time and capital.

*Michael Kraft*  
President, *KraftTours*

## Keller notes sharpened teeth of FMCSA

NEENAH, Wis. — If the U.S. Federal Motor Carrier Safety Administration comes knocking... you'd better let them in.

That's the advice of J.J. Keller & Associates, the leading safety and regulatory compliance experts and providers of compliance products and services.

In last year's highway bill, Congress gave the FMCSA per-

mission to revoke the operating authority of any carrier that fails to comply with an administrative subpoena or letter requesting release of safety records, Keller notes in a circular.

The FMCSA "does not have to go through a lengthy process to legally gain access to the records or revoke the carrier's authority."

Keller says the new law was in-

voked for the first time during the FMCSA inspection of Fung Wah Transportation of Boston.

The "carrier stopped cooperating with FMCSA safety investigators," the Keller report said. "The carrier then blocked access to company records that were necessary for the investigation."

As a result, the FMCSA shut down the company.



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## Healthcare law

CONTINUED FROM PAGE 1

mandate “the nail in the coffin” for many operators.

Within a few days of the show, Martin fielded dozens of phone calls and emails from small business owners from across the country — many of whom told her they had ignored the mandate because they employ fewer than 50 people.

### Fell into role

Martin’s role as a savvy new voice in the healthcare discussion wasn’t planned.

As a well-informed radio talk-show host and small business owner, she was asked to take part in a panel on the “Health Insurance Tax,” or HIT, for the Little Rock Chamber of Commerce in February.

She also wrote a newspaper opinion article on the tax, which

she described as a little-known part of the healthcare act calling for a tax on small businesses of \$500 per employee.

“It was about a month later, the producers of the Huckabee show contacted me, and asked if I would come on and talk,” she said.

Her goal, she said, was to “bring attention to the healthcare issue to get people talking about it, and to find solutions for how to budget for it, if they can. And to bring recognition to the unique struggles that we’re dealing with in the transportation and tour industry.

### One more distraction

“We’re all in business to transport people safely. And we’re all in business to go to fabulous destinations where people can have a good time,” she said.

“But it seems that we’re spending more and more of our time

dealing with other things that are completely unrelated to what it is we do. It just adds up on the pile of things we’re doing.”

Martin noted that her company currently offers health insurance to employees.

“Nobody’s against everybody having health insurance, that’s something that everybody should have,” she said. “We just don’t think (Obamacare) is the right way to go about it.”

For example, she said, the law requires that companies employing more than 50 full-time-equivalent employees provide coverage to 100 percent of its employees.

“We not only have to provide it, we have to provide it in the way the government approves. It cannot exceed 9½ percent of their income. The employee cannot pay more than 9½ percent of their income, and if they do, then it

doesn’t pass the affordability test,” she said.

If that happens, the employer faces a \$3,000 per employee penalty, she said.

“It’s hard for us to determine how much 9½ percent of their income is going to be when we do not know how much these guys are going to make at the end of the year because it depends on the type of trips that come in, the number of trips that come in, and how often they want to work,” she said.

### Dealing with complexity

She points out that that’s just one element of the lengthy and complicated healthcare law that could take “not only a lawyer, but a tax attorney and a team of CPAs” to parse and implement.

Further, she said, her insurance agent has told her that government

officials are currently considering making modifications to provisions of the law.

So what’s Martin doing?

“We are right now reviewing what we do, and we’re going through several mathematical equations preparing for a worst-case scenario,” she said. “We’re having several meetings with our insurance agent, and we’re arming ourselves with information because that’s all we can do at this moment.

“I’m hoping that it doesn’t come down to paying our drivers fewer hours per day. We don’t want to have to cut the hours of our employees, but we can’t be forced to go out of business because of this. You’re looking at some really tough choices.”



Gina Martin

## Trip Tracker

CONTINUED FROM PAGE 1

we’re doing, and we want to give them the tools to do it,” he says.

In addition, Annett sees the feature as a potential “game changer for our industry” that “could put a stop to ruthless regulation from the government” by opening the door for officials to look at Annett vehicles performing perfectly legal activities all day, every day.

“I think that anytime a company is transparent enough to want to collect the data, and give it to the customers or give it to the government or whoever, that tells you a little about the company,” he says.

“Whether it’s required or not, if you’re operating your business correctly, it doesn’t matter if they know what we’re doing.

“I think anybody in our industry who will stand by their operation will say the same thing,” says Annett.

However, he notes that government officials have expressed “zero interest” in that aspect of the feature.

### Serendipitous development

The Trip Tracker was developed jointly by Saucon Technologies, which provides GPS vehicle tracking services, and Distinctive Systems, a charter management software firm.

The two companies were already working together to provide

trip reporting and pricing information for Annett Bus Lines, and a trip tracking feature for the customer followed from there.

The project took about two years to complete, and launched last year.

Now, how much would you pay for the Trip Tracker?

“It cost us about \$1,000 to have a moving map made,” Annett says.

But wait, there’s more!

“The key that makes it work is that these two companies were

already working together to share data. All the information is already there,” he says.

“It didn’t cost us anything, it didn’t cost them anything, they’re already working together. It was a no-brainer.”

Still, he believes his company is the only one to provide the service.

“I’m surprised to be honest that we haven’t had more interest from inside the industry. It’s a great tool,” he says.

## Stolen bus

CONTINUED FROM PAGE 1

He also was talking to his insurance agent and learning that although his policy contains fast-turnaround and replacement-bus language, it’s the general policy of insurance companies not to move very quickly when a bus is stolen.

Typically, it seems, not much action takes place during the first 30 days after a bus goes missing.

For Pacer, this was a tough pill to swallow since his company was in the midst of its busiest season and the stolen coach represented roughly 10 percent of his 11-coach fleet.

### The missing Greyhound

While Pacer was learning his lesson in insurance inertia, Talley was taking a page out of an episode of CSI.

He noticed a Greyhound coach parked in the Quality Inn lot. As a former driver for Greyhound, Talley knew Greyhound did not use that Quality Inn for its drivers. So, Talley called Pacer and told him the Greyhound coach should not be there.

Pacer got on the phone with the goal of finding out whether Greyhound was missing a coach that might be in a motel parking lot in

Lyndhurst, N.J.

After plumbing the depths of Greyhound by telephone, Pacer finally got a call back from a woman executive who listened to his story and agreed to check whether the intercity carrier might be missing a bus with a specific number Talley had provided.

Talley even sent Pacer photos of the Greyhound taken with his cellphone.

Initially, the Greyhound executive told Pacer the company does an inventory every night and no bus had been reported missing. However, when she called back, she said the coach in the Quality Inn lot was supposed to be in Washington, D.C.

So, it now appeared the thief had stolen the Greyhound coach in Washington and driven it to Lyndhurst where he traded it from Pacer’s coach and its full fuel tank.

“This guy was bus smart, bus savvy,” said Pacer. He only stole buses with no built in GPS or other tracking system, he knew how to start a motorcoach without a key, and he stole plates from another bus.

### The days drag on...

Days passed but there was no word about the stolen coach. Frustration grew.

Then, Pacer got a call from the New York State Police, saying they had the coach.

The bus had undergone an inspection, at, of all places, a prison in upstate New York, about three miles from the Canadian border.

The coach had passed inspection, but the driver couldn’t produce a driver’s license, couldn’t answer questions about the bus or why he was driving a coach registered in Ohio, and had outstanding warrants from New Jersey for parole violations.

As it turned out, the thief had been driving the bus for Project Prison Gap, a longtime but sketchy bus service that transports individuals to and from prisons around New York to visit relatives who are incarcerated.

During his interrogation, the thief “admitted to everything,” said Pacer.

The Cavalier coach was towed from where it had been impounded by police, resulting in a \$1,500 towing bill for Pacer.

After the coach was found, Pacer quickly dispatched two drivers to New York to retrieve the bus. But, when they got there, they found the coach was “not in real good condition.”

In fact, it was not drivable. It

also had scrapes down one side, one of the luggage bay doors was bent, and a top rear corner was damaged where the thief apparently hit or backed into an overhead obstruction.

The coach couldn’t be driven because the transmission wouldn’t shift out of first gear and the drive-shaft yoke and u-joints were torn up. Fortunately, Pacer was able to locate a good repair shop.

Still, said Pacer, “it costs big time when a bus is stolen.”

### Lessons learned

For Pacer, the ordeal, which still wasn’t over when this article was being written, taught him several painful lessons.

His “biggest advice” to other operators is “to make sure they know what happens if a bus is stolen or in an accident. Know what your policy says.”

No. 2, the Cavalier coach that was stolen was an all-white bus with no company livery. That made it more difficult for law enforcement officials or other bus operators to spot or identify.

No. 3, maintain good records. One area of possible dispute with his insurance company was the repairs to the transmission. The coach is 16 years old but the transmission

was rebuilt a year ago. Pacer has good records of the rebuild that could be sent to the insurer.

Bottom line: “You do not want a bus stolen,” Pacer said in a phone interview. “What a nightmare.”

### Additional insight

Former insurance man turned senior vice president and chief operating officer of the United Motorcoach Association, Ken Presley, says it’s also a good idea for operators to have digital photographs of their coaches that can be distributed electronically to law enforcement agencies, trade groups and others when a motorcoach goes missing.

“Photos of coaches having distinctive logos may help locate them much sooner,” he said.

“Stolen and fire-damaged coaches are particularly devastating for small operators,” Presley continued. “If you have five coaches and you lose one, you just lost 20 percent of your fleet, plus substantial revenue and possibly your passenger’s belongings, and incurred the high cost of finding new transportation.

“Insurance will usually cover much of the lost coach; but the financial loss associated with the event can be very difficult for operators,” he said.

# Elements of healthcare law being trimmed, fine tuned

WASHINGTON — The \$1.3 trillion U.S. health-care system overhaul — commonly known as Obamacare — is getting more expensive and will initially accomplish less than intended.

The cost of setting up a network of health-insurance exchanges, a core part of the Affordable Care Act, have swelled to \$4.4 billion for fiscal 2012 and 2013 combined, and will reach \$5.7 billion in 2014, according to the budget President Barack Obama sent to Congress this spring.

That spending would be more than double initial projections, even though less than half the 50 U.S. states are participating.

The unanticipated spending is a consequence of an ambitious timetable dictated by Congress and a complex new way of offering people medical coverage, say analysts, lobbyists and administration officials.

Combine that with a majority of Republican governors declining to cooperate with a Democratic president and U.S. regulators are left grasping to get the 2010 health law up and running by the Jan. 1, 2014, deadline.

“Once you’re behind schedule, the way you solve problems is you write checks,” said Doug Holtz-Eakin, a former Congressional Budget Office director who is now president of the American Action Forum, which has opposed the health law.

For the areas that money can’t solve, the Obama administration is opting for delay. It has temporarily backed off some provisions of the law, including restrictions on coverage for executives and a promise to offer small businesses greater choices of health plans.

The basic requirements of the health law must function by Jan. 1, even if all the bells and whistles aren’t complete, said Ron Pollack, executive

director of Families USA, a consumer advocacy group that backs the health-care system overhaul.

## Long-term strategy

“The Affordable Care Act is not a short term, temporary fix of America’s health-care system,” he said. “It’ll have long-term benefits, and so the administration clearly is making sure the most essential elements of the new law are effectively in place on a timely basis.”

Obama administration officials say the bulk of the health law will be up and running on time.

“There’s an awful lot to implement and we want to do it efficiently,” said Ellen Murray, the assistant secretary for financial resources at the Health and Human Services Department. “It’s a big job, and we want to do it right.”

The government has warned that the exchanges, which are supposed to open in every state on Oct. 1, may not be easy for low-income people to navigate. In many states, people found to be eligible for Medicaid, the state-run program for the poor, will have to sign up through their state government instead of through the exchange.

“It’s a lot more complicated than anybody imagined,” said Joseph Antos, a health economist at the nonprofit American Enterprise Institute who advises the CBO.

That’s because the federal government has been forced to build part or all of the exchanges in 34 states where governors or legislatures declined to do it themselves.

In those states, connections between computer systems that run the federal exchange and state Medicaid programs are incomplete, said Caroline Pearson, a vice president at Avalere Health, a consulting firm based in Washington

that is tracking exchange development.

The extra step required to sign up might discourage enrollment by low-income people, she said.

“You sort of always want to minimize the number of interactions you have to have in order to get people into the system,” Pearson said. These are “additional hurdles that could present a problem,” she said.

## Who’s covered?

The result is that the number of Americans projected to gain insurance from the law has already eroded, by at least 5 million people, to 27 million by 2017, the CBO said in February. In addition, as many as 8 million people will lose healthcare plans now offered through their employers, almost three times more than the CBO initially projected.

The bulk of the Affordable Care Act relies on governors to build exchanges and expand Medicaid, the joint federal-state program for the poor. The law also requires a myriad of regulations to be crafted and vetted by hospitals, insurers and other industry groups, all to be done within four years.

By comparison, President George W. Bush’s administration in 2003 was given three years by Congress to implement a new drug benefit in Medicare, a program whose scale is dwarfed by the health overhaul.

“Congress did the administration absolutely no favors in setting the timetable,” said Neil Trautwein, vice president and employee benefits policy counsel at the National Retail Federation. “Because of a host of complications, the administration is behind in trying to catch up.”

For Obama that means delays.

He’s pushing back a prohibition against

companies giving their top executives better health plans than lower-ranking employees, and a requirement that they automatically enroll workers into the plans.

Small businesses that had hoped to give their workers a choice of health plans in government-run marketplaces will instead have to choose one plan for their entire workforce.

A new program for states, called the Basic Health Program, won’t start until 2015, angering Obama’s allies.

The Basic Health Plan was intended to be an option for states that want to cover more low-income people with a government health program, instead of private coverage sold through the exchanges. The provision was added to the law by Sen. Maria Cantwell, a Washington Democrat, whose state operates a similar program and sought federal money to expand it.

## Doing triage

After the delay was announced in February, Cantwell threatened to oppose confirmation of an administrator for the U.S. Centers for Medicare and Medicaid Services, which is setting up exchanges.

The senator questioned officials about the delay at three hearings, and won a letter from Health and Human Services Secretary Kathleen Sebelius, promising to begin the program by 2015 and laying out a timeline to set it up.

“It looks like what they’re doing is triage,” Holtz-Eakin said of the Obama administration scrambling.

“If this isn’t going to work, forget it. If that’s not on time, forget it. Let’s get to the things that we can make work, and declare victory.”

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# Military bus inspection standards remain unchanged

ALEXANDRIA, Va. — Contrary to circulating industry reports, the U.S. Department of Defense has not lowered the standards or requirements for the safety inspections conducted as part of its Military Bus Program.

“The scope of the military bus inspections has not been shortened,” said Lt. Cmdr. Nate Christensen, a DoD spokesman.

“Inspections are performed in accordance with the terms and conditions of the department’s Passenger Surface Inspection Program, which requires that inspections be conducted in accordance with Federal Motor Carrier Safety Regula-

tions, the North American Standard Inspection Program and the Military Bus Agreement.

“Therefore, the number of documents is regulated by the guidelines as established in the...regulations, standards and agreement,” said Cmdr. Christensen.

The Military Bus Program, which is operated and managed by the Defense Travel Management Office, has been around for nearly 15 years and is designed to assure that commercial bus, van and limousine companies providing charter service to units of the U.S. Defense Department operate safe vehicles that consistently meet

DoD-prescribed standards.

Carriers participating in the program perform individual and group travel, including troop and recruit movements.

In recent weeks, motorcoach operators have indicated the Pentagon had reduced the strength, scope and importance of its biannual inspections, which many operators have long regarded as the “gold standard” of motorcoach safety inspections.

A top rating from the Military Bus Program is used by many operators as a marketing tool, touted to prospective customers as an indication of a company’s commit-

ment to safety.

Operators that rarely receive military transportation assignments may continue their relationship with the program, undergoing the DoD inspections in hopes of receiving favorable certifications.

Currently, the Military Bus Program is frozen and not accepting new applicants. Carriers not currently enrolled in the program will have to wait if they want to get on board.

“We are not accepting new carrier applications at this time,” said Cmdr. Christensen.

“DoD has approximately 500 carriers and each must be inspected to ensure compliance with safety

standards. The current level of carriers supports DoD mission requirements. As such, there is no compelling need for additional carriers at this time.”

The Defense Travel Management Office, which is based in Alexandria, has halted the practice of sending congratulatory letters to carriers that pass the Military Bus Program safety inspections. Instead it now transmits a brief e-mail. (See March 15 *Bus & Motorcoach News*.)

A program administrator said the policy was instituted “under the strict budgetary requirements we are currently under.”

## Inspection debate

CONTINUED FROM PAGE 1

varies from jurisdiction to jurisdiction based on specific needs.

He maintains that traffic enforcement gets to only one of three categories of behavior closely associated with crash risk.

Under the Federal Motor Carrier Safety Administration’s CSA safety enforcement program, the categories of Unsafe Driving, Hours of Service Compliance and Vehicle Maintenance are closely tied to risk, he said.

“Traffic enforcement alone only gets to one of these (Behavioral Analysis and Safety Improvement Categories), whereas traffic enforcement with an inspection gets to all three,” he said.

During his presentation, Byrd said that “coupled with some inspection activities, (robust enforcement) is four times more effective than roadside inspections; it makes sense for us to place far more emphasis on traffic enforcement.”

Byrd offered FMCSA data to show the decline in traffic enforcement actions and the rise in in-

spection activity over many years.

“There will be some of those who say a shift (to more traffic enforcement) will cause equipment condition to slip,” he said, “but to those I say that focusing on traffic enforcement is an appropriate direction of our resources toward improving driver behavior.”

FMCSA Administrator Anne Ferro, who spoke immediately following Byrd, said that, in some sense, she agreed with Byrd that a combination of robust traffic enforcement and inspections are necessary for public highway safety.

Referring to 2011 fatal crash data, showing a 20 percent increase “in the number of deaths of occupants of trucks,” Ferro said “one third (of the dead drivers) weren’t wearing seatbelts, and more than one in four were speeding.

“Speeding, seatbelts, fatigue, all of these continue to be big actors in crashes. ...High-visibility enforcement is a critical component of influencing behavior. High-visibility enforcement and taking conviction action is important to everything we do,” she said.

Keppler also took issue with

Byrd’s assertion that traffic enforcement has been falling in relation to other types of enforcement. The data on that point is not accurate, according to Keppler.

“We, ATA and FMCSA have discussed this issue and FMCSA is looking into it. ATA knows this.”

Since late last year, the United Motorcoach Association has been advocating — at meetings involving the ground transportation industry — enforcement officials and safety regulators, that police agencies need to improve their enforcement of basic traffic laws.

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## MAKE YOUR VOICE HEARD!

# Time is ripe for a renaissance...but will we miss it?

By Dave Millhouser

"If you paint a 3751 right...it looks just like a 4104," Wallace said with a straight face.

If you know those two coaches, one looks like an inverted bathtub, while the other sports a modern appearance. (See photos of both in the May 1 *Bus & Motorcoach News*.)

This was 40 years ago, so the 3751 in question was 25 years old, and the 4104 a more sprightly 15.

Still, Wallace was onto something.

Picking up passengers in a ratty bus that looked older than Grandpa was not the way to create a good first impression.

What's the saying? "You only get one chance at making a first impression."

A friendly staff selling service — performed on time, by a clean coach and a professional, sociable driver. The concept is easy to understand, sometimes difficult to execute.

A variety of circumstances have come together that may allow us to renew, on a cosmic scale, the public's impression of the motorcoach industry.

The weak economy and airport

delays have resulted in more people, who might otherwise drive or fly, looking at or traveling by bus. Web-based ticketing, combined with the curbside carriers' push towards convenient locations, has changed the demographics of bus travelers.

Amenities like Wi-Fi and 110-volt outlets allow students and business people to be productive or entertained en route. Heck, we're green, in an era when that matters.

There's a good deal of positive buzz in the media about coach travel.

In other words, after years of being perceived as low-rent, we're being given a fresh opportunity at creating a first impression.

Mixed in with laudatory blogs and articles, however, are a litany of unpleasant stories about dirty buses, stranded passengers, and crime on coaches.

Often the anecdotes refer to legacy carriers operating traditional scheduled service. In fairness, many of those routes are complex and difficult to operate.

Alas, the public is unaware of the difference; a bus is... a bus.

One Wized Executive says "the industry finds itself teetering at the abyss of opportunity; yet seems determined to claw its way

back to the status quo."

If we don't seize this opportunity, will another come along?

Recent rhetoric has centered on safety. Sadly, one way to achieve a perfect safety record is to provide service so poor...that no one rides coaches.

Parts of our industry are currently doing well because economics limit the options for travelers. We need to treat customers as if they have alternatives. Eventually, they will have choices, and if we're going to keep their business we need to start now.

It seems many problems originate in a few areas.

The most egregious stories involve lack of communication. Passengers allowed to board buses already late for connections, cleverly scheduled layovers at closed stations, curbside carrier's representatives allowing customers to wait in the rain for a coach they know is late, late pickups for charters... you get it.

With modern electronics, there are few excuses for lack of communication with employees and customers. Let them know what's expected, and how things are going.

In a service industry, commu-

nication is critical. Your folks know where the bus is, why keep it a secret? It has become a cliché, but "there's an App for that."

Many unpleasant anecdotes have a common theme involving attitude.

"The ticket was cheap, what do you expect?" In other words, we've got your money, and you have no options. Wal-Mart and Southwest Airlines make money offering value, and good manners, to cost-conscious customers.

Often, with a little effort, something can be done. If not, a bit of empathy costs nothing. It's about training and attitude.

Convenience for the company shouldn't trump passenger comfort. Coach drivers are akin to captains of a ship, but it's a passenger ship, not a freighter.

Dispatching coaches involves judgment. Will the rapping A/C compressor survive one more trip? Is that yellow light on the dash serious? Safety and passenger comfort suffer when we guess wrong.

"Hope" is not a legitimate repair. Policies erring in favor of replacing sketchy buses will pay dividends in terms of safety and goodwill.

While writing this I got a string

of text messages from a young friend, en route by legacy carrier from Boston to Richmond, Va. Elyssa is a scuba instructor who's traveled all over, and felt like it was déjà vu...she was in a Third World country.

Dirty bus, missed connection (that the company was aware of when she boarded the first bus), lengthy layover in an ugly bus station... you get it. Nothing dramatic but very tacky and unpleasant.

"I'm 23, and will never ride a bus again; that's a lot of 'customer loss,'" she wrote. This from a great kid who is NOT a whiner.

She'll fly home, and we've blown this chance at a first impression.

Years from now, we'll look back on this time in history and either be grateful for our "second wind," or wonder about "the one that got away."

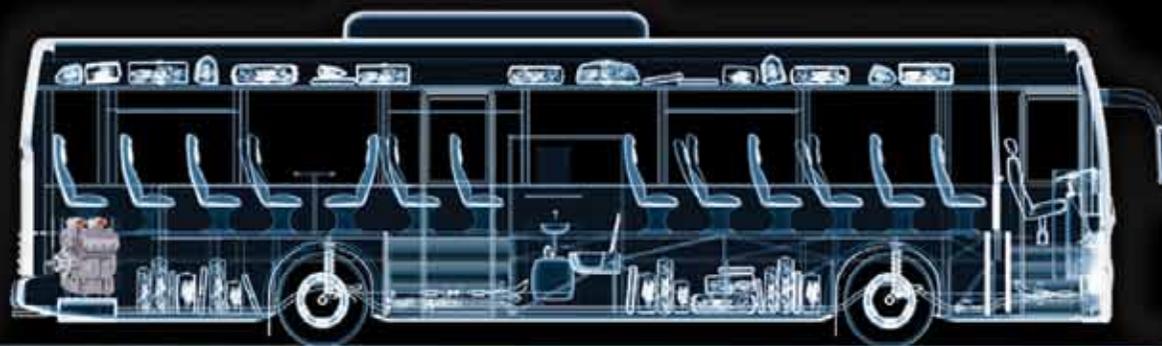
*Dave Millhouser is a bus industry marketing consultant and freelance writer. Contact him by email at: Davemillhouser@gmail.com.*



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## Be wary of games of crash being played in Vegas

LAS VEGAS — The National Insurance Crime Bureau has issued a warning to anyone driving in the Las Vegas area to be on the lookout for criminals targeting commercial vehicles in a deliberate attempt to cause an accident for the purpose of collecting insurance money.

As many as 100 suspected

staged accidents along the I-15 corridor through metro Las Vegas have been reported to NICB in the past 18 months and as many as 25 of those accidents targeted commercial vehicles, mostly big-rigs.

The National Insurance Crime Bureau says it's working with member companies, the Nevada Insurance Council, the Nevada

Highway Patrol, and the Nevada Attorney General's Office to track down organizers of the schemes.

So far, according to law enforcement officials, none of the staged accidents have resulted in a death, but they fear it may just be a matter of time.

According to the Nevada Highway Patrol, some of the people

being recruited to ride in the vehicle that pulls in front of a commercial vehicle and slams on its brakes are not aware of what's going on.

Highway patrol officers say people are being recruited from day labor gathering sites and told they will be taken to a job site when, in fact, they are being used as victims solely to increase the

value of the accident claim.

Commercial vehicles apparently are being targeted because they carry higher levels of insurance.

The Nevada Insurance Council is urging travelers to report any suspected staged accidents to the Nevada Highway Patrol and to call (800) TEL-NICB.

## Nat'l Interstate again is ranked as trustworthy

NEW YORK CITY — *Forbes* magazine again has ranked National Interstate Corporation as one of America's 100 Most Trustworthy Companies.

The *Forbes* list recognizes companies that consistently demonstrate transparent and conservative accounting practices, have a low incidence of high-risk events, and have appropriate board supervision.

To create the list, more than 8,000 companies traded on U.S. stock exchanges were evaluated and scored.

The business magazine breaks its list into four groups based on market capitalization — large-, mid-, small- and micro-cap companies.

In this year's small-cap group, National Interstate was one of five companies receiving the highest score of 99, and one of only three companies receiving a score of 99 for each of the past four quarters.

National Interstate has been on the *Forbes* 100 Most Trustworthy list for the past four years, and, in 2010, was rated at the top of the small-cap group with one other company. Both companies had ratings of 100, the highest possible.

"We are very pleased *Forbes* continues to recognize National Interstate as one of America's most trustworthy companies," said Dave Michelson, president and CEO of National Interstate.

"Since our company was founded in 1989, we have been committed to the highest level of ethical business practices in everything we do. We are proud to remain on *Forbes*' highly prestigious list, and believe our openness and integrity is a key asset that is important to all of our business partners, including our current and prospective customers, agents that represent us, and those who choose to invest in our company."

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## People

CINCINNATI, Ohio — One of the pioneers of the motorcoach conversion industry, *Kirwan Elmers*, is being inducted into the **RV/MH Hall of Fame** in Elkhart, Ind.

In 1955, Elmers and his father, Miles, founded **Custom Coach Corp.** of Columbus, Ohio.

Elmers and his father are generally credited with developing the first commercially converted motorcoaches designed for private use. The company's custom conversions were put to a wide variety of uses, including as "executive coaches" in motorcoach company fleets, and permanent or temporary high-end residences for celebrities, traveling executives and RV families.

The company's celebrity clients included Lee Greenwood, Loretta Lynn, Johnny Cash, Dolly Parton, Conway Twitty, Ray Charles, Clint Eastwood and sportscaster John Madden.

Elmers was there 50 years ago this July when the Family Motor Coach Association was formed. He served as a member of the FMCA Commercial Council for years, including as president from 1990 to 1999.

Custom Coach became a division of Columbus-based **Farber Specialty Vehicles** in 2002, but Elmers continued to be involved in the operation until his retirement last year.

The induction dinner honoring Elmers and others will be Aug. 5 in Elkhart.

## CH Bus leads Tamsa training

FARIBAULT, Minn. — CH Bus Sales has begun conducting regular technical training sessions for personnel from companies that operate Tamsa motorcoaches, which CH distributes.

The sessions are designed for mechanics and technicians, as well as company owners and managers.

A recent two-day session was conducted at Creative Bus Sales in Elkhart, Ind.

Leading the session was Cihan Yaycioglu, the U.S. Tamsa technical representative.

Yaycioglu's presentation included hands-on training, use of specialized tools and a detailed familiarization with the Tamsa coach.

Other Tamsa and CH Bus Sales personnel also were available to answer questions and deal with any issues raised by the attendees.

Louise Anderson, spokeswoman for CH Bus Sales, said Tamsa and CH Bus Sales plan to continue offering technical training to customers throughout the U.S.

For more information, contact CH Bus Sales at (507) 331-7911 or go to [www.chbussales.com](http://www.chbussales.com).

## D.C. Union Station opens close-by overflow parking lot

WASHINGTON — Union Station Parking Garage has announced there is additional overflow parking now available for motorcoaches.

The new overflow lot is at the corner of 1st and K streets NE. If

that address seems familiar, it's the site of the former Greyhound Terminal.

The overflow parking will be available via reservation and on a first-come first-serve basis.

"We are currently welcoming all inquiries for parking; groups and tours are most welcome," said Bus Facility Manager James Tingley. "Rates will remain consistent with current Union Station Parking

Garage Bus Deck rates."

To make a reservation, email all requests to [jamest@uspglc.com](mailto:jamest@uspglc.com), or [pedrof@uspglc.com](mailto:pedrof@uspglc.com).

For questions, call (202) 289-0420.



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## DataQs tips

CONTINUED FROM PAGE 4

number. This refers to the inspection report, giving the accurate number will help Wilson or other appropriate reviewing state agencies determine whether “this inspection or crash actually [belongs] to my agency. Is this a valid report number? Can I find the report?”

4. Provide a clear and detailed explanation of what you want reviewed. In the event the initial category is insufficient to cover the full scope of what is needed in a review, use the section for explanation to elaborate on problems.

As Wilson put it: “One of the things we’ve noticed is that sometimes a review request will ask about one thing, but two or three other things are incorrect on the

report. We’re going to correct them all... We have just as much interest in ensuring all the data on that report is as correct as possible.

“Indiana takes several steps to review all of our data quality – we want to minimize any negative impacts on you.”

5. Provide as much possible supporting documentation that is valid and relevant. Pictures documenting a supposed maintenance violation, for instance, time-stamped if possible.

In events where a violation or inspection is wrongly assigned to your own USDOT number or the wrong driver, providing registration documents and/or driver’s license, trip orders or other documents may be appropriate.

Wilson said this is “one of the most important things that you can

do to help us resolve an RDR. Without it, we’ll have to do a lot of fishing.” If what is being disputed is a violation coupled with a state citation that a judge overturned in court, whatever evidence was presented to the judge to have it thrown out should be provided to the feds as well.

6. Keep RDRs professional and detailed.

7. Make factual statements. Whenever possible, stick to the facts of the case without injecting opinion/emotion into the request.

8. Ask for additional time as necessary. Wilson reported coming back to carriers often requesting additional data, a common practice being to give the carrier or driver a time limit in which to get the data.

If you need more time, he said,

simply fire off an email to the reviewer to let him or her know you’re working on getting the data. “We want to make sure,” he said, “we’re not just sitting doing nothing for extended periods” to get data problems resolved in a timely manner.

9. Follow up as appropriate. It is your right to appeal any final decision made by a state’s DataQs handler.

Two states, Arizona and New Hampshire, have set up official boards with industry representatives — in addition to law enforcement reps — to review these appeals, said Wilson. The remainder of states handle them less formally, but “we will re-review your information. For secondary review, we have a large number of staff with a lot of experience.”

## CSA scores

CONTINUED FROM PAGE 4

the safety fitness of carriers. Many truck and bus operators questioned the accuracy of SafeStat scores.

The other public BASIC sections include Unsafe Driving, Hours-of-Service Compliance, and Vehicle Maintenance.

During the conference, the Transportation Intermediaries Association released its 2013 Carrier Selection Framework, a 50-page document that concluded “much evidence suggests that BASIC scores are almost entirely useless” as a tool to distinguish which carriers are safe and which are risky.

“In sum, no clear evidence exists to support the view that a motor carrier’s BASIC scores will (or even can) indicate whether that particular motor carrier is more or less likely than any other carrier to be involved in a crash, collision, accident or injury,” the document said.

The document also said that legal trouble could be ahead for those using BASIC scores to hire carriers.

## Calendar

## MAY 2013

**30-31 Tourism Cares for Coney Island** restoration project (co-sponsored by UMA), Brooklyn, N.Y. Info: [www.tourismcares.org](http://www.tourismcares.org).

## JUNE 2013

**1 Museum of Bus Transportation Spring Fling**, AACA/MoBT Museum Campus, Hershey, Pa. Info: [www.busmuseum.org](http://www.busmuseum.org).

**4-6 Roadcheck 2013**, commercial vehicle safety inspection blitz throughout the U.S., Canada and Mexico. Info: [www.cvs.org](http://www.cvs.org).

**17-20 Pennsylvania Bus Association Annual Meeting**, Resort & Conference Center, Hyannis, Mass. Information: [www.pabus.org](http://www.pabus.org).

**20-23 New England Bus Association Annual Meeting**, Sebasco Harbor Resort, Sebasco Estates, Maine. Info: [www.newenglandbus.org](http://www.newenglandbus.org).

**25-27 United Motorcoach Association Board of Directors and Board Committee Meetings**, Washington, D.C. Info: (800) 424-8262.

**26 United Motorcoach Association Capitol Hill Day**, Washington, D.C. Info: [kpresley@uma.org](mailto:kpresley@uma.org), or (800) 424-8262.

## AUGUST 2013

**4-7 Regional Meeting of Alabama, Georgia and South Central motorcoach associations**, Sheraton Birmingham (Ala.). Info: [info@alabamamotorcoach.org](mailto:info@alabamamotorcoach.org).

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