

## Feds shutdown four more egregious safety violators

WASHINGTON — The Federal Motor Carrier Safety Administration “Operation Quick Strike” maintained a blistering pace as it shut down four more bus operators during the first two weeks of June, calling them imminent hazards to public safety.

The massive number and egregious nature of the violations accumulated by the four companies and their near total disregard for safety rules is both stunning and appalling.

Why some of the owners and managers

are not facing criminal charges is baffling.

In moving against Lucky Star, a Boston-based curbside operator that served New York City Chinatown, the FMCSA said investigators found the company’s buses had broken down more than 80 times in the past year, forcing passengers to disembark on the highway at times.

Another company, Kansas-based Mid-night Express, was targeted after a female passenger riding in the company’s modified

party bus fell out the rear door and was fatally struck by other vehicles.

Also ordered to cease operations were a pair of Southern operators, Destiny Tours of Lake City, S.C., and Advanced Ventures of Springfield, Va.

All four companies were told to park their buses at their next stops and to report the locations of all vehicles to the FMCSA within eight hours. Their owners face \$25,000 fines and a year in jail if they are

found to willfully violate the orders.

In each case, the carriers were cited for “widespread and serious noncompliance with federal safety regulations” that involved both vehicle defects and drivers’ duties.

The violations included operating without authority, no insurance, falsified annual inspection records, blocked emergency exit windows, and allowing drivers placed out of service for an inability to speak English to

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## Operators say they’re ready for tough hurricane season

With forecasters predicting an “above average” 2013 hurricane season, motorcoach operators in Gulf and Eastern Seaboard states, along with the company that coordinates much of the evacuation activity, say they’re well prepared for any emergency response needs they may face this year.

The Atlantic hurricane season, as recognized by professional forecasters, began June 1 and extends to Nov. 30.

“There is a 70 percent likelihood of 13 to 20 named storms (winds of 39 mph or higher), of which 7 to 11 could become hurricanes (winds of 74 mph or higher), including 3 to 6 major hurricanes (Category 3, 4 or 5; winds of 111 mph or higher),” the National Oceanic and Atmospheric Administration reports.

“These ranges are well above the seasonal average of 12 named

storms, 6 hurricanes and 3 major hurricanes.”

NOAA’s acting administrator, Kathryn Sullivan, added a warning that won’t surprise motorcoach operators who’ve assisted in past weather emergencies.

“As we saw first-hand with (Superstorm) Sandy, it’s important to remember that tropical storm and hurricane impacts are not limited to the coastline.

“Strong winds, torrential rain, flooding and tornadoes often threaten inland areas far from where the storm first makes land-fall,” she noted.

A voluntary committee representing motorcoach operators from 11 hurricane-prone states has begun holding weekly teleconferences to review and update contingency plans, reports Warren Newton, spokesman for the Southeastern Motorcoach Operators Emergency



New Orleans is installing 14-foot stick figures to mark bus pick-up points during evacuations. See story Page 13.

Evacuation Committee (SEEVAC).

“We have phone conversations every Thursday to talk about the number of buses that we have available, evacuation procedures, where we can buy fuel, where

drivers can be fed or lodged,” said Newton.

“The committee is a sounding board for operators to relay concerns to the contracting state or contracting company.

“We are ready to assist any state that needs our help. We want to facilitate a better, smoother evacuation. We have worked pretty much every major storm in the last

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## Airlines reap billions in fees; can the coach industry?

U.S. airlines create billions of dollars in incremental revenue each year by tacking extra fees onto ticket prices.

Some leading motorcoach operators think their peers also should go after more incremental revenue. Other operators, however, insist it’s easier said than done.

The nation’s airlines bagged

more than \$6 billion in baggage and reservation-change fees last year, according to a report in *USA Today*.

In fact, the air industry’s 3.7-percent profit margin was created entirely as a result of the fees levied on passengers, many of who probably thought their ticket price would cover their trip.

“We see a lot of people in the

(motorcoach) industry who are trying to put buses out the door instead of putting profits in their pockets,” said Tom Ready of Ready Bus Lines of La Crescent, Minn., a former chairman of the United Motorcoach Association.

“We are giving things away to get business.”

Wireless internet service is a hot

new perk that should at least pay for itself, says Ready. He knows one operator who has spent up to \$400 monthly in Wi-Fi fees.

“Most operators are eating all those costs. We (Ready Bus Lines) charge \$15 a day for Wi-Fi. That should average what your costs are per month,” said Ready.

“Senior groups don’t use Wi-Fi

much. Student groups want to be on Wi-Fi all day. Fifty eighth-graders are going to be downloading movies and texting their friends in the back of the bus.”

Callen Hotard of the Calco Hotard Group in New Orleans, said his company doesn’t currently charge for Wi-Fi, “but we have that under

CONTINUED ON PAGE 18 ►

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## Academy buying Conway bus unit

HOBOKEN, N.J. — Academy Bus, the largest privately owned and operated motorcoach company in the U.S., is acquiring the charter bus division of Conway Bus Service/Conway Tours in Cumberland, R.I.

“The incorporation of Conway Tours’ charter bus operation allows Academy to further strengthen our presence in both Rhode Island and the New England area,” said Francis Tedesco, president of Academy.

“Conway Tours shares Academy’s values of quality, safety and customer service, ensuring that our customers will receive the same great service they know and

expect from Boston to Washington, D.C.,” Tedesco added.

Conway, which has been providing bus service for 87 years, will remain in business as a tour operator, utilizing motorcoaches supplied by Academy.

“We will now be able to do what we do best, which is create and provide exceptional travel tours without having to operate our own fleet of buses,” company vice president and CEO Peter Conway told a local newspaper.

“We can also turn our attention to our growing division of air tours to the western U.S. and Europe.”

Additionally, Academy will provide a platform for Conway to

market its tours throughout the northeast, from Boston to Washington.

“They will focus on the beautiful new buses,” said Peter Conway, “and we can focus on providing affordable, first-class motorcoach tours.

“Academy’s vision and overall reputation is simply the right fit,” added Conway.

All Conway Tours’ charter bus employees have been given an opportunity to go to work for Academy. That includes 55 bus drivers, most of them part-time employees, and four maintenance staff members.

Conway Tours was started in Cumberland in 1926 by John

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## Anchor Tours buys Brantley Charter

Nashville, Tenn. — Anchor Tours, a motorcoach operator based here, has purchased Brantley Charter of Lexington, Tenn., which is 111 miles southwest of Nashville, off Interstate 40, midway between Memphis and Nashville.

With the acquisition, Anchor Tours now has four offices, the other two being in Paducah, Ky., and Tuscumbia, Ala.

“Our two companies shared so

many core values that the merger seemed natural,” said Anchor President John Stancil.

“If you were to draw a line to all four Anchor Tours’ locations, it forms a triangle of sorts with the Nashville home office...equidistant, via major highways, to each of our locations.”

Company Vice President Jared Stancil said the acquisition was a logical extension of the company,

“making it possible to provide affordable services in the western part of the state, including Memphis.

“With these strategically located facilities, our offices can support each other to cover volume or unforeseen service interruptions, and our main Nashville garage can provide scheduled state-of-the-art maintenance, rotating our equipment to all offices, assuring safe transportation to our customers at

all times,” he added.

## Tim Wayland named president, Dane Cornell chairman, of ABC

FARIBAULT, Minn. — ABC Companies announced the promotion of Tim Wayland to president and chief commercial officer.

Additionally, it announced that company CEO, Dane Cornell, has been elevated to chairman, and his father, ABC Companies’ founder, Clarence ‘Clancy’ Cornell, has been appointed chairman emeritus.

Clancy Cornell will remain an adviser on ABC’s board.

In his new position, Wayland will work closely with the ABC board and the company senior executive team to assure business objectives for growth, profitability and organizational development are met.

He also will be responsible for the day-to-day operation of the company and will continue to direct the development of corporate-wide sales plans, policies and forecasts to meet targeted objectives in

all times,” he added.

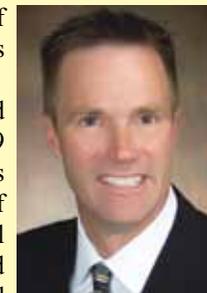
Founded within a year of each other, Anchor Tours and Brantley Charter are family owned and run. Both companies also operate MCI coaches.

all facets of ABC sales activities.

Wayland joined ABC 19 years ago as president of ABC Financial Services and was named chief financial officer 5 years ago. He was promoted to chief commercial officer in Oct. 2011.

He will continue to hold a seat on the ABC board.

“Tim Wayland has become an icon in our industry, and his broad financial background and knowledge of our markets have been an important part of ABC’s success story. We are continuing to grow our company and Tim will play a strategic role in our long-term direction for ABC Companies,” said Dane Cornell.



Tim Wayland

Brantley Charter had been owned and operated by Danny and Nancy Brantley since 1988. With their children grown, the Brantleys decided they wanted to spend

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# THE DOCKET

## Will truckers' new hours rules impact coach industry?

WASHINGTON — A major change for truckers occurs July 1 when enforcement of new hours-of-service rules begins.

The changes could impact the motorcoach industry — but probably only to the limited extent that coach companies compete with trucking outfits for drivers.

The most notable change to the truckers' hours rules are that drivers are now limited to one 34-hour restart per week, and every restart must include two 1 a.m. to 5 a.m. periods.

The rule has technically been in effect since February of last

year, but enforcement only officially begins this month.

The American Trucking Association is still fighting the rule in court, along with the Owner-Operator Independent Drivers Association, but prospects of the rule being overturned appear slim.

Mike Card, ATA chairman, admitted in May at the Great West Fleet Executive Conference that ATA's lawyers have advised the association it'll probably lose the case.

The new rules also include changes to what constitutes on-duty time so drivers can count any

'The new rules could have a negative impact on trucking capacity.'

time resting in a parked truck as off-duty.

The amount of hours a driver can work in a week has been reduced, though, from 82 to 70.

The new rules also include penalties for carriers that allow drivers to "egregiously" violate hours-of-service rules, with "egre-

gious" defined as allowing a driver to drive more than three hours beyond the limit.

There have been fairly widespread predictions the new rules will have a dramatic and largely negative impact on trucking capacity.

For the first half of 2013, roughly 200,000 additional driver recruits were required to fill opens in the trucking industry.

But, in the third quarter of this year (after the new hours-of-service rules go into effect) that number increases rapidly, say industry economists.

As of the first quarter in 2014, one trucking economist estimates that nearly 400,000 additional driver recruits will be required to meet increased trucking capacity demands.

As even more federal regulations go into effect, the number of additional truck driver recruits needed reaches over one million by the end of 2016.

"We are in for some very substantial (driver and capacity) shortages unless we have a recession to balance that out some," predicted one trucking industry analyst.

## Tolls in Maryland take BIG jump on July 1

Rates on Maryland toll roads, bridges and tunnels are spiking July 1 in the second stage of a two-part set of hikes approved by the Maryland Toll Authority board in the fall of 2011.

Tolls were previously raised Nov. 1, 2011, but before that had been frozen for over a decade. (See Oct. 15, 2011, *Bus & Motorcoach News*.)

Maryland E-ZPass or cash rates for the Baltimore Harbor Crossings (I-95 Fort McHenry

Tunnel, I-895 Baltimore Harbor Tunnel and I-695 Francis Scott Key Bridge) go up from \$6 to \$9 and the video toll from \$8 to \$12 for a three-axle motorcoach.

Video toll rates apply to any vehicle without an E-ZPass account going through an E-ZPass-only lane at toll points with cash collection, and also to those traveling without an E-ZPass account on the all-electronic MD 200 Intercounty Connector toll road

where no cash is collected.

All these Baltimore-area tolls are collected both directions.

On the I-95 Kennedy Highway, at the single toll point northbound and also at the nearby and parallel U.S. 40 Hatem bridge, a three-axle motorcoach now pays \$12 and will pay \$16 starting July 1.

Video toll charges go from \$18 to \$24 for three-axle coaches.

These tolls are collected northbound only — no toll southbound.

On the U.S. 50/301 Chesapeake Bay Bridge, three-axle coaches headed to Delmarva Peninsula or the Eastern Shore now face a \$8 base toll, going to \$12 July 1. Video tolls on three-axle coaches go from \$12 now, to \$18.

At the U.S. 301 Nice Bridge in the far lower reaches of the Potomac, the tolls to go into Virginia will rise in line with Chesapeake Bay Bridge tolls. There are no tolls northbound into Maryland.

## CSA program to get facelift

WASHINGTON — The Federal Motor Carrier Safety Administration has confirmed it will propose changes to the presentation of its safety-rankings system later this year.

The changes to the Compliance, Safety, Accountability program are aimed at making it clearer to the public that carriers' scores are not meant to be safety ratings.

The Safety Measurement System, a component of CSA, provides the public with violation and inspection data.

"We recognize the presentation can be made clearer so visitors can better understand what the scores mean — and what they don't mean," FMCSA spokesman Duane DeBruyne told a leading trucking publication.

The changes will not impact how FMCSA calculates scores or uses CSA to prioritize its enforcement actions, DeBruyne said.

SMS data reflect how a company's violations and audits compare with similar companies, expressed as percentile rankings in different violation categories.

They are not official ratings, which can only be issued after FMCSA auditors evaluate a carrier's operations.

The SMS changes will make that distinction clearer, DeBruyne said.

FMCSA also wants to make clear that a carrier should not be considered unsafe just because the agency does not have data.

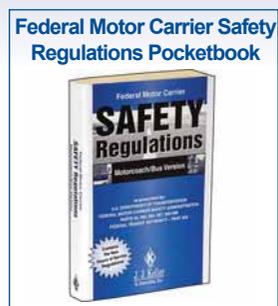
"The lack of data should not be interpreted to the detriment of the carrier," DeBruyne said.

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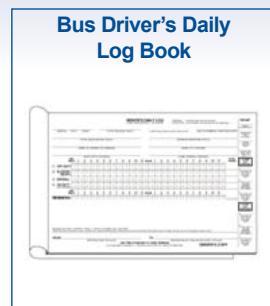
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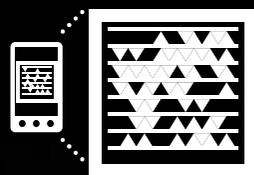




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## Florida to increase time duration of yellow lights

TALLAHASSEE, Fla. — The Florida Department of Transportation announced it plans to recalculate the timing on all yellow lights at intersections throughout the state.

According to the *Florida Times-Union*, yellow-light durations will see an increase of four-tenths of a second prior to the stoplight turning red.

The increase in yellow-light durations will be implemented first at all intersections with red-light cameras by the end of the year, and all other intersections in the state will be updated by June 20, 2015.

Florida's DOT Traffic Operations Engineer Mark Wilson told the *Times-Union* that as drivers get older, they can't react to changing traffic lights as they used to.

"People who can't make it in time make up for it by braking (harder)," Wilson told the paper. "That means we have people who are doing hard braking. That allows the person to say, I don't have to slam on my brakes. I can make it through this."

"I'm hoping our rear-end crashes drop because of this," Wil-

son continued, writing later that some research says "when you install a red-light-running camera that you will have a drop in right-angle crashes, but also sometimes a small increase in rear-end crashes, so I was thinking that a slightly longer yellow phase may help with this issue."

The article goes on to report that the reason behind the decision to increase the time duration on yellow lights comes from a report by the National Cooperative Highway Research Program.

It said: "The average reaction time is 1 second, but a considerable chunk of the population — 15 percent — takes 1.33 seconds or longer to react."

The report said those slower-reacting drivers could still brake in time for yellow lights but they'd have to slow down more rapidly, according to the article.

It is probably just a coincidence that the announcement comes just weeks after a Tampa television station investigation found that a policy change three years ago allowed the Florida DOT and municipalities to shorten the duration of yellow lights at

## Texas ban: Left lane off limits

DALLAS — The Texas Department of Transportation plans to expand the number of highway left lanes in North Texas where buses and trucks with three or more axles cannot operate.

The ban will begin this summer pending approval by the state Transportation Commission.

## Texas work zones go high tech

AUSTIN, Texas — With more roadway construction under way than ever in the Lone Star State, the Texas Department of Transportation has introduced a first-in-Texas highway safety feature that incorporates an "End-of-Queue Warning System," with temporary rumble strips, to reduce work-zone collisions.

Last year, nearly 17,000 statewide work-zone crashes resulted in 132 fatalities and many more injuries, TxDOT officials say.

Through the first four months of this year there were 4,713 work-zone crashes, resulting in 24 fatalities.

Making its debut along a central Texas stretch of Interstate 35,

According to an article in the *Fort Worth Star-Telegram*, commercial vehicles already are prohibited in the fast lane of Interstates 20, 30 and 45 in the Dallas-Fort Worth Metroplex.

New freeways that will be impacted by the left-lane ban include: Interstate 35W in Fort

Worth from 38th Street to the Tarrant-Johnson county line; Texas 121/Airport Freeway from downtown Fort Worth to East Loop 820 near Richland Hills; Loop 820 from Interstate 30 in west Fort Worth to Blue Mound Road, and Texas 183 to I-20 in Arlington.

the End-of-Queue Warning System uses sensors to measure the speed of approaching vehicles and then warns drivers through portable, electronic signs about upcoming traffic backups because of nighttime lane closures in work zones.

The rumble strips are spaced between sensors to send mild vibrations through vehicles to get the attention of distracted or drowsy drivers.

Spanning McLennan, Bell, Falls and Hill counties, this new combination is deployed as needed through construction zones and is designed to improve safety in one of the most heavily traveled corridors in the country.

*Motorcoach News.*)

The report by *WTSP News* in Tampa Bay drew attention to the policy change, saying it led to a

Each day, between 55,000 and 115,000 vehicles travel this I-35 corridor, including many buses.

"This technology represents the future of roadway safety as it uses a comprehensive approach to warn drivers of traffic backups, thereby decreasing the likelihood they will enter a work zone at an unsafe speed," said Phil Wilson, TxDOT executive director.

The warning system is being implemented as part of the 96-mile, central Texas I-35 expansion project that will widen the highway from four to six lanes and change two-way frontage roads into one-way lanes. The projects are scheduled for completion in 2017.

\$50 million increase in revenue from violations at intersections policed by red-light cameras in 70 municipalities.

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# CARB report cites success of diesel emissions regs

SACRAMENTO, Calif. — The nation's most aggressive environmental protection agency says its programs have resulted in a measurable reduction in the concentration of global warming pollutants in the atmosphere.

A new study for the California Air Resources Board says that reductions in emissions of black carbon since the late 1980s, mostly from diesel engines as a result of air quality programs, are the reason carbon dioxide emissions have declined.

The study, funded by CARB and led by Veerabhadran Ramanathan of the Scripps Institution of Oceanography at the University of California in San Diego, estimates

that reductions in black carbon as a result of clean air regulations were equivalent to reducing CO<sub>2</sub> emissions in California by 21 million metric tons annually, or taking more than 4 million cars off California roads every year.

"We know that California's programs to reduce emissions from diesel engines have helped clean up the air and protect public health," said CARB chairman Mary D. Nichols.

"This report makes it clear that our efforts to clean up the trucks and buses on our roads and highways also help us in the fight against climate change."

Critics of CARB say the agency

has taken too tough a stance in trying to regulate diesel emissions, which has led to higher prices for goods moved by trucks, along with forcing some commercial vehicle operations out of business due to the high costs of compliance.

Black carbon, which is the tiny soot particles released into the atmosphere by burning fuels, has been linked by CARB to adverse health and environmental impacts, including being a major short-lived contributor to climate change.

The leading sources of black carbon in California are diesel-burning mobile sources, residential wood burning in fireplaces and heaters, agricultural burning

and wildfires.

CARB says the three-year study is the first comprehensive regional assessment of the climate impact of black carbon on California. In conducting the study, scientists used computer models and air pollution data collected by aircraft, satellite and ground monitors.

CARB claims the study results support the notion that it is possible to immediately slow the pace of climate change regionally by reducing emissions of short-lived climate pollutants, like black carbon.

Study co-author Dr. Tom Kirchstetter of LBNL, says black carbon levels have decreased by about 90 percent over a 45-year

period, beginning with the establishment of CARB in 1967.

Researchers say they found the state's efforts to reduce diesel emissions to have lessened the impact of global warming on California, supporting earlier theoretical computer modeling that reducing black carbon from diesel combustion is a potent 'climate cooler.'

The reductions occurred during a time when diesel fuel consumption increased by about a factor of five, CARB says, attesting to the effectiveness of its regulations requiring cleaner fuels and vehicle technology. A copy of the report can be found on the CARB website, [www.arb.ca.gov](http://www.arb.ca.gov).

# NTSB report points to second truck in I-5 bridge collapse

MT. VERNON, Wash. — It's looking increasingly like a mystery big rig may have played a critical and possibly catastrophic role in the May 23 bridge collapse on Interstate 5 in Washington state that sent two vehicles into the Skagit River.

The National Transportation Safety Board issued a preliminary report on the event last month.

It says the incident occurred as a pilot vehicle, assisting a 2010 Kenworth truck-tractor that was pulling a flatbed trailer with an oversized load, was traveling southbound on Interstate 5.

According to witnesses, as both vehicles approached the I-5 bridge in Mount Vernon, another southbound tractor-trailer overtook and passed the oversized load

in the left lane.

The driver of the oversized load reported to investigators he felt "crowded" by the passing tractor-trailer so he moved his vehicle to the right.

As the oversized load continued across the bridge, the top of the load collided with the overhead portal and multiple sway braces on the far right side of the truss

structure.

The impacts, says the NTSB, caused significant damage to load-bearing members of the bridge's superstructure, resulting in the failure and subsequent collapse of the northernmost bridge span.

During the investigation, the driver reported he thought the height of the load was 15 feet 9 inches. The lowest portion of the

sway braces, as measured over the active portion of the roadway, was determined to be 14 feet 8 inches. According to the operator of the pilot vehicle, the clearance pole mounted on the front of her vehicle was set at 16 feet 2 inches.

Two passenger vehicles on the bridge fell into the river. The three vehicle occupants were later rescued from the water.




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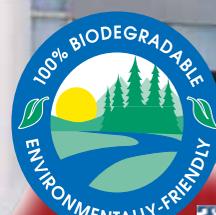


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## Traveler with service dog wins discrimination dispute

WASHINGTON — SuperShuttle entered into a settlement agreement with the federal government after a woman who is blind reported the company would not allow her to travel with her service dog on a shared ride, and instead required her to take a more expensive non-shared ride.

The complaint stemmed from an August 2010 incident, when the woman and five traveling companions arrived at Dulles International Airport, and a member of the party went to the SuperShuttle counter to ask for a non-exclusive shared ride.

A reservation agent charged the group \$91 for the ride.

Once the agent noticed the service dog, though, the group's booking was changed to an exclusive ride, which costs \$125.

"The agent did so because of the stated belief that 'no one would want to travel with a service animal,'" according to the agreement.

Several days later, the woman filed a complaint with the U.S. Department of Justice under the Americans with Disabilities Act, alleging she was discriminated against.

According to the settlement agreement, SuperShuttle had a policy in place stating the company "is committed to providing exceptional guest service for our customers with disabilities, including those... who are accompanied by service animals," but that the policy wasn't enforced.

Scottsdale, Ariz.-based SuperShuttle International Inc., which operates in 50 cities, agreed to pay the woman \$1,000 and to implement a roster of remedies, including the adoption and dissemination of a "Service Animal Policy," posting "Service Animals Welcome" signs at each of its guest services centers, and training personnel on the requirements of title III of the ADA and the terms of the "Service Animal Policy."

The company's two-page policy contains rules and guidelines such as: "If you are unsure whether an animal meets the definition of a service animal, a SuperShuttle reservationist or, where necessary, management may ask the guest the following questions:

"1. Is this a service animal required because of a disability?

"2. What work or tasks has the animal been trained to perform?

"You may not ask a guest questions about his or her disability. You may not ask a guest to show certification or a special ID card as proof of his or her animal's

training.

"Once a guest with a service animal has answered those initial questions, no employee may ask the guest any further questions about his or her service animal."

## Bill targets limo safety in California

SACRAMENTO, Calif. — In response to a deadly limousine fire on the San Mateo-Hayward Bridge, a California lawmaker has introduced legislation that would add safety features in limos.

The proposed law would require limousines to have two rear exit doors in the passenger compartment, as well as two windows that could be pushed out from the inside in the event of a fire or other emergency.

The bill was introduced last month, one day after

a separate incident in Walnut Creek, Calif., in which 10 elderly women safely escaped a limousine as it caught fire.

That fire came a little over a month after the well-publicized May 4 limo fire on the San Mateo Bridge that killed five women, including a new bride, as the group headed to a bridal celebration. Four women survived by crawling through the window that separates the driver from passengers in many limousines.

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# Museum 'Spring Fling' is reunion of people...and buses

HERSHEY, Pa. — Formally, it's called the Museum of Bus Transportation "Spring Fling."

Informally, it's the bus industry's annual family reunion.

Early last month, nearly 400 people traveled to Hershey in eastern Pennsylvania for the fling.

One of the hallmarks of the gathering was the large number of motorcoach industry veterans who attended, using the event to reconnect with old friends and colleagues.

Many active and retired drivers, mechanics and executives were in the crowd. In addition, there were numerous families with links to the industry, and lots of hobbyists.

Attendance accelerated as the day progressed, a result of folks taking advantage of the myriad assortment of family attractions in the area.

Brookfield, Conn.-based Coach Tours Ltd. showed up in the afternoon with a chartered bus full of enthusiasts.

Museum President Tom Collins noted that participation in one of the fling's other activities, the bus memorabilia flea market, was up nearly 10 percent from last year.



A GM PD-4104, left, and MC-9 were on display during the event.

The market was conducted inside, in space the museum shares with the Antique Automobile Club of America Museum. The indoor arrangement created a unique atmosphere; memorabilia surrounded by antique buses.

A total of 56 buses and coaches — of every sort — were on exhibit, displayed in the museum parking lot, the indoor exhibit area and the nearby George M. Sage Memorial Annex. The annex is used to maintain the museum antique bus fleet and store buses not on the exhibit floor.

Most of the vehicles on display

were owned by the museum, but there was a sizable contingent of coaches owned and operated by private individuals.

These ranged from a 1908 Martz Lines' White to a 2013 H3-45 Prevost demonstrator — 105 years of bus industry evolution.

Virtually every bus was in its original seated configuration, a bit different from most other bus gatherings where many of the coaches are converted motorhomes.

Wolf's Bus Lines of York Springs, Pa., provided shuttle service between the museum and the annex. Wolf's has offered the service for a number



The annual flea market was held on the museum display floor.

of years, but this time delighted savvy attendees by using a brand new Temsa TS 35, sporting a creative graphics package.

Greyhound Lines displayed a Prevost X3-45 configured in Greyhound's classic-look, two-tone blue livery, three-point seatbelts, Wi-Fi and 110-volt outlets, providing a visual reminder of how far motor-

coaches have progressed.

Greyhound also showed a similarly equipped 2013 Van Hool C2045 from its "YO!" curbside operation.

MCI operators, Capital Area Transit System of Harrisburg, Pa., and Delaware Express of Newark, Del., brought a D4505 and J4500, respectively.

## Driver injured chasing passenger, wins worker's comp claim

MILWAUKEE — A driver for a company that employs drivers for the public transit system here is entitled to worker's compensation after he injured his ankle and knee while chasing an abusive passenger, the Wisconsin Court of Appeals has ruled.

The company, Milwaukee Transport Services Inc., argued that driver Isaac Bracey had abandoned his work duties when he chased the man, who had spit on Bracey and used a racial slur when told his transfer ticket had expired and asked to leave the bus.

During the brief chase, Bracey fell and tore tendons in both legs, which had to be

surgically repaired and caused a 5 percent permanent partial disability at the left ankle and right knee.

Bracey, who had worked for the company for 17 years at the time of the incident in January 2010, sought worker's compensation for lost wages, medical expenses and permanent disability.

Milwaukee Transport, which employs drivers for Milwaukee County Transit System, refused the claim.

An administrative law judge ruled against the driver because he broke several company rules, which state a driver should

never leave his seat unless to help a disabled passenger or defend himself from danger, should have a safety shield up, and should not confront passengers.

However, the state Labor Industry Review Commission and a circuit judge sided with Bracey. The appeals court deferred to the commission's decision.

"Although Bracey broke rules by chasing the unruly passenger, what Bracey did, as the commission found, was impulsive, momentary, and an insubstantial deviation — it was a fleeting, knee-jerk reaction provoked by an unruly passenger. Bracey then

returned to his seat and continued to drive the bus," according to the opinion.

"Milwaukee Transport argues that the deviation was substantial...and points out that Bracey admitted he was not going after the spitting passenger to collect a fare or to benefit the bus company.

"Milwaukee Transport thus argues that Bracey 'abandoned' his work duties...and the deviation would have been much longer if Bracey had not fallen. The commission's determination to the contrary was, under the circumstances of this case, entirely reasonable. Thus, we affirm."

### How to contact us

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

E-mail: [bsankey@busandmotorcoachnews.com](mailto:bsankey@busandmotorcoachnews.com)

Fax: (405) 942-6201

Mail: 3108 NW 54th Street

Oklahoma City, OK 73112

Call: (866) 930-8421

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# Are rising compliance costs re-regulating the industry?

By Dave Millhouser

A pig and a chicken were strolling down a country lane when they saw a homeless family camping in a field.

Said the pig: "We should try and do something nice for those unfortunate folks."

Replied the chicken: "Great idea. How about we treat them to a ham-and-egg breakfast?"

Stunned silent for a moment, the pig pointed out: "HEY, for you that's a sacrifice, but for me it's a total commitment!"

It's always easy (and safe) to commit someone else to a worthy cause.

Nobody would fault the goals of the current abundance of regulations and enforcement raining down on the motorcoach industry.

Golly, it's about safety, environment and service levels. All good.

The problem is the unintended consequences. Complying costs a lot of money, and small companies don't enjoy the economies of scale the big guys do.

How do you spread the cost of a safety director, administrator for ADA training and paperwork, as

well as human resources, and environmental gurus over the revenue from 5 to 10 coaches?

The net effect of the avalanche of regulation will be to gradually eliminate small and midsize operators. It will become increasingly difficult to survive without being large, and able to multitask (like combining commuter runs with local charters and transfers).

What happens next is that, with fewer coaches available, the public is driven (pun intended) back into automobiles, which are far more dangerous and polluting than even the worst buses.

In effect, the industry is becoming, de facto, regulated. If you're one of the large carriers, this may seem to be a good thing. The cost of compliance is a pain for you, but fatal to smaller competitors.

There are two problems with that scenario (probably more, but I'm not that smart).

First, have we forgotten the fate of the private transit properties, virtually all now swallowed up by government agencies? This is not an identical situation, but there are plenty of parallels.

Second, you may not love com-

petitors, but they drive you to do a better job, and bring creativity to an industry that sorely needs it. We need agile new entrants and small companies to attract people to coach travel.

Does anyone think, for a minute, that the legacy carriers would be doing the innovative things they are right now, if the dreaded "curbside carriers" hadn't developed an entirely new paradigm and market.

In the regulatory world... "Quis custodiet ipsos custodes?" (Who will watch the watchmen?)... And you thought I didn't know Latin.

We have the specter of companies being shut down immediately after getting "satisfactory" Compliance Review ratings, with politicians and bureaucrats suggesting draconian solutions to problems that are either smaller or very different than what they claim.

Take a look at: [www.openmarket.org/2013/05/09/governments-chinatown-bus-shutdowns-based-on-statistical-malpractice/](http://www.openmarket.org/2013/05/09/governments-chinatown-bus-shutdowns-based-on-statistical-malpractice/).

There is not, as yet, a clear connection between what FMCSA is measuring and safety. Companies find it necessary to work the system, rather than concentrate on safe practices, like students who

learn the answers to a test, rather than understanding the material.

The real connection seems to be between the 24-hour news cycle and politicians' and bureaucrats' need to appear relevant.

Some of our problems are self-inflicted.

We're not presenting a unified face to either the government or the public.

We've failed to convince folks that our service is really valuable (so we can afford to deal with all those mandates). We aren't quite as safe as we used to be.

I'm for safety, a clean environment and equal opportunity for the disabled. I travel on the same roads as buses, breathe air and have high hopes of getting old and infirm.

The problem is that, in an effort to make things perfect, people who have no "hands-on" experience, and no stake in the coach industry, are burying us in rules that are marginally effective at reaching their worthy goals.

They will have moved on before the consequences are manifest, leaving a much smaller industry (with more people killed in automobile accidents, more pollution and less access to intercity

transportation for the disabled).

Tyrone was a perfectionist, and every coach that came out of the garage he managed

was perfect. The problem was that the company he worked for sold used buses, and just couldn't afford to make them "perfect" (that's why used coaches cost less than new).

When he couldn't break the habit of perfection, management had to let Tyrone go.

Voltaire said: "The perfect is the enemy of the good."

He said it in French, but I'm pretty sure his point is that if you try too hard for perfection, either nothing gets done...or you slide backwards.

It's particularly ugly if those demanding excellence have no skin in the game, or even any idea how the game is played.

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



Dave Millhouser

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## Hurricane preparations

CONTINUED FROM PAGE 1

10 years. We certainly have made progress.”

Newton said SEEVAC represents companies with approximately 4,400 coaches.

“They are predicting quite a few storms (this year). Whether that transpires or not we will have to see, but we have plans to be ready to accommodate any need that arises,” said Newton, owner of Newton Bus Service in Gloucester, Va.

When called in for storm evacuations or supplementing post-storm transportation services, SEEVAC members may work directly with state governments or with Transportation Management Services (TMS), which coordinates emergency transportation assistance for the Federal Emergency Management Administration and several southeastern states.

TMS, headquartered in Sandy Spring, Md., has contracts with “four or five” states, which company CEO Frank Sherman declines to identify.

“A lot of states don’t have contracts with us but they have our phone number and if they need us they will call.”

Sherman said TMS personnel spent the off-season improving company equipment and systems

for emergency work.

“We invested in a new communications truck. Last year, a state was a little frustrated with us because we couldn’t e-mail reports out. We are more self-sufficient in that area,” Sherman said.

The truck, based on a Chevrolet Suburban, was designed by the Red Cross and carries a satellite dish and a 35-foot radio mast with a camera mount.

“The satellite dish goes up and finds its own signal. It also gives us a wireless internet signal that we are told will work up to a half-mile away,” he said.

### Feeding drivers

Another shortcoming of recent evacuation responses, due to curfews and storm damage affecting local businesses, has been meal service for bus drivers.

“We now have a caterer who will travel with us. Feeding the drivers has been difficult because we know where we are going to stage but we don’t know where we will send the drivers. That could be 25 places,” said Sherman.

Driver check-in at staging areas also is being automated to speed the process, he said.

“Bus companies will be given a website where they can tell us which drivers and buses will be

there. They will print a QR code they can take to an express check-in line and we won’t have to write up their information.”

A QR (Quick Response) Code is the square, dot-matrix barcode seen on many products and advertisements. The code can be read by an optical scanner.

“We are trying to do a lot of the work in advance. When you have a couple of hundred buses to check in, it can take days. We have gotten it down to close to two minutes each. If they have the QR code, we will just need to check their driver’s license and then they go through a safety check and get in line with the other vehicles to get their directions and driver welfare stuff.”

TMS also has added automation to its invoicing and payment systems, Sherman said.

“We want operators from Texas and up the East Coast to make sure they have a contract in with us. If they already have a contract they should have been sent a yearly addendum.

“We want to make sure all the contracts and insurance papers are done so all we have to do is say ‘How many buses do you want to send us?’ We are getting faster and faster in paying the guys.”

### NOAA 2013 predictions

Three climate factors that strongly control Atlantic hurricane

## Best Tours’ Nick Sayah dies

FRESNO, Calif. — Nick W. Sayah, an immigrant from Lebanon who studied to become a civil engineer but combined a love of travel and joy of helping others to found a motorcoach company, died last month. He was 65.

Mr. Sayah started Best Tours & Travel here in 1978 and grew the company to be the largest coach operator in Fresno and California’s Central Valley.

Specializing in California Wine Country and family-friendly tours, runs to Las Vegas and charters, Best Tours expanded to a fleet of 35 coaches but had downsized to 30 buses as the economy

activity are expected to come together to produce an active or extremely active 2013 hurricane season. They are:

- A continuation of the atmospheric climate pattern, which includes a strong West African monsoon, that is responsible for the ongoing era of high activity for Atlantic hurricanes that began in 1995;

- Warmer-than-average water temperatures in the tropical Atlantic Ocean and Caribbean Sea; and

- El Niño is not expected to develop and suppress hurricane formation.

slowed in recent years.

Mr. Sayah’s family attributed his business success to his insistence on a standard of quality service, plus a commitment to safety, good maintenance and people.

“He always had an open-door policy,” said a family member. “He would never turn away a friend, employee, client or stranger.”

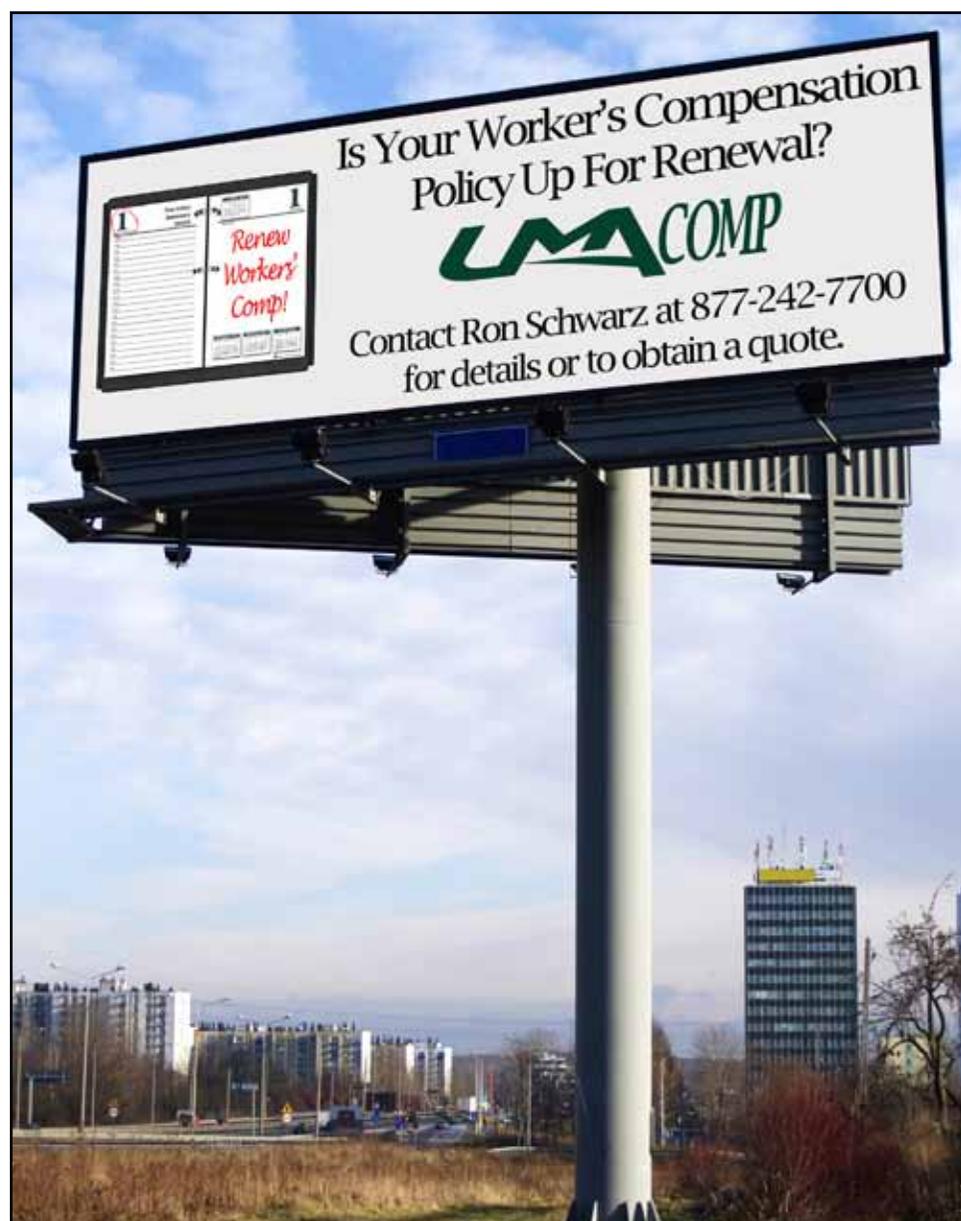
Mr. Sayah was born in Lebanon in 1948 and nearly completed a degree in civil engineering before leaving school to marry.

He is survived by his wife, Margaret; son Adeeh, and daughters Jasmine, Nicole and Nadine.

“This year, oceanic and atmospheric conditions in the Atlantic basin are expected to produce more and stronger hurricanes,” said Gerry Bell, Ph.D., lead seasonal hurricane forecaster with NOAA’s Climate Prediction Center.

“These conditions include weaker wind shear, warmer Atlantic waters and conducive wind patterns coming from Africa.

“NOAA’s seasonal hurricane outlook is not a hurricane landfall forecast; it does not predict how many storms will hit land or where a storm will strike,” the agency adds.



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# Sculptures mark New Orleans hurricane evacuation sites

NEW ORLANS — It has been nearly eight years since this city was decimated by Hurricane Katrina.

Roughly \$8 billion has been spent during those years hardening the area's infrastructure against future storms and flooding.

Additionally, the city has trained more than 300 volunteers to help keep residents aware of the threat from hurricanes and to assure future evacuations go smoothly.

Included in the preparation effort has been the designation of 17 locations across the city as Evacuspot.

At 15 of the evacuation sites, giant stainless steel stick figures have just been erected, providing an easily-understood symbol for residents (and visitors) — hey, this is a place where you come if you need transportation out of the city.

The sites where the figures have been installed include parks, senior and community centers, high schools, libraries, Ys and shopping centers. Two locations use conventional signage because of space limitations.

In the event of a citywide hurricane evacuation order, the 14-foot sculptures will mark gathering sites for those seeking bus

rides to safety.

While the sculptures serve a practical and possibly life-saving purpose, they also are considered public art and the \$200,000 cost was paid by the Arts Council of New Orleans, the city's official arts agency, and Evacuteer.org, a post-Katrina philanthropic organization founded to help support the New Orleans Office of Homeland Security and Emergency Preparedness.

Installation of the stick figures began one day before the official start of the 2013 hurricane season, on June 1, with completion of the program expected by the end of June.

"Considering the logistical chaos that followed Hurricane Katrina and the levee failures, well-marked evacuation sites could be a blessing," opined a New Orleans newspaper writer.

The stick figures were designed by Massachusetts artist Douglas Kornfeld to represent an individual hailing a cab, with one arm raised.

"If you need transportation, you raise your hand," said Kornfeld.

In the event of an evacuation, individuals gathered at the Evacuspot will be picked up by New Orleans Regional Transit Authori-

ty buses and taken to Union Pacific Terminal bus station for transport to state and federal shelters.

Private motorcoaches, contracted for by Louisiana state government, will transport the evacuees to inland shelters.

Plaques mounted on the leg of each stick figure carry the message that the location is a "city assisted evacuation pick-up point" and that evacuees are allowed to bring one carry-on bag, whose combined dimensions can be no more than 45 inches; no alcohol; no weapons, and dogs on leashes.

Eighty artists from across the country competed to win the commission to design the evacuation beacons.

An official with the Arts Council said the competition was opened to all artists because the 2005 Katrina storm and flood was viewed as a nationwide event.

Kornfeld said his simple, hailing-a-cab design was done purposely.

"I didn't want to create something threatening or anxiety producing," he explained.

Kornfeld believes the upstretched arm won him the job, but not, perhaps, for the reason he expected.



N.O. Mayor Mitch Landrieu mimics the evacuation stick figure.

"During the middle of my pitch to the jury," he told an interviewer, "when I was presenting my design, someone interrupted me and said, 'Well, that gesture of hailing a cab is the same gesture people do when they want someone to throw them

beads from floats during Mardi Gras."

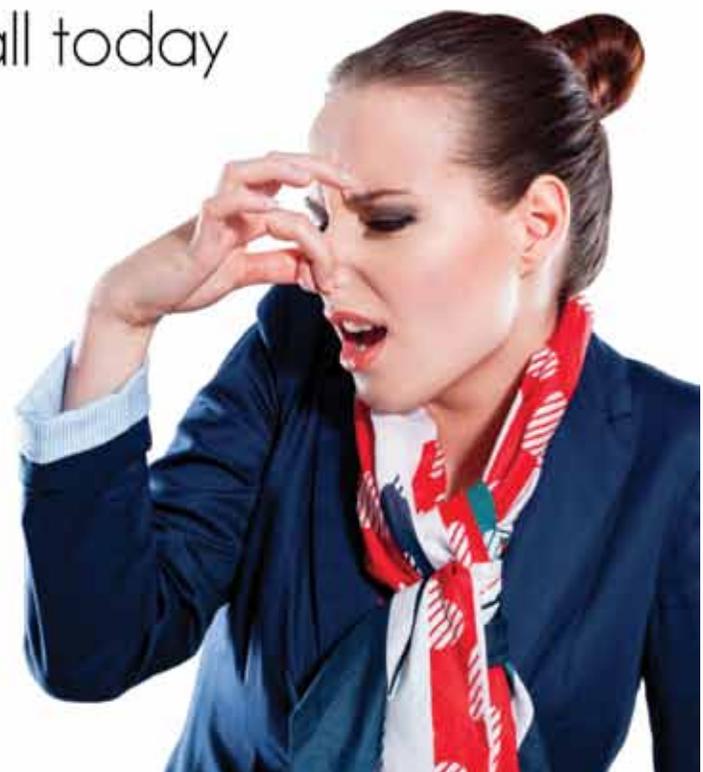
"That was the moment I went, 'I won the competition,'" Kornfeld said, "because it's quintessentially New Orleans, but it's also universal to everybody."

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## Operation Quick Strike

CONTINUED FROM PAGE 1

get back behind the wheel.

The latest round of closures brings to 14 the number of operators shutdown by the feds since April 1, when more than 50 specially trained safety investigators began conducting in-depth probes of high-risk passenger carriers, according to the agency.

In addition to Lucky Star, several of the 21 companies sidelined so far this year by the FMCSA operated discount curbside bus service from New York City's Chinatown. They include Ming An, Anglemoarge Services, and Fung Wah Transportation, the nation's best-known of the so-called "Chinatown buses."

In addition, the agency shut down three other Chinatown operators in a highly publicized roundup a year ago.

The Chinatown buses are credited with revitalizing the scheduled-service market in the northeastern U.S. after 9/11, and their sidelining would appear to clear the way for rivals, including Peter Pan and Greyhound bus lines, which jointly operate YO!, a line offering service from Manhattan's Chinatown.

"There is no higher priority than safety," said U.S. Transportation Secretary Ray LaHood in a press release about the Lucky Star closure. "Bus and truck companies must comply with federal safety regulations, which protect every traveler on our highways and roads. Companies that disregard the safety rules will not be allowed to operate."

### Lucky Star extinguished

With 21 coaches, the largest company by far in the latest shutdowns was Lucky Star, operated by Edward Leung, president; Albert Leung, vice president; Maria Wong, assistant secretary, and Qiao M. Chen, operations manager.

"The carrier was identified for investigation after having two BASICS in alert at the time of assignment," the order stated. "Lucky Star had an 85.7 percent in the Unsafe Driving BASIC and a 44.8 percent in the Hours of Service Compliance BASIC."

BASICS, which is short for Behavior Analysis Safety Improvement Categories, are key elements of the FMCSA Compliance, Safety, Accountability safety rankings and enforcement system. In its investigation, the FMCSA determined that Lucky Star's "near around-the-clock" dispatch schedule led to its failure to keep up with the inspection, repair and maintenance of its fleet, the order stated.

"Investigators discovered that Lucky Star's motorcoaches broke down on 80 separate occasions between New York City and Boston from May 5, 2012, through May 22, 2013.

The breakdowns involved more than 10 of Lucky Star's 21 coaches, "some of them simultaneously," according to the document.

"For example, on Dec. 27, 2012, three of Lucky Star's motorcoaches broke down, and on Feb. 17, 2013, two broke down. These break downs caused passengers to have to disembark along the highway and at unscheduled stop areas."

Inspectors also found a motorcoach with a 4-by-2-foot hole in the floor and significant frame damage.

"In total, four out of six motorcoaches in-

spected were placed out of service and 69 vehicle defects were discovered," the order stated.

In addition to mechanical violations, officials cited the company for failing to oversee driver behavior.

"Lucky Star has no system for monitoring and tracking drivers' hours of service and does not require its drivers to complete records of duty status. Lucky Star fails to test drivers for controlled substances before allowing them to perform safety-sensitive functions," the order said.

Inspectors found that five of six drivers sampled exceeded the maximum driving hours on multiple occasions, with several driving more than 10 hours regularly.

In addition, the company disregarded out-of-service orders placed on two drivers deemed unable to communicate in English, the order continued.

"With the assistance of an interpreter, FMCSA discovered that neither driver received any English communication training since being ordered out of service. Lucky Star falsified both of the inspection certifications on the driver/vehicle inspection reports that all of the violations were corrected when, in fact, it had taken no steps to ensure the drivers could communicate in English," the document stated.

Further, it stated, a review of the company's GPS records and speed reports revealed that eight out of eight drivers sampled exceeded the maximum speed limit on numerous occasions.

"Forty-four records were sampled and 40 instances of drivers failing to comply with the speed limits were discovered; this amounts to a violation rate of (more than) 90 percent. This pattern substantially increases the likelihood of a crash causing death or injury," the FMCSA concluded.

Lucky Star owner Edward Leung was reportedly taken by surprise by the shutdown.

"It happened so suddenly, I'm shocked," he told the *Boston Globe* before referring the reporter to an attorney.

The company's imminent hazard out-of-service order can be found at [www.fmcsa.dot.gov/documents/about/news/2013/LuckyStar.pdf](http://www.fmcsa.dot.gov/documents/about/news/2013/LuckyStar.pdf).

### Lights out at Midnight

Midnight Express of Olathe, Kan., came under scrutiny following a fatal accident in early May.

A subsequent FMCSA Compliance Review found the company had failed to file a Motor Carrier Identification Report, Form MCS-150, which had allowed it to operate without oversight by either state or federal agencies, and did not carry the \$5 million in liability insurance required of passenger carriers, according to the document.

"As the members of Midnight Express, Adam Breidenthal, Derrick Hansroth and Edward Goetz are responsible for the complete breakdown of safety oversight and management," according to the filing.

The review found the company's "operations fail to comply with driver qualification requirements in virtually every respect. Midnight Express has no driver qualification files and does not maintain the required driver applications, copies of drivers' medical cards, responses to previous employer inquiries, or driver driving histories," the order stated.

FMCSA continued: "However, the most egregious example of Midnight Express' utter disregard for safety is reflected in your complete failure to establish a system of equipment inspection, maintenance and repair – especially with regard to passenger safety. Midnight Express has no preventative maintenance program. No records are maintained of required minimum maintenance."

In the days following the accident, the Kansas Highway Patrol conducted a Level 1 inspection of the accident vehicle, a 21-passenger 1999 Ford cutaway, and found that "the emergency exit windows were blocked by vehicle seats that had been rotated 90 degrees so that seatbacks were arranged parallel to and blocking the emergency exit windows," the order stated.

Federal inspectors later found the vehicle's "rear emergency exit window is blocked by an ice box apparatus; the release latch is jammed and inoperable.... The Kansas Highway Patrol's inspection report also demonstrates the only onboard fire extinguisher was fully discharged, and it was last recharged in 2004.

"There are no bus emergency exit markings, no posted operating instructions, and no bus standee line or notice to stand behind the required line while the bus was in motion. Midnight Express operates the motorcoach with no brake pedal reserve, meaning the brake pedal goes to the floor when depressed," the order continued.

"The engine exhaust system leaks from beneath the passenger compartment," it stated. "These violations...substantially increase the likelihood of serious injury or death to Midnight Express' drivers, passengers and the motoring public."

Interestingly, the Midnight Express Ford F-450 cutaway was sold three and a half years ago in a state of Kansas surplus equipment auction for \$2,200.

It previously had been operated as a shuttle in Fort Scott, Kan., and at the time it was sold had more than 105,000 miles on the odometer and a number of problems, including a bad ignition.

The out-of-service order for the company is posted at [www.fmcsa.dot.gov/documents/about/news/2013MidnightExpress.pdf](http://www.fmcsa.dot.gov/documents/about/news/2013MidnightExpress.pdf).

### Destiny disdains safety

The first operator shut down in June was two-year-old Destiny Tours.

During its investigation, the FMCSA discovered Destiny Tours was owned by Cornelius Scott, and not Frances Fleming, the name listed on the company USDOT registration.

Further, the order noted that Scott "has a history of operating in an unsafe manner," and that his previous company, Happy Tours LLC, "also operated without the required operating authority."

"Destiny Tours could not provide FMCSA investigators any evidence showing that its motorcoach had ever been inspected, repaired and/or maintained as required by federal safety regulations," the order states.

The FMCSA reported the company's compliance with federal safety regulations and record-keeping requirements "is almost nonexistent. Destiny Tours does not have a systematic vehicle inspection, repair, and maintenance program in place to prevent the

operation of unsafe motorcoaches.

"Instead of conducting an annual inspection of its motorcoach, Destiny Tours falsified the annual inspection certification.... The inspection revealed the motorcoach had nine mechanical violations, including two out-of-service violations."

As for driver screening, "Destiny Tours fails to monitor and ensure that its drivers comply with drivers' hours-of-service requirements, drivers' records-of-duty requirements, and drivers' controlled substances and alcohol use and testing requirements," the order states.

"Although Destiny Tours claims it has only one driver, FMCSA's investigation revealed the company has used two additional drivers during the past year. During 2012, Destiny Tours failed to send any drivers for random controlled substances and alcohol testing."

The company's out-of-service order is at [www.fmcsa.dot.gov/documents/about/news/2013DestinyTours.pdf](http://www.fmcsa.dot.gov/documents/about/news/2013DestinyTours.pdf).

### Advanced isn't

Three-year-old Advanced Ventures, which lists Khalid Hafeez as owner and Rumman Zaheer as CEO, was shutdown June 12.

The company was targeted for investigation after two of its BASICS scores — 87.6 percent in Unsafe Driving and 89.8 percent in the Hours-of-Service Compliance — rose well above satisfactory levels.

According to the order, FMCSA inspectors surveyed five company buses, placed two of them out of service, and noted a total of 39 vehicle defects. They said company officials had falsified three periodic annual inspections and possessed a stolen inspection sticker.

"Advanced Ventures' Fleet Manager, Rumman Zaheer, told investigators he paid cash to a mechanic at a local vehicle repair facility. However, the mechanic denied conducting the inspections. Mr. Zaheer then admitted he filled out the annual inspection sheets," the order stated.

"FMCSA investigators also discovered that Advanced Ventures was issued a ticket by the Fairfax (Va.) Police Department for possessing a Virginia state inspection ticket that did not belong to Advanced Ventures' bus," according to the order.

Further, the carrier was cited for its repeated failure to oversee and monitor its drivers.

"Random controlled substance and alcohol testing was not conducted at the applicable annual rate in 2012. This is the third time in three consecutive years this has occurred, evidencing Advance Ventures' willingness to allow on the road untested drivers," the order stated.

Like the other companies shut down, Advanced Ventures was notified of the steps it must take before it can request the order be rescinded. The steps include an explanation of the causes for noncompliance, a detailed action plan to correct each area of noncompliance, a written commitment to comply with safety regulations, and a certification of the safety management plan to be executed by all company owners and officers.

The company's out-of-service order is posted at [www.fmcsa.dot.gov/documents/about/news/2013AdvancedVentures.pdf](http://www.fmcsa.dot.gov/documents/about/news/2013AdvancedVentures.pdf).

# ABC Cos., IBP Industries sign distribution agreement

WINTER GARDEN, Fla. — ABC Companies and IBP Industries have signed an agreement under which ABC will distribute

## BoltBus accord is terminated on NY Long Island

BOHEMIA, N.Y. — The licensing arrangement that had Bohemia-based Classic Coach/Schoolman Transportation operating BoltBus curbside service on Long Island has lasted six months.

It was revealed last month that the agreement between Classic Coach/Schoolman and Greyhound/Peter Pan lines, which operate BoltBus throughout the northeastern U.S., was ending.

Classic Coach/Schoolman, which launched the licensed BoltBus service on Long Island early this year, has rebranded the operation as 7Bus.

Michael Schoolman, who managed the Long Island-to-Manhattan BoltBus, told a Long Island business publication that Classic Coach decided to drop the licensing agreement with Greyhound to be able to expand the service.

“We had a really good relationship with them,” Schoolman said of BoltBus.

“We just wanted to offer more than their systems allowed, like commuter passes, intra-island travel and tourism packages. So we came out with our own brand.”

The 7Bus name relates to the amount — \$7 — most commuters will pay for a seat on one of the buses.

Schoolman told the Long Island publication that 7Bus would use the same buses and drivers as the BoltBus operation.

Additionally, identical routes will be run with the same frequency, although a stop will be added in Southampton.

Schoolman said the Southampton stop will be one of the tie-ins for 7Bus tourism packages, which could include outings to the beach and winery tours. In addition, under the revamped system, intra-island travel from Melville to Southampton, for example, also will be possible, he said.

7Bus is adding two stops in New York City as well. Riders will be able to be picked up at 47th Street and Lexington Avenue and dropped off at 47th Street and 3rd Avenue. The service currently stops on Third Avenue at 40th and 59th streets.

BoltBus was launched by Greyhound and Peter Pan five years ago to compete with megabus.com and the so-called Chinatown curbside operators.

IBP parts and components in North America.

The deal gives ABC sole distribution rights to IBP exterior bus components, which includes a wide variety of body parts for such major coach and bus brands as MCI, GILLIG, Prevost, Van Hool and others.

IBP Industries, which is based

in Apopka, Fla., is a leading designer and fabricator of body components for the motorcoach and transit bus markets. The company has been engineering and producing bus body parts for 26 years.

“This is an important strategic initiative for ABC and our customers,” said Dane Cornell, chairman and CEO of ABC.

“Our exclusive partnership (with IBP) greatly enhances the ABC Parts business capability — significantly expanding inventory levels of body parts, which will be made available under the ABC Select Parts offerings.”

Al Runfola, founder and CEO of IBP, said the company’s arrangement with ABC was “a very

natural fit.

“ABC’s North American presence and established distribution network broaden both our supply chains and give ABC customers more convenience and access to the body components they require for all makes and models.”

Additional product releases are expected as a result of the deal.

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## Coach companies with tour units may want to make Contact

UMA Chairman Bill Allen has issued an invitation to UMA members to join him at NTA's tour operator retreat, known as Contact, being held Aug. 15-17 on the Big Island of Hawaii.

NTA was formerly called National Tour Association.

"If you're thinking of expand-

ing your motorcoach operations with tour planning services, or looking to build on your already existing tour business, Contact is an intimate meeting designed to foster those kind of conversations and partnerships," said Allen.

Contact enables attendees to broaden their knowledge of the

tour industry through educational programming and making connections with potential partners through networking opportunities.

"I've often heard it said, in regard to being successful in the motorcoach industry, that 'it's all about relationships'; Contact is a great place to start to build those

relationships with tour operators," said Allen.

Contact attendees also are invited to participate in pre- and post-familiarization tours, as well as local sightseeing.

To find out more about Contact or to register, go to [www.ntaonline.com](http://www.ntaonline.com). Look for the Quick Links.

### Safety Seminar set

UMA has announced that its 10th annual Safety Management Seminar will be Dec. 4-5, at the NTSB Training Center in Ashburn, Va.

Registration and program information will be available in mid-September.

## Martz tourney benefits effort to fight cancer

WILKES-BARRE, Pa. — For nearly 30 years, the Martz Group, one of the nation's best-known motorcoach operators, has sponsored a fund-raising golf tournament here as a community service.

Scott Henry, president of Martz Trailways, launched the tournament in 1984 to benefit the health and well being of many in his home region.

Henry had friends or relatives who had been afflicted with cancer. So, he latched onto the idea of an annual golf outing, with proceeds from players, hole sponsors and prize donors going to the Wyoming Valley Chapter of the American Cancer Society.

The money raised would be kept local to benefit the people of the region.

Over the years, the Martz/American Cancer Society Golf Tournament has raised more than \$1 million for the local cancer society.

This year's tournament, which carries on the tradition, will be Monday, Aug. 26, at Wilkes-Barre Wyoming Valley Country Club.

Anyone who is interested in participating as a player or sponsor can do so by contacting Crystal Posten of Martz at (570) 821-3860.

The tournament will have a 12:30 p.m. shot-gun start and feature a barbecue lunch, cocktail hour, dinner and awards for golfers.

Prizes will include champion awards in all flights, gifts for all participants, closest-to-the-line prizes for men and women, closest-to-the-pin prizes on all par three holes, and a chance to win a new car with a hole in one.

There are six categories of sponsorships: Individual player, \$250; foursome, \$850; hole sponsor, \$450; tournament champion, \$2,000; ACS/Martz champion, \$2,500, and ACS Champion, \$5,000 and up.

"It's a fun day for all and the best part is everyone knows they are helping out to make the cure for cancer one step closer," said Henry.

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# Oklahoma tornadoes hit employees of Red Carpet Charters

OKLAHOMA CITY — Two employees of Red Carpet Charters in Oklahoma City lost their homes and autos — “everything” — to the tornadoes that struck the area in late May and a third employee had to evacuate his flooded home.

The company’s main office received minor debris damage in the massive tornado that struck on the last day of May. Buildings right across the street from Red Carpet’s facilities suffered major wind and water damage.

The May 31 category-five tornado that killed 22 people devastated the Oklahoma City suburb of El Reno, but it dissipated just as it approached Red Carpet’s location.

It still had enough punch, however, to take out dozens of utility poles, tear off roofs of commercial buildings and do other damage.

It arrived on a Friday evening, when Red Carpet’s coaches had left the yard for weekend runs.

The company was without electricity for four days, said owner Jeff Polzien.

“We saw the storm when it was west of Oklahoma City and we evacuated the building. We are literally across the street from some serious damage,” he said. “A little bit of our perimeter fence was downed and some debris hit a company car and knocked out a window. We did lose our electrical power.”

Red Carpet’s Oklahoma City location, near Interstate 40, is the company’s central dispatch base.

“We were using flashlights and dispatching with cell phones,” said Polzien. “We found people who had electricity at home who went there to print schedules and brought them back.”

“Our shop mechanics couldn’t use some of their tools and our wash bay was not working. We just did the best we could.”

“We were really busy that weekend, but we got everything handled. It was pretty amazing.”

Red Carpet’s staff watched the May 20 tornado on a television set in the service department. The EF-5 storm peaked at 1.3 miles in width and packed winds estimated at 210 miles per hour.

That was the tornado that destroyed whole neighborhoods in Moore, Okla., which is directly south of Red Carpet’s location.

“We were all going to get in the

service pit if it got to us,” Polzien said. “That one passed six miles south of us.”

However, “that one hit two of our employees’ houses. They lost

their cars and all their worldly possessions. They are staying with relatives while the company and employees are pitching in to help them out.”

Within two weeks, Red Carpet was “pretty much back to normal,” he said.

“We have had some charter cancellations but not many. Before

the next tornado season I think we’re going to get auxiliary generators so we can at least run our phones and computers if the power goes out.”



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“Our company wanted to **thank UMA and all of its resources**. When it came time for us to increase our fleet, and add insurance and benefits, our **UMA membership really paid off** and we were able to reach out to our UMA partners to help us with our needs.”



— Ray Sargoni, President  
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## Incremental fees

CONTINUED FROM PAGE 1

consideration.

"We have implemented add-in fees, which have made a positive effect on the bottom line. We charge a fuel fee, an environmental fee and a cleaning fee on top of our regular charter rates.

"The fuel fee is a percentage of the charter based on our actual fuel costs. The cleaning fee is \$35 and the environmental fee is \$15. That helps defray the environmental costs we are charged, as well as the costs associated with our facilities' costs, such as water testing. We have a lot of expenses in this area with maintenance, fueling, washing and dumping buses."

### Hold on a minute

Michael Neustadt of Coach Tours Ltd., in Brookfield, Conn.,

said he would be reluctant to implement service charges as eagerly as the airlines have done.

"I would not be inclined to add any extra charges for services that my customers have come to expect from me. That said, we do charge the customer separately for the driver's room on overnight trips and for the gratuity. And we specify that any bus permits or parking charges for locations that are not listed in the original quote will be added."

In addition to bag-check fees (\$3.5 billion) and reservation-change fees (\$2.6 billion), airlines also charge extra for extra legroom, meals and the privilege of skipping security lines.

Delta Airlines earned \$865.9 million solely from baggage fees, an average of \$7.44 per passenger, *USA Today* reported. An internal newsletter at United Airlines described a goal of earning \$19.29 in "ancillary

revenue" from each passenger by the end of this year.

Such schemes will not fly on the motorcoach highway, Neustadt argues.

"Many airlines have been getting away with so many extra charges because there is very little competition on most routes. Even though the customer is upset with being nicked and dimed to death, they have no choice," he said.

"The charter bus industry is very different. I have a dozen or more competitors in every market I serve. I want my customers to love my company not just because I am the cheapest today but because we offer the best service."

### Credit Card Surcharges?

Credit card swipe fees, a cost that nibbles profits, are on trial in a \$7-billion anti-trust lawsuit working its way through the U.S. District Court for the Eastern District of New York. The court is considering a negotiated settlement that seems to be acceptable only to Visa and MasterCard, the defendants in the suit.

Credit card swipe fees, 1 to 2 percent of a total sale, could be skimming \$20 off of revenue from a typical motorcoach charter.

The credit card swipe fee lawsuit was filed in 2005 by merchants and trade associations that contend Visa, MasterCard and their affiliated banks engage in anti-competitive practices in setting "interchange fees" added to each credit card sale accepted by a retailer or other business.

"The lawsuit is about claims that merchants paid excessive fees to accept Visa and MasterCard cards because Visa and MasterCard individ-

### Academy/Conway

CONTINUED FROM PAGE 3

'Pappy' Conway, with a single bus to serve the town's schoolchildren. During the 1950s, the company grew when Eugene Conway, now 91, began driving mill workers from Woonsocket, R.I., to the Attleboros in Massachusetts.

Later, he began to plan weekend trips on more comfortable buses, and Conway Tours was born.

For Hoboken-based Academy, the acquisition of Conway's charter operation marks the second Rhode Island purchase by the company in the past three years. In September 2010, Academy acquired Archway Bus Transportation of West Warwick, R.I.

Academy's 10 locations throughout the Northeast include terminals in Bridgeport, Conn.; Providence, R.I., and Boston

The U.S. Surface Transportation Board may or may not rule on the Conway-Academy deal. In filings with the board, Conway contends the transaction falls outside the board's purview.

usually, and together with their respective member banks, violated the anti-trust laws...because they imposed and enforced rules that limited merchants from steering their customers to other payment methods," says the notice of class action settlement posted on the district court's web site.

"Visa and MasterCard conspired together about some of the business practices challenged (and) caused the merchants to pay excessive fees for accepting Visa and MasterCard cards."

"After seven years of extensive litigation," the court notice states, "The court has not decided which side was wrong, or if any laws were violated. Instead, both sides agreed to settle the case to avoid the cost and risk of trial and appeals that would follow a trial."

### Laws are road block

Current credit card merchant agreements and laws in some states prohibit businesses from passing the interchange fees on to customers who use credit cards.

"We don't charge credit card fees and I certainly would like to," said Autumn Dipert Brown of Dan Dipert Coaches in Arlington, Texas, who is following the anti-trust suit.

"The fees can be pretty steep — about 2 percent on total sales. Close to 60 percent of our total revenue is paid by credit card," she said. "We would rather be paid by credit card than not be paid at all, but it is a cost we have to bear."

She said the ballpark figure for a multi-day charter package in her part of the country could range from \$900 to \$1,200 per day, placing the fee for that 2-percent surcharge at \$18 to \$24 daily.

Because merchants are not permitted to surcharge credit card customers, the cost must be absorbed across all customers. "Those who don't pay by credit card are paying a portion off the fees for the others who charge," Brown said.

The settlement on the table in the U.S. District Court would transfer billions of dollars from the credit card companies and banks to "any person, business or other entity that accepted Visa- or MasterCard-

branded credit or debit cards in the U.S. between Jan. 1, 2004, and Nov. 28, 2012."

The settlement also would allow merchants, under their credit card agreements, to charge customers an extra fee for using credit cards or offer discounts to customers who use forms of payment that are less expensive to the merchant.

### Lots of unhappiness

Various news reports in recent weeks have listed dozens of major retailers, trade association and state attorneys general that have submitted court briefs rejecting the proposed settlement because it would not prevent Visa and MasterCard from continuing to wield market dominance to set or raise swipe fees.

"This is an empty settlement. It fails to address the price fixing that harms merchants and their customers," said Mallory Duncan, senior vice president and general counsel of the National Retail Federation.

A "Fairness Hearing" on the proposed settlement is set for Sept. 12 in the U.S. District Court. Regardless of its final determination, merchants in many states still will be prevented from surcharging credit card companies because of state laws.

Ten states already ban credit card surcharges and 18 states are considering such legislation, according to the *American Banker* newspaper. "Merchants fiercely opposed the bills because, if passed, their options for recovering income lost to interchange would be limited," the paper stated.

The report quoted David Vite, president of the Illinois Retail Merchants Association: "This is simply a way to hide the fact that Visa and MasterCard charge exorbitantly high prices."

*American Banker* listed states now banning surcharges as California, Colorado, Connecticut, Florida, Kansas, Maine, Massachusetts, New York, Oklahoma and Texas.

Bans have been proposed in Arkansas, Hawaii, Illinois, Indiana, Kentucky, Maryland, Michigan, Missouri, Nevada, New Jersey, New Mexico, Pennsylvania, Rhode Island, South Carolina, Tennessee, Utah, Vermont and West Virginia.

Danny Brantley will continue working, with responsibilities in operations and equipment maintenance.

Bud Hale, an Anchor driver and manager formerly of the company's Tuscumbia office, is handling the day-to-day operations at the Lexington facility.

All Brantley Tours employees have been offered positions with Anchor Tours.

Anchor Tours, which has been in business since 1989, purchased the five coaches operated by Brantley, bringing its fleet to 55 buses and coaches.



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C-2000	2002	VanHool	Cummins/Allison	\$115,000
C-2000	2002	VanHool	Cummins/Allison	\$115,000
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102A3	1990	MCI	Det/Allison	\$16,000

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### Anchor/Brantley

CONTINUED FROM PAGE 3

more time enjoying the fruits of a farm they also own.

"This was a difficult decision for us," said Danny Brantley. "This business has been like one of our children and our customers and drivers are like family. However, when we met the folks at Anchor Tours, whose company and corporate values so closely mirrored our own, we knew the Stancils and their team would continue to run the business and take care of our customers as we would."



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**1998 MCI 102DL3**

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