

Price of diesel moves lower; fuel taxes rise

The national average price of diesel fuel has declined to a level not seen since late July 2012, according to the U.S. Energy Department.

At the same time, several states boosted fuel taxes this month, meaning higher at-the-pump prices in those states.

The price of diesel has dipped to a U.S. average of roughly \$3.83 per gallon. The slow-paced downturn began in late May.

Averages across the U.S. ranged from a low of \$3.74 along the Gulf Coast, to a high of \$3.98 in New England.

Gasoline also has drifted downward, with the average U.S. price falling to \$3.57 per gallon. Gasoline is roughly 14 cents per gallon higher than a year ago.

Here's a list of states that boosted fuel taxes this month:

- Nebraska: Increase of 1.7 cents per gallon to 26.3 cents per gallon
- North Carolina: Tax went from 37.5 cents a gallon to 37.6 cents a gallon.
- Kentucky: Increase of 2.4 cents per gallon, raising state tax to 32.3 cents per gallon.
- Wyoming: First increase in 15 years raised the tax to 10 cents per gallon.
- Maryland: First of three increases took effect, pushing fuel tax to 27.5 cents per gallon
- Virginia: Only state in which fuel prices could fall as a result of replacing state 17.5-cents-per-gallon fuel tax with a smaller tax on the wholesale price of fuel. A dip of about six cents per gallon in the pump price was predicted

'Reincarnated' operator indicted in '08 crash

HOUSTON, Texas — The federal government appears to have decided to make an example of former motorcoach operator Angel De La Torre.

The feds brought criminal charges against De La Torre last month for ignoring a federal out-of-service order.

What makes the indictment even more pointed is that it was issued nearly five years after the fatal crash of a coach owned by De La Torre that should not have been operating because of the shutdown order issued against him.

In May 2008, a Federal Motor Carrier Safety Administration in-

spection of De La Torre's company, Angel Tours, uncovered numerous safety violations. As a result, the FMCSA ordered the Houston company to cease all interstate transportation on June 23, 2008.

Six weeks later, a coach owned by De La Torre crashed near Sherman, Texas, resulting in the death of 17 passengers and injuries, many serious, to 38 more.

The coach that crashed belonged to Iguala Busmex, a Houston company that had been formed three days earlier by De La Torre, who was still subject to the revocation order for Angel Tours.

In the indictment that was un-

sealed in federal court here last month, De La Torre, 64, was charged with one count of conspiracy to make false statements, one count of operating a commercial vehicle after being placed out of service, and four counts of making false statements.

In his initial court appearance, De La Torre pleaded not guilty.

Carlos Ortuno, 52, an employee at Angel Tours, also was charged with one count of conspiracy to make false statements and two counts of making false statements. It was not immediately known how he pled.

The indictment alleges De La Torre and Ortuno made false state-

ments in an Application for Motor Carrier Authority, Form OP-1, and in an Application for U.S. DOT Number, Form MCS-150, filed with the FMCSA.

De La Torre and Angel Tours also are accused of operating a commercial motor vehicle after being placed out of service due to an unsatisfactory safety rating following an FMCSA inspection that uncovered numerous record keeping and safety violations.

According to the indictment, De La Torre had operated a bus company since 1994, until the August 2008 crash.

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Leaders lobby Congress during UMA 'Hill Day'

By John Brinkley

WASHINGTON — About 70 bus and motorcoach industry executives from across the U.S. converged on Capitol Hill late last month to beseech members of Congress to lighten the burden of taxes and regulations that most of them say are strangling them.

Victor Parra, president and CEO of the United Motorcoach Associa-

tion, said it was the largest turnout in the four-year history of the UMA Capitol Hill Day.

Association Vice President Ken Presley said the high turnout was a result of outreach efforts to state and regional bus and motorcoach associations.

Another reason: "There are a lot of angry people," said Tracey Simmons, director of corporate communications for the Trailways Transpor-

tation System, which participated in the UMA Capitol Hill Day.

At a breakfast meeting in the Capitol, UMA and its lobbying firm, Prime Policy Group, provided the motorcoach operators with talking points on the major issues facing the industry, then sent them off to House and Senate offices to plead their case to lawmakers.

The principal issues UMA urged operators to discuss were:

- The need to strengthen partnerships between private bus operators and public transit agencies.
- Unfair competition from public transit agencies, particularly in metro Seattle, where Sen. Patty Murray, D-Wash., has prevented the Federal Transit Administration from enforcing the federal charter service rule.
- The discrepancy between

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Operators cautioned about virus outbreak at national parks

YELLOWSTONE NATIONAL PARK, Wyo. — National Park Service officials are appealing to tour- and charter-bus operators to help fight an outbreak of a highly contagious gastrointestinal illness that struck Yellowstone and Grand Tetons national parks last month.

About 250 park employees and visitors reported suffering from stomach pain, vomiting, diarrhea and other symptoms caused by norovirus during three weeks in June, according to Dan Hottle, a Yellowstone spokesman.

Park officials traced the outbreak to several members of a tour group that arrived at Mammoth Hot Springs in Yellowstone on June 7 and complained about stomach flu and other GI symptoms.

Motorcoach operators making frequent trips to the parks seem well aware of the outbreak and are taking precautions.

"I just got an email from the health department about it," said Walt Derzay of Karst Stage in Bozeman, Mont.

"We've had a couple of cases of people not feeling so well, but not a full outbreak," he said. "No trips got cut short. We've been lucky."

Common virus

Norovirus, a common cause of GI illness, is contracted by about 21 million people in the U.S. each year. It's spread through direct contact with an infected person, and by touching contaminated surfaces or consuming contaminated food and drink.

Hottle said the outbreak appeared to peak during the third week in June, when about 15 cases per day were reported. Cases decreased to about seven a day by the end of the month, he said.

To stem the spread, employees ramped up cleaning and disinfecting in hotel rooms, restaurants and shops, and became vigilant about discarding straws, sugar packets and other items that may have been contaminated. Sick employees were kept quarantined for three days.

Park officials, who had received criticism for failing to notify visitors of the outbreak early on, issued a press release about the outbreak on June 19th. They posted health alert warnings around the park.

Park precautions

"The National Park Service and all businesses operating in Yel-

lowstone are taking every precaution to limit the spread of the virus," the notices read.

"The most important thing you as an individual can do is to wash your hands with soap and water, especially after using the bathroom, changing diapers, and before eating or preparing food."

They also reached out to members of the travel and transportation industries for assistance, asking that tour executives notify them at least one day in advance of arrival if any passengers show signs of GI illness.

"We're asking them to call the park service or notify the destination, and seek medical help through clinics when they arrive. Then we can track it a little bit better, and take precautions," Hottle said.

People with the illness are encouraged to stay in their rooms during their visit, and park employees will be offering to assist with delivering meals to the rooms of sick visitors, officials said.

Motorcoach pointers

The Wyoming Department of Health has issued industry specific pointers, "Motorcoaches and Preventing Disease":

- Passengers and employees

who are sick, have a fever or diarrhea, or are vomiting should not embark on a tour.

- Encourage passengers and employees to wash their hands thoroughly, especially after using the bathroom, and post signs to encourage hand washing.

- If passengers or employees get sick while visiting a park, report it to the hotel or park management.

- Schedule frequent bathroom breaks for people on motorcoaches.

- Provide snack breaks for passengers. "Doggie bags" and other foods should be discouraged on the bus. Food is messy and can spoil if not kept at a proper temperature.

- Keep ready supplies of clean-up items, including tissues, sickness bags, paper towels, gloves, cleaners, disinfectants and trash bags.

- Promptly clean up vomit and diarrhea, and disinfect the area.

- Designate someone to be responsible for clean up at the beginning of the trip.

- Designated personnel who perform cleaning of bodily fluids should be properly trained in the procedures on an annual basis.

- If possible, designate a seat

next to the toilet for a passenger who is vomiting.

- Encourage passengers who are sick to remain hydrated by frequently sipping or drinking plenty of fluids.

- Remember that vomiting and diarrhea may be indicative of stomach flu or other infectious disease, and may require medical attention.

- Clean the areas of contact (e.g. bathroom, bathroom fixtures, light and ventilation switches, stair rails, doorknobs, armrests, and backs of seats) daily with germicidal/virucidal product. If a cleaning product is not available, use a bleach solution of 1 1/3 tablespoons of household bleach per one quart of water.

- Cleaning several times a day when a passenger is ill can prevent others from becoming ill.

- Clean and sanitize upholstered contact areas with germicidal/virucidal products between tours and if possible while passengers are off the motorcoach at an event.

- Thoroughly clean and sanitize the bus between tours.

- Clean and sanitize ventilation regularly, especially after transporting ill passengers.

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THE DOCKET

Fatal California bus crash prompts newest safety bill

WASHINGTON — A California congresswoman introduced a bill last month that would give safety enforcement officials the power to pull over and inspect buses en route to destinations if the company has a poor safety record.

Like most bus safety bills, the proposed legislation was filed in response to a deadly motorcoach crash.

Rep. Gloria Negrete McCleod, a Democrat, announced her Motorcoach Safety, Accountability and Technology Act of 2013, which also would revamp safety standards for new and existing buses, plus require mandatory pre-trip inspections of brakes.

“(The) bill would give law en-

forcement the option to inspect motorcoach vehicles at any time as long as they have a place to pull them over that is not on the side of the road and can accommodate passengers, such as a rest stop or weighing station,” said Daniel Sanchez, spokesman with McLeod’s office.

McLeod developed the bill in the wake of a Feb. 3 crash on Highway 38 near Yucaipa, Calif. The gruesome crash killed seven passengers and a man whose pickup was hit head-on by the bus.

The driver of the National City, Calif.-based Scapadas Magicas Tours bus lost control after taking passengers on a trip to the snow in the San Bernardino Mountains. Dozens also were injured.

Scapadas Magicas had no crashes in the previous two years, but failed 36 percent of its safety inspections, according to federal safety records.

Following the crash, California’s two U.S. senators wrote to Transportation Secretary Ray LaHood, questioning why the operator, in view of its safety record, was issued a satisfactory safety rating after a Compliance Review in January. (See March 1 *Bus & Motorcoach News*.)

According to Federal Motor Carrier Safety Administration records, the company had racked up 58 safety violations and 10 out-of-service orders between October 2011 and January 2013.

Currently, safety enforcement officers can pull over bus drivers only if the driver commits a traffic violation or the officer observes hazards, such as smoke coming from the vehicle or a flat tire.

Five days after the Yucaipa crash, the FMCSA called Scapadas Magicas an immediate hazard to public safety and ordered the company be shut down.

Regulators said a post-crash investigation of the company’s two other buses also found serious mechanical safety violations.

Inspectors said the company failed to have its vehicles regularly inspected.

McLeod’s office said her bill was developed in consultation

with the National Transportation Safety Board, which is leading the Yucaipa crash investigation, and has been strongly endorsed by the Commercial Vehicle Safety Alliance, a long-time proponent of roadside inspections for buses, which would generate more work for many of its members.

McLeod’s bill would:

- Require the U.S. Department of Transportation to review pre-trip inspection procedures for brake adjustment and issue a new rule in three years.
- Develop minimum performance standards for safety features on new motorcoach vehicles, including emergency braking, speed-limiting technology and collision-avoidance systems.

- Allow law enforcement to conduct en route inspections at roadside stops for buses with a record of improper maintenance. This would include weigh stations, rest stops and locations that can accommodate passengers with disabilities.

Twice in the past seven years, Congress has rejected the idea of roadside inspections for motorcoaches, allowing only destination and terminal inspections — except in rare circumstances.

CVSA endorses coach safety bill

GREENBELT, Md. — The Commercial Vehicle Safety Alliance released a statement in support of a bill that would allow commercial vehicle inspectors and law enforcement officers to make roadside stops of buses operated by companies “with a known record of improper maintenance.” It reads in part:

“CVSA commends Rep. (Gloria Negrete) McLeod for taking a leadership role in advancing the cause of increasing safety in the passenger carrying industry.

“This bill has a number of key provisions that will serve to enhance safety by building on the provisions provided for in the (Moving Ahead for Progress in the 21st Century) legislation.

“We believe this bill addresses some of the outstanding motorcoach safety issues and, once implemented along with the MAP-21 provisions, will aid in our march towards zero deaths related to commercial bus travel.”

New federal health care fee due this month

WASHINGTON — Although much of the federal health care reform law, known both as the Affordable Care Act and Obamacare, including several associated taxes, does not become effective until next year, many employers are subject to one of the new fees in the act, and this one’s due this month.

The fee will fund the new federal Patient-Centered Outcomes

Research Institute, or PCORI.

All employers that offer health-care plans to their workers, if those plans are to any degree self-insured by the employer, owe the PCORI fee.

It is a set amount annually. For 2013, the fee is \$1 times the average number of lives covered by the self-insured plan.

Those lives include not only the workers themselves, but also

covered spouses and dependents.

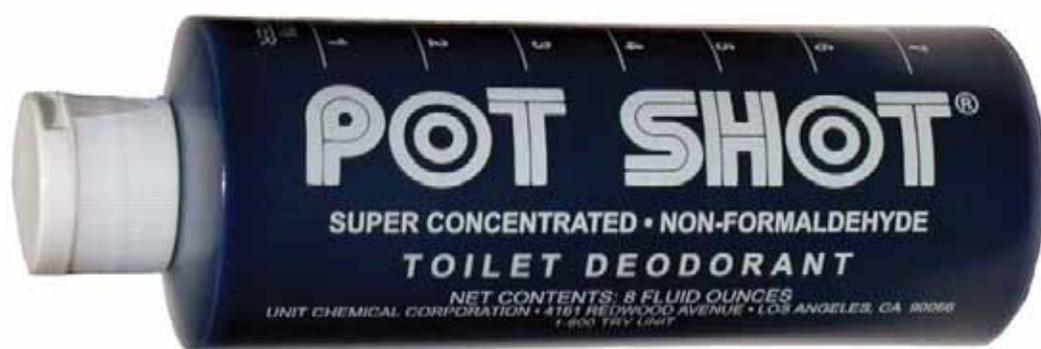
If a life is covered by more than one plan offered by the employer, the fee for that life is due for each plan.

The PCORI fee is to be reported and paid on Internal Revenue Service Form 720, which is due on the last day of the month following the end of the calendar quarter.

Although Form 720, which may be familiar to many business-

es as the all-purpose federal excise tax form, may have to be filed quarterly for some taxes, the PCORI fee is an annual fee, to be paid only on the second quarter’s 720, due this month.

For more details — and there are many details — see the instructions for Form 720, especially pages 8 and 9, and in the IRS publication that can be found at: www.irs.gov/pub/irs-pdf/i720.pdf.



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Penny Pritzker is confirmed as commerce chief

WASHINGTON — The U.S. Senate voted 97-1 to confirm Chicago billionaire Penny Pritzker as U.S. commerce secretary, elevating a significant figure behind President Barack Obama's political rise to a position in his second-term cabinet.

Pritzker, 54, is a top Democratic donor who helped lead Obama to record fundraising levels as the finance chairman of his 2008 campaign.

Senate Republicans had indicated she could encounter a tough confirmation hearing focused on her offshore investments and role in the 2001 collapse of Illinois' Superior Bank, a pioneer in the securitization of sub-prime mortgages.

Instead, Republicans including Ron Johnson of Wisconsin and Dan Coats of Indiana said she made a strong impression in one-on-one meetings before the hearing, and most of their questions turned on her views on programs administered by the agency.

The one vote against her confirmation came from Bernie Sanders, a Vermont independent.

"We need a secretary of commerce who will represent the interests of working Americans and their families, not the interest of CEOs and large corporations," he said.

Pritzker brings business experience to a department with nearly 43,000 workers. She developed a Chicago skyscraper, started a luxury senior housing company and served as chairwoman for a credit-reporting company.

She replaces John Bryson, who quit a year ago for health reasons.

The Pritzker family began Hyatt Hotels Corp., placing the new Commerce chief among the wealthiest U.S. Cabinet secretaries in history. She will rank with industrialist Andrew Mellon, who served as Treasury secretary during the 1920s.

In a disclosure form, Pritzker reported assets of \$400 million to \$2.2 billion, excluding the value of more than \$50 million in Hyatt stock. The Bloomberg Billionaires Index puts her net worth at more than \$1.5 billion.

Pritzker testified at the Senate hearing she planned to be a "bridge between the administration and the business community."

Anthony Foxx becomes transportation secretary

WASHINGTON — Anthony Foxx has become the 17th U.S. secretary of transportation, replacing Ray LaHood.

The U.S. Senate confirmed Foxx by a 100-0 vote, concluding a smooth nomination process for the Charlotte, N.C., mayor.

He was well received by Re-

publicans, as well as Democrats, at his confirmation hearing last month before the Senate Commerce Committee.

At age 42, Foxx is one of the youngest cabinet officers in history and is seen as a rising star in the Democratic Party after his successful bid to bring the 2012 Democratic

National Convention to Charlotte.

He comes to the job at a particularly daunting time for transportation. Among his other responsibilities, he will be the administration's point man on the next highway reauthorization bill, which is due October 2014.

The key question for the bill

will be funding.

The Highway Trust Fund, the source of money for the federal government's share of transportation spending, is on a path toward insolvency unless Congress raises revenue or cuts spending drastically.

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CONTINUED ON PAGE 6 ▶

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LaHood: Prospects for highway bill 'not good' in House

WASHINGTON — In one of his last appearances as secretary of transportation, Ray LaHood said the prospects for a new multi-year federal highway and public transportation reauthorization bill being passed by the House are "not good."

Speaking at the National Press Club here, LaHood expressed confidence, however, the Senate would pass a transportation bill when the current measure expires in September 2014.

But he was much more pessimistic about the chamber he was a member of from 1994 to 2009, the House.

"I think after the debacle with the farm bill, the way it played out where it seemed as though anybody who wanted an amendment could offer an amendment, they got their amendment voted on, and then they decided to vote against the bill, even though their amendment was included in the final bill," LaHood said.

"That's not the way to engender the kind of...bipartisanship that existed when I voted for a farm bill or when I voted for a transportation bill."

LaHood contrasted the House's failed attempt to pass a funding bill for farm programs with the de-

bate that lead to passage of an immigration bill in the Senate.

"I think the prospects (for a highway bill) are pretty good in the Senate," LaHood said. "When you look at the debate on immigration, it's pretty healthy. (Passage of the Senate immigration bill sends) a good signal that there's going to be progress on other issues, including transportation."

LaHood said it would be important for his successor and Congress to begin working right away on trying to find new funding sources for transportation.

The current federal highway and public transportation law con-

tains about \$54 billion annually for road and transit projects. But the traditional funding source for transportation, the 18.4 cent-per-gallon federal fuel tax, only brings in about \$35 billion yearly.

The gap was filled in the last transportation bill by a combination of fee increases and transfers from other trust funds in the federal budget.

'Bold' infrastructure plan

In other remarks, LaHood predicts President Obama will announce a sweeping infrastructure funding plan.

"Sometime this year — either midsummer or fall — the president is going to be big and bold about what his vision is for infrastructure for America, multiyear and paid for," LaHood told a transportation construction conference in Washington.

LaHood, who left his post earlier this month after the U.S. Senate confirmed Charlotte, N.C., Mayor Anthony Foxx as his replacement, said he did not want to steal Obama's thunder but dropped a hint about one funding strategy apparently in the plan.

LaHood said the federal Transportation Infrastructure Finance

and Innovation Act, or TIFIA, is a "creative" financing tool that is popular with Congress.

TIFIA provides direct loans, loan guarantees and lines of credit to state and local governments building significant transportation projects.

"We're going to leverage a huge amount of private dollars to build the Tappan Zee Bridge in New York and new facilities at O'Hare Airport in Chicago," LaHood said, citing two TIFIA-financed projects already under way.

"That's part of it; that's not all of it," LaHood said of TIFIA and the Obama plan.

Rep. Bill Shuster, R-Pa., chairman of the House Transportation and Infrastructure Committee, told the conference the nation must find a stable source of transportation funding.

"We must succeed in this effort because, if we don't, we're not going to create jobs; we're not going to create the prosperity that we've known in this country for so long," he said.



Ray LaHood

Secretary Foxx

CONTINUED FROM PAGE 5

tary of transportation and you cannot do that without new revenue," Sen. Jay Rockefeller, D-W.Va., chairman of the Senate Commerce Committee, told Foxx at his confirmation hearing.

Foxx told the committee his top priorities will be safety, improving USDOT efficiency, and promoting robust investment in multimodal transportation.

Also on his agenda: promoting environmental sustainability and re-

ducing dependence on foreign oil.

Ray LaHood left USDOT with a legacy for safety, particularly due to his effort to raise public awareness of the danger of distracted driving.

He used the USDOT pulpit to push for legislation, rules and behavioral changes that reduce the driving risks associated with distraction.

His commitment was instrumental in the Federal Motor Carrier Safety Administration ban on texting and hand-held cell phones for bus and truck drivers.

He also played a key role in passage of the 2012 highway law, Moving Ahead for Progress in the 21st Century, which prescribes important reforms in the federal transportation program.

And he administered distribution of the \$48 billion in transportation funding under the American Recovery and Investment Act of 2009.



Anthony Foxx



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House, Senate committees seek faster action at FMCSA

WASHINGTON — The House and Senate appropriations committees marked up their respective fiscal 2014 U.S. Department of Transportation appropriations measures late last month, with both committees including directives aimed specifically at the Federal Motor Carrier Safety Administration.

In the summary document accompanying its appropriations bill, the Senate committee admonished FMCSA for its inability to move forward on a number of critical matters.

The committee instructed the agency to assure it meets the current timetable for the Safety Fitness Determination rule (January 2014), which was originally slated to be completed in 2009.

The report also directs the agency to ‘work aggressively’ to implement the electronic logging device (also known as the electronic onboard recorder) mandate that was included in last year’s federal highway and public transportation reauthorization legislation. (See story below.)

Both the Senate and House bills focus on the issue of chameleon and reincarnated carriers, with the Senate committee directing FMCSA to report back on the agency’s implementation of a risk-

based vetting methodology for identifying chameleon carriers.

The House committee told the FMCSA to evaluate and report back to Congress on “the extent to which independent commercially available data sources would enhance the agency’s ability to uniquely identify...carriers with

possible corporate and family linkages to previously shuttered carriers.”

Finally, the Senate bill directs the Government Accountability Office to monitor the FMCSA’s implementation of its Compliance, Safety and Accountability enforcement program.

House bill breakdown

The House bill provides for FMCSA funding levels consistent with the amounts set last year:

- Motor Carrier Safety Assistance Program (MCSAP) – \$218,000,000
- Basic MCSAP – \$171,000,000

- New Entrant Safety Audits – \$32,000,000
- High Priority Grants – \$15,000,000
- Commercial Driver’s License Improvements Program (CDL) – \$30,000,000
- Border Enforcement Grants

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Rule for EOBRs is now predicted for Nov. arrival

WASHINGTON — The Federal Motor Carrier Safety Administration has sent a Supplemental Notice of Proposed Rulemaking, covering use of electronic onboard recorders, to the U.S. Department of Transportation for review, with the expectation of publishing a proposed rule mandating the recorders on Nov. 18.

The White House Office of Management and Budget also must clear the notice for the proposed rule before the agency can publish it for comment in the *Federal Register*.

The last EOBR rule, which was made final in 2010, was struck down in 2011 after a federal court said the agency hadn’t done enough in the rule to ensure drivers would not be harassed or coerced by fleets when using the recorders.

The new notice — which was sent to USDOT last month — supposedly addresses the issues raised about harassment.

Congress mandated the FMCSA issue an EOBR rule when it passed the two-year highway reauthorization act a year ago.

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Next round of fuel-emissions standards eyed

WASHINGTON — President Obama announced last month his administration is planning to partner with heavy truck and bus makers to set emissions and fuel standards “for the next generation of vehicles.”

Referring to the heavy truck and bus fuel and emissions standards set two years ago, the president said his administration would partner with commercial vehicle makers “in the coming months” on the next generation of standards. He was not specific.

The day following the president’s remarks, an EPA official said work would begin ‘immedi-

ately’ on the new round of truck and bus emissions and fuel economy regulations for model year 2019 and beyond.

“We expect the same kind of interactive, collaborative process, with the same partners we worked with last time,” said Christopher Grundler, director of EPA’s Office of Transportation and Air Quality.

Those involved in the previous round of heavy vehicle regulations, which were released in 2011, included engine makers, the U.S. Department of Transportation, the state of California, non-governmental organizations, and vehicle manufacturers.

The current heavy vehicle standards designed to reduce fuel consumption and emissions are for 2014 through 2018.

Grundler said no end-timeline has been determined for the 2019 and beyond standards. And no targets for reducing consumptions and emissions have been set.

“That’s a question we’ve asked ourselves, and we’re going to ask the stakeholders what kind of long-term regulatory signal would be useful,” Grundler said.

“I think, ultimately, the data analysis will drive those decisions in terms of what we know about the technology prospects and the

costs and effectiveness,” he said.

The first-ever fuel economy standards for 2014-2018 heavy-duty trucks, buses and vans were finalized two years ago. Those standards are supposed to reduce greenhouse gas emissions by approximately 270 million metric tons and save 530 million barrels of oil, starting in 2014.

The fuel economy and greenhouse gas standards have generally been lauded by larger truck fleets, which say they will save money in the long run by cutting fuel costs. Critics, however, claim the regulations will increase vehicle prices, outweighing any fuel savings.

FMCSA tardy

CONTINUED FROM PAGE 7

– \$32,000,000

- Commercial Vehicle Information Systems and Networks Deployment (CVISN) – \$25,000,000

Senate bill breakdown

The Senate bill provides FMCSA funding levels higher than those requested in existing transportation legislation:

- Motor Carrier Safety Assistance Program (MCSAP) – \$222,000,000

- Basic MCSAP – \$171,000,000

- New Entrant Safety Audits – \$36,000,000

- Commercial Driver’s License Improvements Program (CDL) – \$30,000,000

- Border Enforcement Grants – \$32,000,000

- Commercial Vehicle Information Systems and Networks Deployment (CVISN) – \$25,000,000

The Senate bill also provides \$19 million in funding for the National Motor Carrier Safety Program, which was established to help states develop motor carrier data system.

Efforts fail to halt truckers’ hours changes

WASHINGTON — New hours-of-service rules went into effect for truckers early this month as last-ditch efforts to delay the changes came up empty.

Trucking industry leaders made 23rd-hour pleas to Congress to stop implementation of the changes, saying the Federal Motor Carrier Safety Administration needed to demonstrate the revised rules would improve highway safety.

Specifically, truckers wanted

the changes held until the FMCSA completes two actions Congress mandated in last year’s highway funding law known as MAP-21: A study of the new restrictions to the 34-hour restart provision and a requirement that all carriers use electronic logging devices.

Many members of the House Subcommittee on Highways and Transit said they agreed with the industry’s sentiments, but none indicated they were ready to take

steps to delay implementation of the changes.

“Congress should postpone the effective date of the new hours-of-service rules until the restart study is completed and the results are reported to Congress,” Steve Williams, chairman and CEO of Maverick USA, told members of the subcommittee.

“Given the fast approaching effective date of the rules, however, we realize that may not be pos-

sible. We certainly hope Congress will require the FMCSA to modify the rule based on statistically valid findings from FMCSA’s MAP-21 directed field study of the restart changes.”

Under the revisions, truck drivers are limited to using the optional restart provision of the rule to reset their weekly driving limits once every seven days, and the restart will have to include two rest periods from 1 a.m. to 5 a.m.

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Boston operator hosts gaggle of mayoral candidates



Joan Libby of Cavalier Trailways hosted leading mayoral candidate Dan Conley and 11 others.

BOSTON — There are a dozen candidates running for mayor of this city of 626,000 people. The large field was attracted by the first election in two decades that will not have an incumbent on the ballot.

It is difficult to predict who will win the wild race, which could see even more candidates, but it's likely the next mayor will realize the importance of the city's Newmarket Square area.

Mr. or Ms. Mayor also will remember that Cavalier Coach Trailways is an important cog in the Boston economy.

The Newmarket Business Association hosted a wine-and-cheese

reception for the crowded field of mayoral candidates last month. The event was conducted in the facilities of Cavalier Coach Trailways in the downtown district.

"I'm on the board of the association. We decided to do a meet-and-greet because we have so many candidates running," said Joan Libby, owner of Cavalier Coach.

A dozen candidates have submitted petitions that have certified them for placement on the ballot. Two more are seeking to confirm their eligibility.

"We had 12 of the 14 attend. They all gave a five-minute statement to put forth what they believe they should do for Boston. Nearly

100 business owners and employees attended," said Libby.

"We had a really good turnout. A lot of business owners came to hear the candidates. Everyone is very interested in what is going on in this election."

The event was conducted in a large room that sits between Cavalier's front offices and maintenance shop.

The Newmarket Business Association hopes communications with the candidates will continue to flow in two directions. The association represents about 200 members who employ 15,000 people.

Cavalier Coach Trailways operates a fleet of 32 vehicles of various sizes, said Libby.

"We need to know what is going on in our town," she said. "At some point we will need to have input in our government affairs. It makes really good business sense to do something like this."

Boston's mayoral election will be Nov. 5. A primary election will be Tuesday, Sept. 24. The top two candidates will advance to the general election.

Incumbent Mayor Thomas Menino declined to run for re-election to a sixth, four-year term. He was first elected 20 years ago.

Boston is most expensive spring destination in U.S.

BOSTON — Most anyone who has booked a hotel room in recent weeks has found the same thing: rates are higher.

And where are the most expensive rates?

A new survey by website *www.CheapHotels.org* found that Boston had settled in as the most expensive destination in the U.S. during the spring travel season, based on the price of its lodging.

The survey compared hotel room rates for all major U.S. destinations for the traditional springtime period that ended in May.

In Boston, travelers had to spend an average of \$245 per night, and that was for the cheapest available double room. Only hotels with a minimum three-star rating were considered for the survey.

Just slightly less expensive was Santa Monica, Calif., with an aver-

age rate of of \$239 nightly.

Positions three through six were all in Florida. Key West, Sanibel Island, Marathon and Islamorada, respectively, took those spots. New York City ranked eighth most expensive on the list at an average overnight rate of \$206.

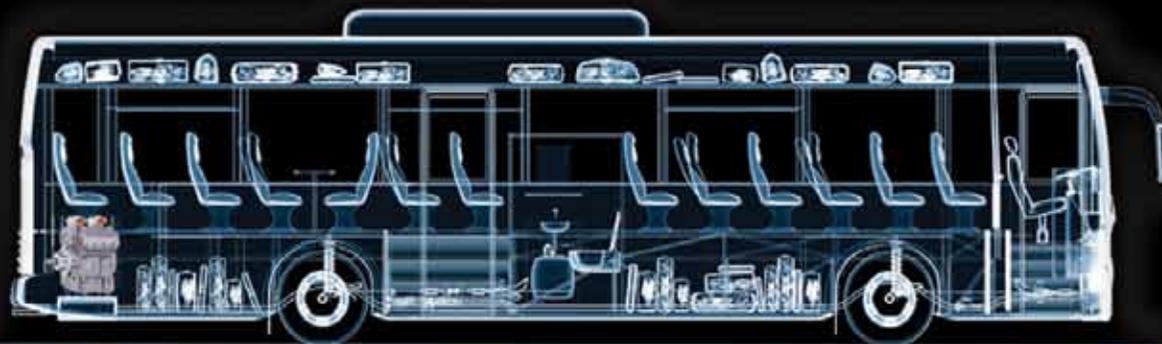
Here are the 10-most expensive destinations for Spring 2013. The rankings are based on the average rate for the cheapest avail-

able double room (minimum: three-star hotel or resort).

- Boston \$245
- Santa Monica \$239
- Key West \$234
- Sanibel Island \$224
- Marathon \$214
- Islamorada \$209
- Austin, Texas \$207
- New York City \$206
- Napa, Calif. \$201
- Koloa (Poipu), Hawaii \$196

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Feds' 'Operation Quick Strike' sweeps up industry outliers

A mix of companies — line-run and shuttle operators, limousine and party bus services, and small tour-and-charter outfits — were hit with shutdown orders during the Federal Motor Carrier Safety Administration's two-month "Operation Quick Strike," a *Bus & Motorcoach News* review of the out-of-service orders shows.

The records also indicate that a majority of the companies deemed "imminent hazards to public safety" by the FMCSA were small operators with five or fewer coaches, including three with a single vehicle each.

Boston-based curbside operator Lucky Star was an exception. With 21 coaches, it was by far the largest carrier shut down.

In all, the ambitious inspection program knocked 13 companies off the road between early April and mid-June.

One industry executive who closely followed the FMCSA initiative noted that virtually all of the companies swept up in the enforcement action were industry outliers.

"It seems that most of the operators that have been declared an imminent hazard are mostly oddities that nobody even knew existed for the most part; really odd," said the long-time executive.

None of the companies put out of business are believed to have been a member of a state, regional or national motorcoach association.

The FMCSA revealed in late February it planned to deploy specially trained teams of inspectors across the country, targeting 250 companies with poor safety records.

Agency officials said they would focus on carriers with poor driver scores in the FMCSA Safety Management System and on companies with no known place of business or maintenance facilities.

In carrying out the sweep, the FMCSA spread its net widely, from Boston to Utah. Companies caught up in the action included ones based in the District of Columbia and other metropolitan areas; others served less populated regions, such as Kansas and South Carolina.

The documents further indicate that when inspectors found lapses relating to equipment inspection, maintenance and repair, they often detected problems with driver screening and monitoring, as well.

The records show inspectors paid close at-

tention when they detected falsified documents, stolen inspection stickers and evidence of lying to investigators.

Several of the sidelined companies listed owners with ethnic-sounding surnames, leading some in the industry to speculate that cultural differences or a lack of familiarity with business practices, legal customs or safety standards in the U.S. may be related to their failure to adhere to regulations.

Few of the out-of-service orders indicated how long the companies had operated or if any fell under the New Entrant Safety Assurance Program.

Here are company snapshots drawn primarily from the out-of-service orders, listed in reverse order of shutdown dates:

Advanced Ventures — Springfield, Va.

Service: Charter service throughout the mid-Atlantic with 4 buses and 4 minibuses

Owners/officers: Khalid Hafeez and Rumman Zaheer

Summary of violations: Two out of five buses put out of service; total of 39 vehicle defects, and allegations Advanced falsified three periodic annual inspections and possessed a stolen inspection sticker. Company accused of continuing to allow a driver to drive even though the driver had been placed out of service for driving on an expired medical certificate.

Lucky Star — Boston, Mass.

Service: Curbside service between Boston and New York City with 21 buses

Owners/officers: Edward Leung, Albert Leung, Maria Wong, and Qiao M. Chen

Summary of violations: Lucky Star coaches broke down on 80 separate occasions between New York City and Boston during 12 months. Four buses were ordered out of service, including one with a four-by-two-foot hole in the floor. Company accused of not properly screening drivers or monitoring compliance with federal safety rules, such as hours-of-service requirements or drug-and-alcohol use.

Midnight Express — Olathe, Kan.

Service: Party bus with 1 cutaway bus

Owners/officers: Adam Breidenthal, Derrick Hansroth and Edward Goetz

Summary of violations: Following a fatal accident in May, Kansas Highway Patrol inspectors found five "egregious regulatory safety violations," including emergency exit windows that were blocked by seat backs and an icebox. An FMCSA Compliance Review found the company's operations demonstrate "an utter disregard" for safety in its failure to inspect, maintain and repair equipment and failure "to comply

with driver qualification requirements in virtually every respect." The agency said the company also failed to file a Form MCS-150, had no USDOT number, and did not have \$5 million in liability insurance.

Destiny Tours — Lake City, S.C.

Service: Charter service in the southeast with 1 bus

Owner: Cornelius Scott

Summary of violations: The owner used a false name on the company's USDOT number application, and he had "a history of operating in an unsafe manner." The FMCSA also said the company falsified an inspection document, failed to regularly inspect, repair or maintain its single bus as required, and failed to screen or monitor drivers properly.

Carbo Limo of Oxford — Oxford, Miss.

Service: Shuttle service in and around Oxford with 2 buses, 10 vans, 1 limo

Owner/officer: Audie Branch

Summary of violations: Defective emergency exits, out-of-adjustment brakes and other violations on both of the company's motorcoaches, which were put out of service. Record-keeping lapses also uncovered, and two annual inspection stickers had been falsified.

Greene Classic Limousines, Atlanta

Service: Limo and charter with 6 limos, 5 midsize buses, 4 vans

Owner/officer:

Summary of violations: Five company buses were put out of service after it was discovered the vehicles had broken control arms caused by excessive vehicle weight. Inspectors also found the company didn't consistently check drivers' vehicle inspection reports.

Illini Tours — Champaign, Ill.

Service: Tour-and-charter service in Illinois and neighboring states with 5 buses

Owner/officer: Robert L. Frazier

Summary of violations: Four motorcoaches removed from service after investigators found various brake deficiencies, air suspension pressure loss, and a wiring problem that caused a two-foot spark when the coach was started during the inspection. The order noted the company's owner was also the owner of another passenger carrier ordered shut down in December 2012 for multiple violations, including making false entries on vehicle maintenance records and failing to correct safety defects contained in drivers' inspection reports.

Autobuses Zacatecanos — Mexico/Fort Worth, Texas

Service: Line runs between Zacatecanos, Mexico, and Los Angeles, Calif. Also operated occasional routes from Mexico to Denver, Phoenix and Chicago with 4 buses

Owner/officer: N/A

Summary of violations: Onsite inspections of Autobuses Zacatecanos' four buses revealed 34 safety violations, including 15 that individually required the buses be declared out of service. Company failed to control its drivers' compliance with hours-of-service requirements, and routinely allowed drivers to significantly exceed maximum driving times.

Salt Lake Shuttles — Kearns, Utah

Service: Line runs between Salt Lake City and Las Vegas with 3 buses

Owner/officer: Jesus Leal Martinez

Summary of violations: Three vehicles ordered out of service after finding 25 safety violations, including 8 out-of-service violations. Company was charged with falsifying its drivers' records-of-duty status. Drivers frequently made round-trip journeys from Salt Lake City to Las Vegas, a distance of approximately 840 miles, without rest, in violation of hours-of-service rules.

Coach USA Tour — Niagara Falls, NY

Service: Sightseeing tours in northeastern U.S. with 6 buses

Owner/officer: Xiaojie Shun

Summary of violations: Four vehicles placed out of service; company included copies of the same inspection form in the vehicle file for multiple vehicles. Company required drivers to maintain and repair vehicles, but failed to assure drivers were properly trained and qualified to perform such maintenance and repairs.

Destiny Tours — Toledo, Ohio

Service: Charter with 1 bus

Owner/officer: Derrick Jones

Summary of violations: Operated without proper registration five times

Best Limo Service — Tucker, Ga.

Service: Charters; operates both motorcoaches and passenger vans providing tours and charters throughout the southeastern U.S. with five vehicles

Owner/officer: Chan-Yen Lin

Summary of violations: Three buses placed out of service for safety violations. Numerous lapses in driver screening and monitoring, including using a driver who had tested positive for controlled substances while employed with another carrier.

Washington DC Party Shuttle / Onboard DC Tours — Washington

Service: Sightseeing tours with 5 buses

Owner/officer: Thomas Schmidt

Summary of violations: Most of company fleet ordered off the road. Company cited for numerous deficiencies in driver screening and monitoring, including repeatedly using a driver who tested positive for controlled substances and lying about it to investigators.

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Safety will suffer with law enforcement on the cheap

By Dave Millhouser

Talk about a blast from the past. How would you like to open your mail and find a letter from the federal government demanding \$390 for a speeding violation on a trip you took five months ago?

Al wasn't caught by radar, or a stoplight camera, he was nailed by his employer's electronic toll-paying thingamajig.

His company was flagged for a "targeted review," and a math-savvy bureaucrat figured out from the E-ZPass record that he'd averaged 72 mph over 118 miles.

Other drivers have been ticketed for similar offenses over much shorter distances.

If the company hadn't been targeted, Al wouldn't be paying for his sins...and theirs.

There are a couple of lessons to be learned here.

If Al had taken a coffee break at the service plaza on the turnpike, his E-ZPass wouldn't have ratted him out.

A more significant lesson might be that human judgment is being taken out of law enforcement.

Speeding is bad...but if you've ever driven the New Jersey Turnpike at night, you know that adhering to the speed limit is an invitation to getting your bussly butt kicked by a fast moving truck. Driving at the posted limit makes you a hazard.

Troopers know it, which is why, unless you're tailgating or changing lanes aggressively, they don't ticket you. In other words, they use judgment.

Running stoplights is bad too, but if that sucker turns yellow at the moment a tractor trailer is nuzzling your bumper, it might be safer to run the light than dynamite the brakes. An observant police officer will likely let you go, but a stoplight camera is merciless.

When you're pulled over, you have the opportunity to explain the lapse, and the officer looks you over and accesses your driving record. Try talking to a camera.

It's generally accepted that, in addition to sleep deprivation, aggressive driving and tailgating are the major causes of accidents, but there is not yet any electronic (or bureaucratic) way of policing those behaviors at all times.

I live in a fishing village, or, more properly these days, a fishless village. It seems that my neighbors have caught almost all the commercially viable fish. In an effort to save the industry, increasingly stringent catch limits are in the works.

One of the ways around some of the regulations is a loophole called "by-catch."

For example, you're only allowed so many flounder, but if some unfortunate lobsters come up in the net...you're allowed to keep them, even if you have no lobster license (and lobster are supposed to be trapped, not netted).

A few clever fishermen have been known to (ostensibly) seek flounder in lobster country.

Al and his colleagues are becoming revenue generating "by-catch," as government agencies pursue noncompliant coach companies. On the one hand they shouldn't be speeding or running red lights, but on the other, they shouldn't be income producing pawns, collateral damage in a conflict between their company and regulators.

Everyone who hasn't sped oc-

asionally raise your hand.

In a democracy, law enforcement isn't supposed to be easy, that's why we have the Bill of Rights. Law enforcement should be about keeping bad guys from hurting good guys, not raising revenue or political capital.

The way to do that is to have human beings policing the roads, using judgment to stop drivers who behave badly.

I've met a lot of nice police officers, and a few I didn't care for. I've NEVER met an electronic device (or bureaucrat) that made me feel warm and fuzzy.

Years ago, a university sent some of its student "transportation majors" to buy used buses for its transit operation. Like all of us at that age, they thought they knew everything, and waved off the bus salesman when he offered help.

They picked out three nifty transits with good-looking bodies and new paint.

Sadly, the rear structure of these buses was crumbling, a problem with this model that was well known in the industry.

The buses looked great in the parking lot, but it cost thousands

of extra dollars to make them safe.

Am I alone in thinking that some of the highly visible steps being taken by regulators

may make things look nice, but not solve the real problems?

And operators are spending resources trying to satisfy bureaucratic regimens that may not really contribute significantly to safety?

This is law enforcement on the cheap, and we get what we pay for. Many of the industry's most experienced drivers are retiring, or finding other jobs.

As a business we can't pay them what they're worth. Why risk harassment for small money? It may be an exaggeration to say it, but eventually we might be left with the ones who have no place else to go.

In the end safety will suffer.

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



Dave Millhouser

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MCI upgrades service commitment as coaches kept longer

SCHAUMBURG, ILL. — With maintenance of older vehicles becoming more important to the motorcoach industry, MCI Service Centers has introduced a service program that promises faster response time and guaranteed work.

“Our maintenance work for customers has doubled in the last two years. Maintenance is becoming more of an issue as operators are using coaches longer and working with smaller fleets,” said Patrick McGuire, director of MCI Service Centers.

Under the brand name ReliaDrive, the company’s seven MCI and Setra coach service centers in

the U.S. and Canada now promise:

- Same-day diagnosis of maintenance issues
- Work completed correctly the first time
- Estimates accurate within 10 percent of the quoted price
- Six-month warranty on parts and labor

“We are so confident of our service, should we fail to meet these standards we will give you a free oil change worth \$300,” McGuire said. “We are standing behind our work as we have always done. Now we are making that consistent across all of our service centers. Should we fail on any of

these promises, we are putting our money where our mouth is.”

The four points of emphasis, adopted last month, were drawn from customer feedback, said McGuire.

“We reached out to the customers and asked what they want from service providers,” he said. “This is what they consistently said they want to see all the time.”

Timeliness is a key factor for operators doing business with lean fleets, he said. “We have heard customers say some service providers had their coach for days before it was even looked at. When they bring in a vehicle to one of

our centers, they are going to have it back in a timely manner.”

The six-month warranty does not apply to routine wear parts such as brakes, wipers and tires, McGuire said, but it does cover parts that are not warranted by manufacturers. When a part is covered by a 12-month manufacturer’s warranty, that period also will be honored.

Awareness efforts have stressed the importance of ReliaDrive to MCI service employees, he said. “We wanted to make sure everybody in our service teams, from the techs to the garage helpers to our sales organization, completely un-

derstood our commitment to being a reliability-driven company.

“The purpose of our service centers is to keep coaches on the move and extend longevity with proper maintenance and expert repair.

“We want to make sure our customers have an exceptional experience.

“This is our commitment now and going forward, not just a six-month program,” he added.



Patrick McGuire

Exide files for bankruptcy, Cooper Tire sold, Navistar loses big

It’s interesting times for three long-time automotive industry suppliers.

Heavy-duty bus, truck and automobile battery manufacturer Exide Technologies filed for bankruptcy after environmental regulators in California shut down one of its lead-recycling plants.

The 125-year-old company listed debts of \$1.14 billion and assets of \$1.89 billion in its Chapter 11 filing.

The lead-recycling plant was

closed in April by the California Department of Toxic Substances and Control, which said it did not comply with state health standards.

According to the company’s chief financial officer, Phillip Damaska, the plant shutdown and the company’s poor fiscal fourth-quarter performance made it apparent a successful out-of-court restructuring was unlikely.

The company has a short-term source for the lead it was getting

from its California plant and is in the process of securing a long-term supply.

Apollo buys Cooper

Indian tire manufacturer Apollo Tyres Ltd. said one of its subsidiaries will acquire Cooper Tire & Rubber for approximately \$2.5 billion.

Under the agreement, approved by both companies’ board of directors, Cooper stockholders will receive \$35 per share, a 40 percent premium to Cooper’s 30-day

average stock price, according to Apollo.

The companies had a combined \$6.6 billion revenue in 2012.

Joining the two operations will produce the seventh-largest tire company in the world after the acquisition, Apollo said.

The deal is expected to be completed by the end of the year.

Cooper makes tires for buses and trucks, and provides tread rubber and other equipment for the retread industry.

Red ink at Navistar

Navistar International Corp. reported a fiscal second-quarter loss of \$374 million, or \$4.65 per share, for the period ended April 30.

That’s more than double the prior-year, same-period loss of \$172 million, or \$2.50 per share.

Revenue fell 23 percent to \$2.53 billion from \$3.26 billion as sales slumped during the transition to over-the-road trucks with selective catalytic reduction, or SCR, after treatment.

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New England Bus Association marks transitions at meeting

SEBASCO, Maine — It was a bittersweet gathering when the New England Bus Association held its 88th annual meeting at the Sebasco Harbor Resort here late last month.

Founded in 1925, the association is possibly the oldest regional motorcoach organization in the U.S.

Despite its age, it continues to experience moderate growth despite an uneven and struggling economy.

Representatives from 29 operating companies and 56 suppliers and attractions attended the event. Operators from as far away as Virginia and Nevada participated.

Scott Riccio of Northeast Trailways in Lewiston, Maine, was elected president, and Gregg Isherwood of Custom Coach and Limousine in Gorham, Maine, was chosen vice president.

In a highlight of the meeting, outgoing President Don DeVivo of DATTCO in New Britain, Conn., presented Darril King with a plaque and lifetime NEBA membership.

In addition, Joe Cyr of Cyr Bus Lines in Old Town, Maine, was

made a lifetime member, with Rick Soules, general manager of Cyr Bus, replacing him on the NEBA board.

King is retiring at years' end after a long and distinguished career in the industry, first supporting Detroit Diesel products, and in recent years selling Setra coaches. He was the long-time secretary/treasurer of the association.

Cyr has been an active association member for decades while operating one the largest charter operations in New England.

In recent years NEBA has added substantial educational content to its meeting agenda, and this year continued in that direction.

Presentations ranged from "Everything you always wanted to know about fuel" to an entertaining presentation by National Interstate's Julie Croushore on handling (and preventing) worker compensation issues.

The United Motorcoach and American Bus associations were represented by Ken Presley and Daniel Hoff, respectively, offering their perspective on the regulatory and legislative environment.



Members of the New England Bus Association took a (water) shuttle to Boothbay Harbor, Maine.

Six motorcoach suppliers brought demonstrator coaches to the event and participated in panel discussions the opportunities and problems new technology offers.

Prevost Service Center moving to Richmond, B.C.

RICHMOND, British Columbia — Prevost is moving its service center in British Columbia from Delta to Richmond, which is roughly five and a half miles west of the current location.

Richmond is 11 miles south of downtown Vancouver. The move will take place this fall.

Guy French, service director, said services will not be disrupted during the move and "we will be able to offer expanded services compared to the Delta location."

The new, 21,625-square-foot facility at 11911 No. 5 Road will have six full-service bays, a large parts warehouse area, training room, cus-

tommer lounge and expanded parking area. Access will be via Exit 32 off Highway 99.

Phone and fax numbers will remain unchanged.

The Richmond facility will be one of 10 North American Prevost service centers that provide a full range of maintenance services.

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Congress lobbied

CONTINUED FROM PAGE 1

private bus operators, which pay a federal fuel tax of 7.4 cents per gallon, and public transit agencies, which pay no tax.

• States imposing business activity taxes on motorcoach operators that send buses into those states.

Alan Thrasher, president of Thrasher Brothers Trailways in Birmingham, Ala., said all four issues were important to him, but “the most important issue that I came for was the fuel tax.”

He said Internal Revenue Service agents began an audit of his business, walked away without finishing, then sent him a fuel tax bill — with a penalty for not finishing

the audit.

He said the IRS had taken \$30,000 out of his bank account and applied it to his 2007 taxes, “but I didn’t owe anything for ’07. . . They owe me \$175,000 in rebates for ’06 to ’11.”

Thrasher, who has 24 vehicles and 42 employees, met with staffers for U.S. Sens. Richard Shelby and Jeff Sessions, and Reps. Bob Aderholt and Spencer Bachus, all Alabama Republicans.

“Every time I explained that (tax) issue, they were aghast,” he said. “If you’re a good company and you rise above the rest, you get a big target on your head.”

Target: Biz activity tax

The tax issue that stuck in the

crowd of many UMA members was that more than 30 states impose a so-called business activity tax on out-of-state motorcoach companies that use their roads. Several members said New Jersey’s tax was so high they won’t send their buses there.

Joseph Zak, president of Panorama Tours in Clifton, N.J., said the paperwork associated with the business activity tax was worse than the tax itself. He said it was voluminous, took hours to fill out, and “Pennsylvania is worse.”

Becky Weber, a lobbyist with Prime Policy Group, said her firm and UMA were trying to get a member of Congress to introduce legislation prohibiting states from levying business activity taxes on out-of-state carriers. She said two House

members were considering doing so.

In addition to their congressional office visits, which totaled 223, the UMA members met as a group with several House members who are positioned on key committees.

Rep. Thomas Petri, R-Wisc., chairman of the House Subcommittee on Highways and Transit, said he hoped Congress would pass a five-year highway and public transportation reauthorization bill next year. Congress passed, and President Obama, signed a two-year highway-public transportation bill a year ago.

However, Petri said, money coming into the federal Highway Trust Fund was only enough to pay for 60 percent of the current bill, in part because many Americans are using more fuel-efficient vehicles and driving less. So, he said, finding the money to fund a five-year reauthorization would be difficult.

Nonetheless, UMA Vice President Presley said he had visited seven House and Senate offices, and “everyone seemed determined to do something about a long-term transportation bill.”

He also said UMA’s concern about the business activity tax “was received very, very well.” He said he thought a certain House member would introduce a bill to end it, but

he declined to name him.

Some UMA members had complaints unrelated to the four issues UMA suggested. They hoped for help from Congress.

Chance to vent

Dan Holter, general manager of Rochester (Minn.) City Lines and Richfield Bus Co., said the Rochester city government had stripped his company of the transit service it had been providing since 1966 and given it to another company without compensating him. (See June 15 *Bus & Motorcoach News*.)

Holter met with staffers for Rep. Timothy Walz, D-Minn., who said the congressman would send a letter to the FTA asking it to reconsider its decision.

Zak complained that New Jersey state troopers were extremely zealous in making motorcoach drivers submit to roadside inspections.

He said his drivers had been subjected to 102 inspections during the past 24 months, and that his own research had found that no other states were that aggressive about inspecting motorcoaches. He wondered what Congress could do about it.

The apparent answer: not much.

Nonetheless, he said, “I’m glad we went. It opened my eyes.”

Operator indicted

CONTINUED FROM PAGE 1

Each conviction of conspiracy and/or making a false statement carries a possible punishment of up to five years in federal prison and a possible fine of \$250,000.

If convicted of continuing to operate after an out-of-service order, De La Torre further faces a one-year term of imprisonment and a \$25,000 fine.

Repeated efforts to contact the prosecutor in the case, Assistant U.S. Attorney Mark McIntyre, or the public affairs officer for the U.S. Attorney’s Office for the Southern District of Texas were unsuccessful.

The Aug. 8, 2008, Angel Tours crash and follow-up investigation prompted Texas authorities at the time to step up their hunt for other unsafe operators.

The state Department of Trans-

portation launched a drive to contact the owners of the more than 200 other motorcoach companies that had lost their operating authority during the previous 24 months to determine if any of them were still in business and operating illegally.

Within weeks, two companies were shut down because of their affiliation with revoked companies. (See Nov. 15, 2008, *Bus & Motorcoach News*.)

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2012 attendee





Among Trailways operators and representatives participating in the Hill visit were (front row, left to right) Marcia Milton of First Priority Trailways, Bill Gentry of Gentry Trailways, and Tracey Simmons, Trailways' communications, and (back row, left to right) Michael Giddens of Pacific Coachways Trailways, Alan Thrasher of Thrasher Brothers Trailways, Bill Allen of Amador Trailways, and Greg Gentry of Gentry Trailways.



Rep. Rodney Davis, R-Ill., was one of the congressional leaders who spoke at the UMA Capital Hill Day.



UMA Associate Board Member Tom Foley of TIB-Transportation Insurance Brokers, left, met with Rep. Reid Ribble, R-Wis.



Alan Robinson of R&W MotorCoach in Stone Mountain, Ga., left, met with Rep. Hank Johnson, D-Ga.



Dennis Strief, left, of Vandalia Bus Lines poses with Rep. Rodney Davis.



Rep. John Duncan, R-Tenn., center, emphasizes a point to National Seating's Jeff Goldwasser, left, and Bill Gentry of Gentry Trailways.

UMA announces fall board election, seven seats contested

WASHINGTON — The United Motorcoach Association is seeking nominations from its U.S. operator members for a half-dozen three-year seats on its board.

Additionally, the association is soliciting nominations for a single non-coachbuilder associate representative on the board.

For the first time, the non-coachbuilder representative on the UMA board will be elected using the same procedures employed for selecting active regional directors.

All of the director seats being contested, including the non-coachbuilder associate representative, are the result of expiring terms of incumbent directors, who may seek re-election.

Two active directors will be elected to the board from each of UMA's three U.S. membership regions. Aug. 29 is the deadline for letters of nomination for the director positions.

The directors whose seats expire at the end of this year are: Region I (the West): Jeff Polzien of Red Carpet Charters in Oklahoma City, and Dennis Streif of Vandalia Bus Lines in Caseyville, Ill.; Region II (the Midwest): James Brown Sr. of Magic Carpet Tours Bus Service in Richmond, Va., and

Dan Shoup of Cardinal Bus in Middlebury, Ind., and Region III (the Northeast): Steve Brown of Brown Coach in Amsterdam, N.Y., and Michael Neustadt of Coach Tours in Brookfield, Conn..

The non-coachbuilder associate director seat currently held by Tom Foley of TIB – Transportation Insurance Brokers in Saint Paul, Minn., also is being contested.

Foley was elected to the board two and one-half years ago using a process then prescribed by the UMA Bylaws that provided for non-coachbuilder associate direc-

tors to be selected by fellow non-coachbuilder associate members during a meeting conducted at UMA Motorcoach Expo.

Earlier this year, UMA members voted — nearly unanimously — to revise the bylaws to provide for the election of both the non-coachbuilder and coachbuilder associate board representatives using the same process as active regional directors.

Nineteen members of the 21-member UMA board are regional directors who must be coach operators, and who are

elected to three-year staggered terms from the three regions of the U.S., plus a single director elected from Canada.

In addition, there are non-coachbuilder and coachbuilder associate board representatives who also serve three-year terms.

The first coachbuilder representative election using the revised selection system will occur a year from now, when the seat held by Tim Wayland of ABC Companies comes up for election.

Maps showing the UMA regions are available in the new

2013-14 UMA Membership Directory and on the association website, www.uma.org. Click on *About UMA* and then the *UMA Board of Directors* link.

A list of the states composing each region also is available in the directory and on the website. Go to *About UMA* and click on *Bylaws of the Association*.

The revised bylaws, spelling out the new nomination and election procedures for the associate board seats, have been posted on the website. The changes were approved too late to be published in the *Membership Directory*.

Qualification standards for UMA directors can be found in Article VI of the bylaws. Among the qualifications is a requirement that nominees must have been a UMA member for at least one year.

Directors serve without pay, but the association generally reimburses directors for travel and accommodations while performing UMA business and/or attending association meetings.

Nominations for the regional board directorships must come from active UMA members who are motorcoach operators. Members

CONTINUED ON PAGE 17 ►

NTSB chairman meets with UMA board

ALEXANDRIA, Va. — National Transportation Safety Board Chairman Deborah Hersman spoke at the United Motorcoach Association mid-year board of directors meeting here late last month.

Hersman engaged UMA leaders in a conversation about their concerns as motorcoach operators, and explained the ongoing recommendations from the NTSB to improve the safety of bus operations.

Enhancing motorcoach safety is one of the issues on the NTSB's Most Wanted List.

Topics discussed included fa-

tigue management, with Hersman stating that “fatigue is a huge issue.”

She said that statistically the hours from 2–5 a.m. are the most dangerous for travel across all modes of transportation.

Hersman said the NTSB is “interested in providing solutions, not just identifying problems,” and said it is imperative to “educate the



Deborah Hersman

public to make the choice to put safety first.”

UMA President and CEO Victor Parra noted that Hersman “has been a long-standing supporter of the bus and motorcoach industry, and we are happy she asked to stop by and speak with us.

“Although outside of her jurisdiction, we appreciate that she listened thoughtfully as many of our board members shared their personal experiences and frustrations with recent (Federal Motor Carrier Safety Administration investigations) and Compliance Reviews.”

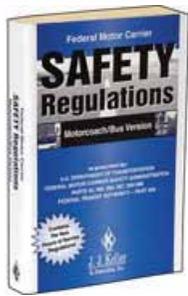
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2013-2014 UMA Membership Directory



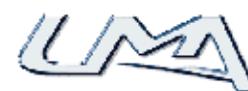
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People

WASHINGTON — *Camilla 'Cam' Morris*, president of **Eastern Travel/Oneonta Bus Lines** in Oneonta, N.Y., represented the **U.S. Department of Transportation** last month at a White House event at which President *Barack Obama* marked the 50th anniversary of the Equal Pay Act.

"I'm very, very honored," Morris told an Oneonta newspaper. "It was an incredible experience...It will be something that I'll always remember."

Morris said she was among about 120 leaders, mostly women, from a range of business sectors and industries who attended the reception in the East Room of the White House.

Morris said guests were told

UMA election

CONTINUED FROM PAGE 16

can nominate themselves. Candidates nominated for the board must represent an active UMA-member company in good standing with the association.

Similarly, nominations for the non-coachbuilder associate board representative must come from active non-coachbuilder members of the association.

Associate non-coachbuilder members can nominate themselves. Candidates nominated for the board must represent a UMA-member company in good standing.

Two-person subcommittees appointed by the UMA Board of Directors Membership and Bylaws Committee will vet all board nominees, checking to make sure they qualify, and are willing to stand for election and to serve if elected.

Written letters of nomination must state the candidate's name, company affiliation and home-base location. Nomination letters also must be postmarked, emailed, or faxed between July 15 and August 29.

The nominating subcommittees will produce a list of candidates for each region, plus the non-coachbuilder associate representative, no later than Oct. 1.

Ballots will be mailed to UMA members by Oct. 15, and must be returned no later than Nov. 15. Winners will be announced in *Bus & Motorcoach News*.

UMA members with questions about nominations should contact the association at (800) 424-8262.

Mail nomination letters to: UMA Nominations, 113 S. West St., 4th Floor, Alexandria, VA 22314-2824.

Nominations also may be faxed to (703) 838-2950, or emailed to UMA President and CEO Victor Parra at vparra@uma.org.

that "someone senior" would speak at the event. After reaching the East Room, she said, she saw the presidential seal on the podium, and then the president was introduced. Obama spoke about 10 minutes and interacted with the group.

Morris started with **Oneonta**

Bus Lines as a tour escort 25 years ago. The family-owned business, founded in 1947, has about 45 employees and a fleet of 14 buses.

She serves on the board of the **Bus Association of New York** and is chairwoman of the Women in Buses committee of the **American Bus Association**.



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