

Bus & Motorcoach NEWS

WHAT'S GOING ON IN THE BUS INDUSTRY

UMA fights for charter rule; senator seeks to undo regs

WASHINGTON — The United Motorcoach Association has stepped up its legal fight to protect the federal charter service rule from assaults by public transit agencies just as a new attack surfaced on another front — this one by a U.S. senator.

Attorneys for the association filed an appeal here of a lower court decision that tossed out a challenge to a controversial opinion by the Federal Transit Administration that allowed a public transit agency in

the state of Washington to accept a lucrative charter contract that was sought by a private operator.

At the same time, U.S. Sen. Patty Murray, D-Wash., quietly inserted into an appropriations bill a provision that would effectively exempt her state from the federal charter service rule. Ironically, the senator's name appears in the court case as someone who may have had a hand in influencing the disputed FTA opinion.

In the court action filed with the

U.S. Court of Appeals, UMA attorney Dan R. Mastromarco asked that the case be returned to the U.S. District Court so it can be fully aired and a decision issued.

"The facts are ripe for judicial decision," he said.

Mastromarco maintains that the opinion issued by the FTA side stepped the charter rule, which was updated last year after a lengthy negotiated rulemaking process that included representatives from both the public transit and private motor-

coach industries.

"The motorcoach industry can't stand for such a complete gutting of the negotiated rulemaking process without challenging it," he said.

The case involved the FTA granting two waivers that allowed King County Metro Transit to operate parking lot shuttles for the Seattle Mariners during the 2008 baseball season even though a private operator, Starline Transportation, was prepared to do the work.

UMA sued the FTA in D.C.

District Court, saying the action violated the charter rule, which prohibits tax-supported transit agencies from competing with private carriers. However, Judge Ellen S. Huyvelle dismissed the suit, saying the case was moot because the baseball season was over.

Mastromarco said while the season may have been over, the decision to grant the waiver could live on because the FTA could and would use it when deciding future

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Congressmen want tougher rules to block 'reincarnated' operators

WASHINGTON — Two key members of the U.S. House want tougher penalties enacted for bus and truck companies that get shut down for safety violations, only to reopen under a new name.

Reps. James Oberstar, D-Minn., and Peter DeFazio, D-Ore., the chairmen of the House Transportation and Infrastructure Committee and the House highways and transit subcommittee, respectively, say the issue should be addressed in the next federal highway and public transportation reauthorization bill.

Oberstar and DeFazio say the legislation could deal with concerns raised by a Government Accountability Office report that found a number of bus and trucking companies that had been shut down by safety regulators had resumed business as so-called reincarnated companies because it was "relatively simple to do and hard to detect." (See Aug. 15 *Bus & Motorcoach News*.)

The GAO report found that roughly 9 percent of the 220 bus companies that the Federal Motor

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UCR fees: Double trouble for '10

WASHINGTON — Fees under the Unified Carrier Registration system would more than double under a Federal Motor Carrier Safety Administration proposal published this month in the Federal Register.

The minimum fee, which applies to a one- or two-bus or -truck operation would go from \$39 to \$87 annually, while the maximum registration fee for private bus and truck operators with more than 1,000 vehicles would rise from \$37,500 to \$83,412.

In its proposed rulemaking, the FMCSA cites several factors driving the need to increase the Unified Carrier Registration fees to come

up with the \$113 million in revenue that states received under the old Single-State Registration System.

One was a change in federal law last year that eliminated trailers from the calculation of UCR fees. That change alone requires increasing overall fees by 61 percent to maintain the \$113 million in revenue — even if every single carrier complied.

But compliance with the UCR system has been far from 100 percent.

Between 80 and 90 percent of carriers operating 100 or more vehicles have registered under the plan. But the compliance rate among single-vehicle operations is

less than 60 percent.

In 2008, the overall compliance rate was 62.5 percent.

While private industry representatives on the UCR board believe the fees should continue to be based on 100 percent compliance, FMCSA is choosing a compliance rate of about 86 percent.

On top of those issues is a phenomenon FMCSA calls "bracket shift," where motor carriers end up registering fewer buses or trucks than anticipated based on the federal motor carrier database.

The cumulative effect of these factors is that states have not received the UCR revenue required

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College athletic coaches as drivers: Risky business?

Many small colleges across the U.S. continue to count on their athletic coaches to perform extra duty by being bus drivers, shuttling their teams and other students to out-of-town sporting events.

Faced with tighter and tighter budgets, the practice may be increasing, possibly putting the schools, their athletes and others at increased risk.

And while the policy may save the schools money over the years, there are those in the motorcoach industry who question the safety of colleges using their own employees — rather than hiring private carriers with profes-

sional drivers — to handle such road trips.

"Sure, it hurts the bus operators, but much more than that it's an important safety issue," asserts Freida Gould, co-owner of Acme Bus Tours in Kankakee, Ill. "It can be unsafe."

She says the schools sometimes ignore federal hours-of-service rules and the coaches often are too stressed after a game to drive the team home safely.

In addition, she said some schools add to the problem by allowing students to drive school-owned vans that do not require the drivers to have commercial driver's licenses.

"I know they do it because I've seen some of them pull out of the parking lots, and I would not want my kids to be riding in them," she said.

The Federal Motor Carrier Safety Administration says it has long been aware of schools using employees to drive buses and vans, and it does what it can within its authority to make certain they follow safety rules.

"Federal Motor Carrier Safety Regulations place responsibility on the carrier (private company, a contractor to a school district, or the school district itself) for ensuring that employee bus operators are properly li-

censed and credentialed for the type of vehicle they are operating, that the bus operators are medically qualified, and that the bus operators are subject to periodic random drug and alcohol testing," said FMCSA spokesman Duane DeBruyne.

He noted, too, that while most school operations are only intrastate and are under the jurisdiction of state regulators, the FMCSA regularly conducts educational visits and nonrated compliance reviews, including issues involving commercial driver's licenses and drug and alcohol testing.

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Operators gear up for flu, warning issued by UMA

From the president of the United States to local health administrators, officialdom across the nation is wringing its collective hands over the onset of the flu season and the dangers associated with the H1N1 flu.

For motorcoach operators, the return of swine flu poses challenges and more than a little uncertainty.

With schools in session, and the normally busy fall tour-and-charter season looming, many operators have begun taking precautions, including offering passengers anti-

bacterial wipes and stepping up their coach-cleaning regimens.

Early this month, the United Motorcoach Association issued a "member alert," urging operators "to monitor local, state and federal news pertaining to the H1N1 flu closely and periodically confirm reservations so inventory is accurate and to avoid last-minute cancellations."

UMA says drivers should be extra cautions, including routinely washing their hands, having hand sanitizer nearby, and follow guidance provided by the Centers for

Disease Control, as well as advice from their personal physician.

Typically, like the seasonal flu, swine flu spreads through coughs and sneezes of people who are sick.

Federal officials say the global flu pandemic could infect as much as half the U.S. population, flooding hospitals with nearly 2 million patients and causing 30,000 to 90,000 deaths.

The President's Council of Advisors on Science and Technology calls the swine flu "a serious health threat to the United States."

The appearance of the H1N1 virus last spring caused business disruptions for many coach operators. (See May 15 *Bus & Motorcoach News*.) But its impact tapered off as schools broke for summer.

Now, many schools are again seeing a rise in the virus. Young people, ages 5 to 24, have had the highest incident rate so far, with preschoolers the next most-at-risk age group. Some universities have been particularly hard hit.

Numerous warnings have been issued by health officials who say

the H1N1 virus infects younger people more. Infants and children, pregnant women, and people with chronic illnesses are at special risk of serious complications from the flu strain.

The U.S. Centers for Disease Control and Prevention estimates that nearly 2 million people nationwide have been infected with the virus since it surfaced early this year and 522 have died. But flu experts worry that cases will mount now that youngsters are in school and as cold weather drives

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Crooked San Francisco street is challenge for tour buses

SAN FRANCISCO — City officials here are cracking down on tour buses parking and stopping illegally near famed Lombard Street, "the crookedest street in the world."

Mike Waters, general manager

of Franciscan Lines and a director of the California Bus Association, said he had been asked by the head of the city department of parking and traffic to get the word out about "asking tour buses NOT to park anywhere on Mason Street near the bottom of Lombard Street.

"Ticketing for parking here (is being) aggressively enforced," said Waters. "Any out-of-town bus attempting to give their passengers a view of Lombard Street should park in the white zone in front of

1075 Columbus Avenue (Bimbo's 365 Club), and have their passengers walk the two blocks to the bottom of Lombard Street," Waters said.

Neighborhood residents reportedly have complained to the city council, and were attempting to make the area off limits to buses because of the carelessness shown by a number of tour bus companies.

Lombard Street is best known for a one-way section on Russian Hill, between Hyde and Leaven-

worth streets, in which the roadway has eight sharp turns (or switchbacks) that long-ago earned it the distinction of being called "the crookedest [most winding] street in the world."

The switchbacks' design, instituted in 1922, was created to reduce the hill's steep grade, which was too severe for most vehicles to climb. It also is a serious challenge to pedestrians.

The crooked section of the street, which is about a quarter-

mile long, is reserved for one-way traffic traveling east (downhill) and is paved with red bricks. The speed limit is 5 mph.

A decade ago, a Crooked Street Task Force was created to try to solve traffic problems in the neighborhoods around the winding section of Lombard Street. In 2001, the task force decided it would not be legal to permanently close the block to vehicular traffic. Instead, the task force decided to institute a

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Correction

iTransit Inc. of Orlando is a partner company of Gameday Management Co. The relationship was incorrectly reported in the Aug. 15 issue.



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THE DOCKET

Feds consider administering test to new operators

WASHINGTON — The Federal Motor Carrier Safety Administration is exploring the idea of requiring new bus and truck companies to pass a proficiency exam before being allowed to operate.

The proposal is the FMCSA's first major regulatory action under

the Obama administration.

In a notice published in the Federal Register last month, the FMCSA said it was "considering whether to implement a proficiency examination as part of our revised new-entrant safety assurance process."

The FMCSA said it was seeking "information concerning issues that should be considered in the development and use of such an examination."

A spokesman for the FMCSA said if the agency adopted an exam as part of the new-entrant process

it would be in addition to the existing regulations.

Under the current new-entrant process — that was adopted during the final weeks of the Bush administration, new bus and truck companies must submit to a safety audit within 18 months of opening for business, and are to be shut-down if they fail to comply with any one of 16 federal safety rules.

The Bush administration reportedly considered creating an entrance exam as part of its new-entrant process but did not include such a step in its final rule.

The FMCSA and its inspection partners conduct roughly 40,000 safety audits annually. The agency

attempts to inspect new bus companies well before the 18-month window allowed by the current rule.

The lack of a proficiency exam in the final rule, along with other issues, led Advocates for Highway and Auto Safety to file a petition with the agency to reconsider the current new-entrant rule.

The FMCSA said its investigation of a proficiency exam "responds to issues raised by" the advocacy group.

The notice asks for comment on issues ranging from the feasibility of creating a testing regime and the cost of operating it, to how a test should be administered.

School bus company fined

WASHINGTON — The Federal Motor Carrier Safety Administration wants a private school bus operator in Delaware to pay more than \$83,000 for violating Federal Motor Carrier Safety Regulations.

The FMCSA issued what it calls a civil penalty notice to Lehane's Bus Service Inc. of New Castle, Del., for a number of alleged safety violations, including failing to conduct random drug and alcohol testing.

It said it levied the \$83,120 fine on Lehane because of its lax safety record, which also included:

- Employing a driver who tested positive for a controlled substance
- Operating vehicles without the required federal minimum levels of insurance
- Operating vehicles that had not been inspected for safety

defects

"As school buses return to the roads in communities across the country, it is imperative that every bus company and driver operates in full compliance with federal safety regulations," said Rose A. McMurray, FMCSA acting deputy administrator.

The citation of Lehane's Bus Service came as a result of the FMCSA passenger carrier strike force initiative, Operation Safe Student, carried out in all 50 states between May 8 and May 21.

The strike force was conducted to get unsafe buses, motorcoaches and other passenger carriers and drivers off the road, and to provide states additional funding to conduct roadside safety inspections.

Lehane's Bus Service will have an opportunity to contest the alleged violations and the fine.

'No' to Mexican buses, trucks

WASHINGTON — The Inspector General of the U.S. Department of Transportation says more work is needed to assure the safety of Mexican trucks and buses awaiting permission to drive on U.S. roadways.

The USDOT inspector general's newest report on Mexican truck safety said some states are not consistently reporting traffic convictions of people driving in the United States with Mexican driver's licenses.

The report also said that inspections of Mexican buses are not always being done adequately, though it did note that progress has

been made on some safety issues.

Allowing Mexican trucks full access to U.S. roads has been embroiled in a debate over safety and other issues for going on nine years, with Congress voting earlier this year to end a pilot program put in place by the Bush administration to allow some Mexican trucks greater access to U.S. roads beyond the border zone.

President Obama, who met last month in Mexico City with Mexican President Felipe Calderon, said the U.S. is committed to finding an acceptable solution to the dispute, which involves \$2.4 billion in cross-border trade.

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Federal report uncovers problems with CDL data

WASHINGTON — A federal audit has found that many state motor vehicle departments are still experiencing delays in posting traffic convictions in the commercial driver history database and aren't adequately protecting driver data.

Both problems are key shortcomings in a system that's intended to pinpoint drivers who perhaps shouldn't be on the road.

Among the 500,000 commercial drivers with out-of-state convictions, about 20 percent or 99,000 drivers, did not have their convictions posted on the Commercial Driver's License Information System in a timely way, the audit found.

The problems were highlighted in the audit by the Office of Inspector General of the Federal Motor Carrier Safety Administration, which oversees the Commercial Driver's License Information System.

The FMCSA says it will correct the CDL database shortcomings, including recommendations that it improve the database so unqualified drivers will be less able to obtain CDLs or renewals, and drivers' information will be better protected against computer hackers.

While the FMCSA oversees the Commercial Driver's License Information System, it is administered by the American Association of Motor Vehicle Administrators.

The system does not contain driver histories but directs inquiries to the state of record. Completeness of driver conviction data depends on the courts providing state departments of motor vehicles with timely information and on department officials updating driver histories promptly.

Since 2005, notification to another state of traffic violations has been required within 30 days of conviction. States must post convictions within 10 days of the conviction if it occurred within that state, or within 10 days of notification of conviction if it is from another state.

The FMCSA Inspector General also found agency officials have not enforced requirements that systems be accredited as adequately secure.

Federal regulations require systems be inventoried and authorized or accredited as secure before beginning or significantly changing system processing, and reauthorized every three years.

But the contractor managing the system apparently was unaware of this requirement and it was not

required in the contract.

The FMCSA presented plans with timelines for correcting the issues, including dealing with the certification and accreditation issues.

NTSB urges pedal redesign in heavy vehicles

WASHINGTON — The National Transportation Safety Board wants the National Highway Traffic Safety Administration to require heavy vehicles to have technology to reduce the chances of misapplication of brake and accelerator pedals.

"Pedal misapplication" occurs

when a driver depresses the accelerator instead of, or in addition to, the brake pedal.

The board also urged the NHTSA to analyze pedal configurations in heavy vehicles and study the effect of pedal design on operating a vehicle.

The recommendations

stemmed from a Special Investigation Report, issued by the NTSB, which found that pedal misapplication was a factor in five heavy vehicle accidents between 2005 and 2008.

One of the accidents involved a school bus crash in Liberty, Mo., in May 2005.




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San Francisco

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summer parking ban in the area, to bar eastbound traffic on major holidays, and to increase fines for parking in the area.

One city transportation manager told Waters in an e-mail that tour buses should not park alongside the barricades on Mason Street at Lombard Street, and at Mason Street at Columbus Avenue.

He said the neighbors and the San Francisco Fire Department were "irate about this," and the official had instructed the city enforcement division "to cite these il-

legally parked buses aggressively.

"These are the same neighbors who want to prohibit tour buses on Mason and Powell streets," said the official.

It is OK for tour buses to park in the white zone in front of Bimbo's 365 Club on the west side of the 1000 block of Columbus Avenue (between Francisco and Chestnut streets) while Bimbo's is closed, which is usually the case during the daytime.

"You might also remind them that idling their engines for more than five minutes is a violation," the official added.

Welcome to San Francisco.

Swine flu

CONTINUED FROM PAGE 3

people indoors.

Some health officials say businesses can help ameliorate the situation by adopting common-sense policies, such as making it clear that sick people can get refunds for services they shouldn't use or events they shouldn't attend because they are ill.

President Obama has his own common-sense advice. He urges frequent hand washing and staying home if an individual feels sick. "I

know it sounds simple, but it's important and it works," he said.

"I don't want anybody to be alarmed, but I do want everyone to be prepared," he added.

UMA says it will continue to monitor the changing impact of the H1N1 flu and will be providing operators with updates, and posting pertinent information at www.uma.org/sep.

The website has links to official informational websites, as well as recommended action steps and other information provided by the Centers for Disease Control.

Reincarnation

CONTINUED FROM PAGE 1

Carrier Safety Administration and its partners had put out of service in fiscal 2007 and 2008 resumed operation under a different name.

Additionally, there were 1,073 potentially reincarnated trucking companies in fiscal 2007 and 2008, the report said, adding that "of these, at least 400 are still active as of June 2009."

Oberstar and DeFazio, along with Rep. Eddie Bernice Johnson, D-Texas, requested the GAO report after an August 2008 bus crash killed 17 people.

DeFazio called the report's findings "disturbing."

"No motorcoach company should ever be allowed to reincarnate" and continue to operate on our nation's highways without

making the necessary safety improvements," he said.

"The surface transportation authorization bill we are working on will require the Department of Transportation to do a more thorough check when carriers apply for operating authority to make sure these rogue operators don't rise from the dead and continue to endanger the lives of the traveling public."

It is obvious these companies are intentionally trying to deceive FMCSA and the public by reinventing themselves as "new carriers," Oberstar said.

"FMCSA must protect public safety by making sure these unsafe carriers stay off the road."

A provision in the highway bill Oberstar is trying to push through Congress would authorize FMCSA to deny or revoke operating author-

ity to a carrier that fails to disclose a relationship to a closed carrier.

In addition, the bill would allow the agency to impose civil penalties on reincarnated carriers.

The FMCSA says it has already made changes to the USDOT application process that makes it more difficult for unsafe reincarnated operators to obtain new authority.

Those familiar with the system, however, say that once a rogue operator is registered it is tough to find them. So, scrutiny needs to take place as soon as the application is submitted.

Some safety advocates say the principal of a new carrier should have to go through a safety compliance and safety management training course and pass a proficiency exam before a new carrier is allowed to operate.

UCR fees

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by law during the 2007-2009 registration years, the FMCSA says.

The rulemaking was proposed as a way to make up for that revenue through a fee increase. The FMCSA also hopes states will ramp up enforcement of the UCR-fee rule. That seems problematic given the

financial situation of most states and the cost of trying to enforce the rule against very small operators.

Bottom line: Honest bus and truck operators will continue to foot the bill for the scofflaws.

Here are the current and proposed 2010 fees for the other four UCR brackets:

- 3-5 vehicles: Current fee \$116; proposed 2010 fee \$258.

- 6-20 vehicles: Current fee \$231; proposed 2010 fee \$514.

- 21-100 vehicles: Current fee \$806; proposed 2010 fee \$1,793.

- 101-1,000 vehicles: Current fee \$3,840; proposed 2010 fee \$8,541.

The FMCSA gave industry only 15 days to comment on the proposed rule. To comment, go to www.Regulations.gov.

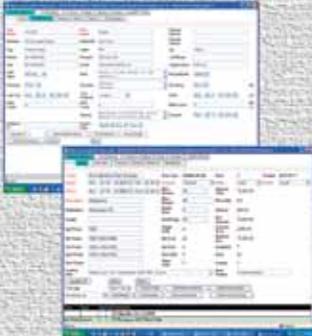


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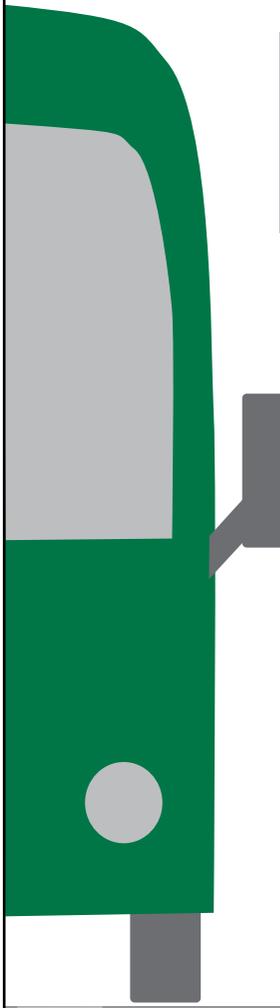
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Traveling remote or rural areas?

Your coaches may need cell phone amps

By Sondra Sneed

Roughly 36 critical minutes ticked by before a passing motorist, who came upon the fresh wreckage of a motorcoach near Mexican Hat, Utah, on Jan. 6, 2008, reported the crash to authorities.

Emergency help was badly needed that overcast night when 50 of the 53 passengers in the coach were ejected from their seats when the bus careened off an embankment, spun around, rolled completely over, struck a bed of rocks, had its roof torn away, and finally came to rest in a ditch on its wheels.

Nine people were killed, and 44 others, including the driver, suffered minor to serious injury, according to a National Transportation Safety Board investigation of the tragedy. All survivors required medical treatment.

Could there have been lives saved if it hadn't taken so long to get a call out?

While fatigue, speeding and delayed response by the driver were established by the NTSB as the cause of the crash, the time it took to actually call for help was the result of no cell phone service in the remote area. The first ambulance did not arrive until roughly an hour after the crash.

Poor cellular coverage is a common issue that safety and rescue professionals, as well as highway patrol teams, who work in rural areas across the country face on a regular basis. And they aren't

the only ones with the safety problem.

After the Mexican Hat crash, the NTSB developed seven recommendations to help avoid similar events in the future. One of those recommendations calls for the installation of cellular amplifiers in buses and motorcoaches that travel rural roadways.

The San Juan County (Utah) sheriff's office, which investigated the crash, along with local search and rescue teams, quickly adopted that "safety measure."

"We installed cellular amplifiers in our vehicles," said San Juan County, Sheriff Mike Lacy. "I'm a retired highway patrolman and only once, 25 years ago, have I seen a bus accident with as much carnage as that one," he said in a recent interview.

The sheriff's department installed cellular amplifiers that are made by Wilson Electronics, and Lacy said the amps have made a significant difference in their cell phone range on roadways. Wilson was specifically footnoted as a supplier of amplifiers in the NTSB report on the Mexican Hat crash.

As suppliers of amplifiers for fleet vehicles and municipalities,

Wilson Electronics is the largest and oldest cell-phone amplifier manufacturer in North America, having gotten started 40 years ago manufacturing antennas for CB radios. The company is headquartered in St. George, Utah, which is nestled in a remote area that is affected by poor cell service.

While cell phones make up the bulk of mobile communications today, problems with cell phone coverage continue to haunt rural and mountainous regions.

Walt Brooks, Wilson's director of sales, said that "remoteness" is

just one factor in creating weak signals. Major cities can have problems with what he calls "urban canyons," where concrete-and-steel buildings create barriers for cell-phone signals.

Cellular amplifiers, also called repeaters, provide a boost to and from cell towers, he said. This allows the cell tower and the phone to actually find and "talk" to one another.

Wilson's SoHo model is described by Brooks as "a great fit for a bus." The unit is "dual-band, so it will work with all carriers, (except Nextel's iDen)," he said. "The SoHo is strong enough to provide good coverage and its 'intelligent' design prevents it from being too strong."

In other words, like all Wilson amplifiers, it has the ability "to cutback power and prevent oscillation."

Oscillation is a phenomenon that occurs when an antenna and an amplifier are too close together. It is similar to the affect of a microphone that's too close to its amplifier; most of us have experienced that ear-splitting event. The feedback loop in oscillation, however, is serious enough to be a threat to the integrity of a carrier's network.

Wilson Electronics is the only manufacturer of cellular amplifiers that has established FCC-approved standards for this technology. More information about the company's products and customer service can be found at www.wilsonelectronics.com.

No one can know for sure if lives would have been saved in Mexican Hat had an emergency call been possible sooner. But there are reasons to believe that if the technology is made available, roadway communications now has a

Need \$\$\$? Lending improves

ATLANTA — Borrowing money oftentimes isn't the best thing for a small operator to do in a down economy, but if you must — or plan to do so as soon as the recovery becomes more evident — it's good to know how the market is changing.

Small-business lending was dead in the water last year as the credit market collapsed, but CNNMoney.com reports it has "managed to heal itself" without help from federal stimulus funding.

"Figuring out how to revive the secondary market has been a priority for the Small Business Administration and the Treasury Department. The government set aside billions to invest, vastly eclipsing the money earmarked for other small business stimulus efforts.

"But while government agencies struggled to get their programs up and running, the market came back to life on its own," says the CNN website.

The SBA has been offering money through its America's Re-

covery Capital Loan program this year, but there have been persistent reports of roadblocks when small outfits tried to borrow.

However, earlier this month a program representative said the number of participating lenders and loans is rising.

The SBA can provide up to \$35,000 for small businesses facing immediate financial hardship. Some SBA lenders will offer loans under the program as long as funding is available, or until Sept. 30, 2010, whichever comes first.

As of the end of August, the SBA said it had approved guarantees on \$52 million of the \$336 million available in the program.

More than 500 lenders are reported to have made program loans.

The loans carry a 100 percent guaranty from the SBA to the lender and require no fees paid to SBA. Loan proceeds are provided over a six-month period and repayment of the principal is deferred for 12 months after the last disbursement of loan money. Repayment can extend up to five years.

Brake Safety Week this month

WASHINGTON — The Commercial Vehicle Safety Alliance has announced that that Brake Safety Week 2009 will be Sept. 13-19 throughout the United States, Canada and Mexico.

Brake Safety Week is a safety event focused on enhancing knowledge, regulatory compliance and performance of commercial vehicle braking systems.

CVSA-certified inspectors, brake suppliers and industry partners conduct enforcement and education activities with drivers and mechanics at travel destinations, truck stops, weigh stations and other locations as a part of the annual Operation Air Brake campaign.

For more information, go to www.cvsa.org or www.operation-airbrake.com.

back-up plan.

Sondra Sneed is the editor and senior writer for a wireless trade publication. She regularly contrib-

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Tourists rolling into New Orleans despite the economy

NEW ORLEANS — Four years after being KO'd by Hurricane Katrina, New Orleans is rebounding as a tourist mecca.

Last year, the city hosted 7.6 million visitors, according to the New Orleans Convention and Visitors Bureau.

That was up from 3.7 million in 2006 and 7.1 million in 2007.

The year before Hurricane Katrina hit — at the end of August 2005, a record 10.1 million people visited the city.

And 2009, despite the economy, has turned out to be a decent year, with Mardi Gras attendance reaching pre-Katrina levels of about 1 million, the visitors bureau says.

For decades, New Orleans has been a major motorcoach destination.

When Katrina hit, the city was the 5th most-popular motorcoach destination in the U.S., according to the National Motorcoach Network, which annually surveys its members on the top motorcoach destinations.

Last year, the network ranked New Orleans as the 13th most-popular motorcoach destination of the past 25 years, with the lower ranking clearly reflecting the impact of Katrina.

July hotel occupancy in the city's business district and tourist areas was 65.7 percent, up 7.7 per-

cent from last July, according to Smith Travel Research.

Occupancy above 60 percent is considered fairly healthy in today's economy.

Among the top 25 U.S. markets, only New Orleans reported increases in occupancy in July.

Most of the city's hotels have reopened. The lone major exception is the Hyatt, where renovation of the 1,200-room property report-

edly is stalled because of financing problems.

Before Katrina, the city had 130 hotels with 25,000 rooms. Now it has 119 hotels with 22,300 rooms, including The Roosevelt, a just-reopened, 504-room luxury hotel that was a Fairmont when Katrina hit. The historic Roosevelt, which dates to 1923, is home of the Sazerac Bar.

Although there reportedly are some hotel-room deals in New Or-

leans, travel websites indicate rates are holding up well compared with other destination cities.

Most of New Orleans' legendary dining spots, including Brennan's, are open. The visitor's bureau says the city has more than 1,000 eateries, 200 more than when Katrina hit.

"The tourism industry is a bright spot," says a visitor's bureau spokesman.

Other positive signs:

- The sugary beignets at famous Café Du Monde are cheap (\$2 for three).

- The French Quarter is "cleaner than it's ever been" thanks to sweepers and a lemon-scented liquid now used to scour it.

- Some hotels continue to offer volunteerism packages, though tourism officials aren't eager to keep reminding tourists of Katrina.

Medical clinics to serve drivers

LAS VEGAS — Roadside Medical Clinic + Lab, a network of retail health clinics at Pilot Travel Centers, is expanding after selling licenses for 11 additional sites in six states, including Texas and California.

A clinic in Oklahoma City will be the first of the 11 to open in October, followed by one in Dallas in the first quarter of 2010. The sites have been licensed to Brough Group International, a Houston-based emergency physician staffing and investment company.

Roadside President Bob Perry said, "As we expand, we continue to bring convenience and affordability to (professional drivers)."

Currently, there are three Roadside Medical sites open — in Arkansas, Georgia and Tennessee. The company expects to open a total of 80 sites at Pilot locations.

At its existing locations, Roadside provides USDOT physicals and screening, sleep apnea tests and wellness programs. No appointments are necessary at clinics, which are typically open Monday through Saturday, 9 a.m. to 9 p.m.

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What are customers that don't pay? They're not customers

By Dave Millhouser

"Your group's ship just pulled out for their three-day cruise. If I don't have certified funds for ALL you owe us by the time they return, our buses won't be there to bring them home."

The tour broker's ears certainly must have perked up because the harbor was 600 miles from where the group lived. He owed my friend's bus line a ton of money, and had been cagey about when and how he was going to pay.

This tactic isn't legal but fortunately the tour operator didn't know it. The money was paid and the buses were at the dock when the ship returned.

In ye olden days, life was simpler for bus folk. In a regulated environment charter customers had few choices, "operating" was king and marketing and sales were almost non-existent. Coach companies talked to each other about who did and didn't pay, so accounts receivable were rarely a problem.

Deregulation caused the pendulum to swing and for a while it

seemed that the ONLY thing that mattered was marketing and sales. Wheels went round and round. Price wars developed, fortunes were made and lost until we figured out that you gotta sell it for more than it costs.

The pendulum has centered a bit, and successful companies combine efficient operation with customer-oriented marketing and sophisticated pricing.

One nasty hangover from the go-go era was the growing significance of accounts receivable. We were doing business with more customers, many of them unknowns. They were shopping bus companies. Operators were dealing with bus brokers and farming work to other operators.

A few disreputable tour brokers and coach companies would book large quantities of work at deep discounts, and then simply not pay until the operator was in such pain he would take pennies on the dollar. Operators failed, only to be replaced by others who thought it would be different for them.

As evidenced by the recent

bankruptcy of the industry's largest bus brokers, even the biggest sometimes get in trouble.

There are things — other than abandoning people at a dock — we can do to reduce exposure. Here are a few that I've stolen, but will gladly take credit for.

First, when you're in a hole... stop digging. If someone isn't paying, stop working for them. If they're evasive, pull the plug. If they're good folks, experiencing seasonal discomfort, make them COD, and add a little to each charter to begin catching up.

Keep a careful eye on your accounts receivable, know where you stand and have a plan for collecting.

Don't be afraid to ask for your money. Many bus brokers, tour operators and others get their payment up front. Some of them are using your money to operate on, others are troubled. If they won't (or can't) pay you... what the heck are you thinking running your buses for them?

Bad customers will threaten to take business elsewhere. Let them.

They aren't going to pay your competitor either. If they aren't paying, they aren't "customers." There are other words for them.

We all want to feel special, but us olde guys have figured out that if someone screws our competitor, they'll do it to us. Don't chase business, no matter how many dollars are involved, with someone who has messed with your competitor. You aren't THAT special, they'll do you next.

Control your own destiny. Brokers and farmed-out work from other carriers can be a nice supplement but you need to market your own services. If sales and marketing isn't your thing, hire someone with those skills (and keep careful track of their results).

Depending on outsiders for too much of your business puts you on the back burner when things are slow, and keeps you from developing your own identity. Outsiders often care primarily about price. If you build direct relationships with customers, you can parlay value into higher revenue.

Pick your spots. Whether sell-

ing direct to the public, brokers or other bus lines, if you're going to extend credit, know who you're dealing with. Check creditworthiness and reputations, watch for signs of monetary pain. It doesn't matter how much business they throw your way ... if they don't pay.

A number of years ago the top sales executive of the bus manufacturer I represented accused me of "only selling to people I liked."

I really DID like almost all of you, but the truth is that I tried to sell coaches to people who could pay for them. Selling to folks who can't (or won't) pay hurts your company, your employees and isn't fair to your loyal customers.

I liked a lot of you that I didn't sell buses to, too.

Dave Millhouser is a bus industry marketing consultant and freelance writer. Contact him at: dave_millhouser@hotmail.com.



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Greyhound Canada plans route cutbacks; seeks aid

CALGARY, Alberta — Greyhound Canada may drastically reduce its service unless it gets government assistance.

The initial cuts would be in Manitoba and northern Ontario, but could spread all across Western Canada, the company has warned provincial and federal government officials.

Greyhound Canada is blaming federal and provincial regulations for the cuts, saying it is being forced to operate routes in rural areas at a loss. The company said its financial situation is "dire," and it could no longer afford to use its profitable runs between larger cities and freight business to subsidize the money-losing service to small communities.

The intercity operator said it told federal transportation officials in May it would have to take action at the end of the summer if no help was forthcoming.

"It was a tough decision, but it was a business decision we had to make," said Stuart Kendrick, Greyhound Canada's senior vice president.

Canadian Transportation Minister John Baird did not welcome the Greyhound announcement.

He said the threatened cutbacks were an attempt by a multinational company to bully Manitoba and Ontario into giving it a subsidy. Bus service is regulated by Canada's provinces, not the federal government.

"I think it is very heavy-handed," Baird said, adding the federal government would support the provinces in any fight with the company.

Manitoba officials said they were very concerned about the potential impact of lost service, and Ontario officials said they hoped another carrier would take over the routes Greyhound was giving up.

Greyhound has filed a 90-day notice with Ontario regulators, bringing its service in the northwestern area of the province to an end Dec. 2. It will end service in Manitoba in 30 days, allowing existing tickets to be honored.

Greyhound was barred by provincial law from dropping individual routes in Manitoba, so it had to

ABC Cos. preview Van Hool model

TEANECK, N.J. — ABC Companies is previewing a fourth model of Van Hool motorcoach for possible introduction to the North American market.

The Van Hool T917 Altano was on display last month at a promotional event for customers conducted at the Teaneck Marriott at Glenpointe.

Van Hool makes three versions of the Altano, seating from 63-75 passengers. The coaches combine the upper-platform configuration of a double-deck Van Hool, while replacing the lower passenger area with a huge, two-level baggage space and a driver/tour guide compartment.

The model is an effort to combine the additional seating of a double-decker with the amenities of a single-level luxury coach.

The T917 version seats as many as 65 passengers in its upper deck, which can be entered through a side door.

end all service in the province.

The decision means Canadians no longer will be able to cross the country by Greyhound.

The company also is reviewing



Coach operators and others attending the Teaneck event were asked to fill out detailed surveys to gain their input, both pro and con, regarding the coach. They were asked specific questions about options and configurations that might work for them.

ABC currently distributes three Van Hool motorcoaches in the U.S. and Canada—the T2145, the C2045

and the T925 double-decker.

The T917, which would likely be designated the T920 if a U.S. version is developed, is expected to be at the grand opening celebration later this month of ABC's new sales and service center in Costa Mesa, Calif.

That event will be Sept. 22.

There will be other showings of the 917 around the country as well.

assistance.

It is seeking government subsidies for the rural routes and a long-term national plan for maintaining service to small communities.

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Charter rule battle

CONTINUED FROM PAGE 1

charter rule cases, including those in other states.

"A well-established principle of administrative law is that an agency must follow its own standards in the future, deviation from which is itself an abuse of its discretion," he told the court in the appeal. "The general legal principles FTA espoused in this instance, FTA is now obliged to follow."

The FTA has argued that the opinion only affected the King County Metro and Starline case, but Mastromarco called that claim "self-serving surplusage."

While King County Metro took a pass on the shuttle service contract with the Mariners this year, Starline again offered to provide the service. The ball club, however, turned down the offer and, instead, dropped its shuttle service, forcing people to hike to the stadium from remote parking lots or take regular city buses that drop them off anywhere from in front of the ballpark to several blocks away.

"This legal effort represents not just a monetary investment (by UMA) but an investment of time and political capital as well," said Godfrey LeBron, UMA chairman and vice president of Paradise

Trailways.

I hope operators are taking note of who may not be actively involved in these battles in a big way."

Added Ken Presley, vice president of UMA: "I agree. When it comes to the charter service rule there are no gray areas. These battles seem to take place every day and operators need to know who is in the trenches with them."

Meantime, Murray took aim at the charter service rule by inserting into the 2010 transportation appropriations bill wording that would prohibit the FTA from using any funds to enforce the charter rule in Washington state. She chairs the Transportation, Housing and Urban Development Appropriations Subcommittee and is believed to have added the language without consulting members of her committee.

If passed, the spending prohibition would have the effect of exempting the state from the charter rule, which would clear the way for King County Metro to again provide the shuttle service to not only the Mariners, but other businesses as well.

There was immediate speculation in the motorcoach industry that the impetus for the action was the dispute last year with the Mariners and rumblings that other transit

agencies in the state are interested in doing charter work.

Murray's office did not return telephone calls and e-mail messages requesting comment.

The senator is no stranger to transit and motorcoach operations in the state and, according to the appeal filed by UMA, she may have had a hand in the FTA opinion that allowed King County Metro to run the shuttles for the Mariners last season.

Mastromarco contends in the appeal that King County Metro initiated a "full-court Congressional press" to influence FTA's decision and the pressure came from Murray's staff. He said several meetings were held between the FTA and the senator's staff.

"They just can't do that," stressed Mastromarco.

He said the purpose in bringing the potentially improper communications to the attention of the court was to show why the FTA "grossly deviated" from its own charter service regulations in issuing the opinion.

The attempt to exempt Washington from the charter rule brought an immediate response from the Northwest Motorcoach Association, which represents many of the more than 100 private carriers in the state.

National parks see more visitors

WASHINGTON — U.S. national parks are seeing more visitors this year than in 2008, according to figures released by the National Park Service.

During the first half of '09, there were 128 million visits to national park units, an increase of nearly 4.5 million visits over the same period last year.

The National Park Service figures park visitors spend \$11 billion each year, which helps local economies and supports 213,000 jobs in gateway communities. This includes 54,000 jobs in the hotel and restaurant sectors, 23,000 jobs in retail, and 18,000 in amusement.

"If this provision is enacted, we will effectively be out of business," association president Paul Downes wrote in a letter to Murray that was signed by most of the group's members.

He reminded the senator that the motorcoach business employs about 2,000 people, draws annual revenues of more than \$140 million and pays more than \$14 million a year in taxes to the state.

And, he noted, the federal charter rule prohibiting transit agencies from competing with private motorcoach companies has been

To help stimulate the economy and protect the national parks, the U.S. Department of the Interior is spending \$750 million on nearly 800 projects through the American Recovery and Reinvestment Act.

The money is being used to preserve and protect national icons and historic landscapes, improve energy efficiency and renewable energy use, remediate abandoned mine lands, and provide \$15 million in grants to protect and restore buildings at historically black colleges and universities.

Additional money from the Federal Highway Administration will improve park roads.

federal law for more than 35 years and Congress long has recognized that it is fundamentally unfair for government entities subsidized by tax dollars to compete with unsubsidized taxpaying private businesses.

"Your provision puts a bullet through this principle in Washington state and will put a bullet through our heads as well," he added. "We ask you to seriously rethink if there is any appropriate time to destroy an entire sector of taxpaying, job-creating private businesses in our state."

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Takeover, break up of National Express moves closer

BIRMINGHAM, England — The sale and eventual break up of National Express Group, parent company of two large North American school bus operations, appears to have moved closer to fruition.

A Spanish-led consortium, consisting of the private equity firm of CVC and the Cosmen family, which owns the largest block of National Express shares, upped its offer for National Express earlier this month and almost immediately won expressions of interest from large shareholders.

Separately, Stagecoach Group PLC of Perth, Scotland, parent company of Coach USA and Coach Canada, announced it had reached an agreement with the Spanish consortium to acquire National Express' rail and bus operations in the United Kingdom — if the takeover is completed.

The British press speculated that if the sale goes through the Cosmens would take back the coach business they formerly owned, which was bought by National Express in 2005, with CVC acquiring National Express' North American school bus and U.K. coach businesses.

National Express owns Durham

School Services in the U.S. and Stock Transportation in Canada. Together, Durham and Stock oper-

ate more than 15,000 school buses, serving more than 300 school districts in 27 states and 2 provinces.

After the Spanish group increased its offer to \$1.25 billion, investment firms representing large

stockholders said their clients were giving "serious consideration" to the revised proposal.

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Risky business?

CONTINUED FROM PAGE 1

What schools say

School officials maintain their long-time practice of using coaches to drive buses is mostly due to budget restraints.

"Everything is done very prudently at our school and our area is no exception," said Ted Peterson, athletic director of the Kankakee Community College in Kankakee, which requires the coaches of its five sports to have commercial driver's licenses as part of their employment.

He said the school is aware of the requirement that bus drivers must have commercial licenses and the federal restrictions on how many hours they can drive at any one time.

"If it were going to be illegal, then we would charter a bus from a

private company," he stressed.

Peterson said charters normally are used for out-of-state or overnight trips, although a coach may take an overnight run if the team is going to play a game in one city, spend the night there and then stop at another city on the way home for another game.

"It's been working out well for us," he added.

Variations on a theme

Others schools offer variations to the practice, including Olivet Nazarene University in Bourbonnais, Ill., which not only requires its 13 head coaches to have commercial licenses, but graduate assistants assigned to each of the coaches to have them as well.

Athletic Department spokeswoman Dawn Waldron said the graduate assistants, all of whom are working on their master's de-

grees, serve as the regular drivers and the coaches act as backups, which allows them to concentrate on their games.

"Having coaches drive can be stressful, thinking about the game, and that can be very distracting," she said.

In Columbia, Md., Howard Community College uses its coaches to drive school-owned buses, but augments the practice by hiring people from outside the school to also drive. The school helps these occasional employees to obtain their commercial licenses and trains them on the buses they are going to drive for the school.

"I personally don't like the idea of coaches driving, but we have to do it sometimes from a money standpoint," said Diane Schumacher, the school's athletic director.

However, she said the school is taking a new look at its transporta-

tion program and plans to meet soon with charter companies in the area to see if they might be able to save more money by contracting with a private carrier.

"In a perfect scenario, we would charter," she added.

Miles Community College in Miles City, Mont., uses charters to transport its baseball, basketball and volley ball teams, but has its coaches drive its golf and rodeo teams to their out-of-town contests.

The three community colleges that belong to the Orange Coast Community College District in Southern California rely on the district's transportation department and its buses and drivers to handle all of their travel.

Drivers drive, coaches...

Many others use only private charter companies.

"We let our coaches do the

coaching and let bus drivers do the driving so that the coaches can focus on the athletics," said Bob Zelinski, director of athletics and wellness at Central Florida Community College in Ocala, Fla.

Phil Wriighthouse of St. Joseph College in Rensselaer, Ind., said that school uses charters for all of its sports transportation. "We have never had coaches driving," he said.

Because of the wide range of transportation plans across the country, the FMCSA said parents should be proactive and find out who is doing the driving and what types of vehicles are being used at the schools their children attend.

"A good question to ask is: 'How long is the driving distance one-way?' If the answer is more than five hours, then two drivers will be required. Putting children in jeopardy is not worth the risk of skirting federal safety regulations," emphasized DeBruyne.

Meantime, private operators should be proactive, too, in trying to win over some of the transportation work now being done by the colleges on their own, suggests Ken Presley, vice president of the United Motorcoach Association.

"We encourage operators to visit these institutions regularly to review the possibilities of taking over their charter operations," he said. "Remember, for-hire operators should be the pinnacle of operations in driver training, maintenance and operations. Often when institutions discover they cannot charter without for-hire operating authority and the associated cost, they decide it is not for them."

He said that over the years many schools have simply found that the ownership and operation of a motorcoach proved to be very expensive and difficult to justify when all of the costs of ownership were amortized over the few trips they make annually.

Among them was North Carolina A&T, which accepted two leased motorcoaches from its alumni association but was not up to running them on their own.

Enter David Brown, owner of Holiday Tours in Randleman, who worked out a deal to maintain and operate them for the school. And, when the five-year lease on the buses expired last July, he managed to sell the school on the idea of turning in the buses and letting his company charter all of its trips.

Brown said he emphasized to school officials that using a charter service would work out better for them because they would be relieved of the liability exposure and the federal regulations they faced under the initial arrangement.

"We told them that we would be taking care of all of that for them and they would not have to worry about it," Brown said.

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