

Bus & Motorcoach NEWS

WHAT'S GOING ON IN THE BUS INDUSTRY

CH Bus sues ABC, alleging defamation, unfair competition

SANTA ANA, Calif. — CH Bus Sales, which distributes Turkish-made Temsa motorcoaches, has filed suit against ABC Companies and senior vice president Clint Guth alleging that Guth tried to steer a bus contract to his client by spreading false information that Temsa was funding the terrorist group ISIS.

The lawsuit, filed in Orange County, Calif., Superior Court, alleges that Guth sent an anonymous letter to the entertainment company Netflix, which had sought bids on a contract for commuter bus services.

Transdev Services Inc., a CH Bus client, teamed up with

Compass Transportation Inc. to bid on the contract. If their bid was successful, the companies planned to purchase at least 13 Temsa buses from CH Bus.

According to the lawsuit, WeDriveU, Guth's client, also had bid on the Netflix contract and, if successful, planned to purchase buses from ABC.

When it appeared that Transdev/Compass was likely to win the contract, "ABC Bus Sales and Clint Guth schemed to smear the reputations of Temsa, Transdev and Compass in order to increase the likelihood of WeDriveU winning the Netflix contract," the

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UNITED MOTORCOACH ASSOCIATION

MOTORCOACH EXPO 2017



The Anheuser-Busch headquarters will be the site of the Sneak Preview After Party on Feb. 27 during UMA Motorcoach Expo 2017 in St. Louis. This issue of Bus & Motorcoach News includes a brochure insert with all the information you need to plan for your Expo experience.

Photo by Stephanie S. Cordle

Inattentive coach operators vulnerable to insider scams

BOSTON — A former employee of Peter Pan Bus Co. and the owner of a tour company have been charged with stealing more than \$600,000 from the carrier through years of misdirected funds and fraudulent invoices.

This isn't the first time this type of scam has been pulled on a bus operator and it likely won't be the last, said bus industry consultant Dave Millhouser, who has seen his share of ripoffs during his 50 years in the business.

The problem is, some operators don't pay attention to company finances.

"Many operators get into the business because they really like dealing with people and turning wheels," said Millhouser, a columnist for *Bus & Motorcoach News*. "There is nothing wrong with that, but sometimes they don't pay attention to the parts of the business they don't like —

finances and administration. If they don't get the right people in those jobs they are going to get nailed."

Millhouser started sweeping buses and soon was driving and wrenching them. He managed a charter bus operation for a few years and settled into a 35-year career as a bus salesman.

He has seen or heard of many tricks perpetrated on carriers and expects others are yet to be invented.

"I've been in probably every bus garage east of the Mississippi and many of the ones west," Millhouser said. "There are a lot of ways your employees can get you so you have to pay attention."

Leonard Rottenberg, 67, of Charlestown, Mass., was arraigned Sept. 21 in Suffolk Superior Court on three counts of "Larceny Over \$250 by Scheme,"

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Senators seeking increased ground transportation security from TSA

WASHINGTON — What could be worse than TSA screening lines at airports? Try TSA screening lines at bus depots.

While that scenario doesn't appear to be imminent, there is a new bill making its way through Congress that seeks to expand TSA's reach onto buses, trains and ferries, known collectively as surface transportation.

The bipartisan bill introduced in Congress last month by Sens. John Thune, R-S.D., and Bill Nelson, D-Fla., would require that the TSA assess terrorism risk at all surface transportation facilities — including bus depots, train stations and ports — and implement new security models based on those risks.

The lawmakers are concerned that the TSA isn't adequately identifying security risks at non-airport transportation hubs. Only 2 percent of the agency's \$7.4 billion budget is spent on surface-level transportation, according to a report by the Office of the Inspector General.

"TSA lacks an intelligence-driven, risk-based security strategy that informs security and resource decisions across all transportation modes," the report said, adding that the approach is "designed for the aviation mode and chiefly for air passenger screening."

Thune, Nelson and other supporters of the bill want train operators to gain access to the TSA's terrorist watch list, more rigorous

screening of passengers and employees, and the use of bomb-sniffing dogs at stations and ports.

In introducing the legislation, the senators made reference to surface transportation hubs as "soft targets" for terrorists, citing a recent incident in which homemade pipe bombs were discovered near a train station in Elizabeth, N.J., and devices exploded in Seaside Heights, N.J., and in Manhattan.

Back in April, in the wake of terrorist attacks in Brussels and Paris, data revealed that because of the increase in security at airports, more people were taking trains because they got them from one city to another in less time. That also is the case in the U.S. for

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Uber cars taking students where buses don't often go

DANVERS, Mass. — As Uber seems to be going head-to-head with just about every form of transportation, bus operators have been fairly confident that cars and SUVs offer little competition to large buses.

Not so fast.

North Shore Community College has partnered with Uber in a first-of-its-kind ride program to give students who rely on public transportation a discounted lift to the isolated Danvers campus.

Students now have access to subsidized Uber rides to and from the Danvers campus from the Beverly Depot on Park Street and the Northshore Mall on Andover Street in Peabody.

"It's a gap ride from the end of the line and the school," NSCC President Patricia Gentile said.

North Shore Community College's Danvers campus caters to 4,000 students but is unreachable by MBTA bus or train. The school offers a shuttle that runs between its campuses in Lynn, Danvers and Middleton.

The nearest bus route stops at the Liberty Tree Mall, 4.2 miles from the Danvers campus, said

Gentile, who has made bringing public transportation to the campus a priority since her arrival three years ago.

The Danvers campus features the college's allied health programs, which are desirable to those in Lynn, Peabody and Salem. But the campus is hard to get to without a car, and walking or cycling there is difficult because the campus is mostly surrounded by woods

and is bounded by major highways.

Gentile said she has spoken to one student who would walk to the campus from a job at the Liberty Tree Mall — a more than 8-mile round trip. She said the college's shuttle service can be inconvenient for those who use public transportation, with some students facing a 90-minute one-way bus trip.

The idea of offering subsidized

rides through Uber came out of Gentile's push to find a public transportation solution.

She approached the T about extending the bus route from the Liberty Tree Mall to the college, but "it's a chicken and egg" problem, she said. The T wanted to know how many riders the community college had, but the bus route doesn't even exist to be able to count heads. The college only has

estimates on numbers of riders.

Gentile said the college has dusted off old studies, surveyed students and approached the Board of Higher Education on the importance of low- and middle-income students being able to get to campus. The college studied the idea of van pools, student car pools and other options, but those proved untenable for one reason or another.

Several months ago, the college reached out to Uber on a pilot program. Uber riders use a smartphone app that allows riders to schedule rides with drivers who are regular folks who sign up to drive for the service, also using the app.

Gentile said the advantage of using Uber is that it is flexible.

The service will also provide the college with data as to how many students might use public transportation, something the college could use to convince the MBTA to extend a bus route to campus.

Almost 50 students signed up in the first week the service was offered, Gentile said.

The community college has

Uber-style buses for NJ-NYC commuters

PRINCETON, N.J. — A new Uber-style bus service is giving New Jersey commuters direct rides to their New York City destinations, a faster alternative to transit buses that make multiple stops before arriving at the Port Authority, where riders often still need to take a cab or subway.

OurBus, launched by a group of Princeton residents, offers luxury coach buses equipped with wireless Internet access, charging stations and restrooms.

Here's how it works: People sign up for the service, indicating the ZIP code in which they live

and the ZIP code where they work.

Once enough people in one area are registered, OurBus partners with charter bus companies and gives them a Monday-through-Friday route. And riders can be within walking distance of both the bus stop and their place of employment.

While it's not as simple as pressing a button on your smartphone and having a bus show up at your doorstep, OurBus does aim to eliminate many of the daily commuter annoyances, from waking up early to paying a steep ticket price.

Perhaps the biggest draw is the end of multiple stops. Once you're assigned to a route, there's only one stop before New York: yours.

"You have to be a frustrated commuter like myself to understand the pain that commuters go through," said co-founder Mike Virdi. "We developed the technology that allows us to find people that live and work near each other and put them on the same direct transport."

On its initial run, the service is handling registered users in the Kendall Park area of South

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THE DOCKET

Calif. governor signs industry backed bus-safety bills

SACRAMENTO — California Gov. Jerry Brown has signed two bills designed to improve safety regulations for motorcoaches after members of the state's bus industry succeeded in removing language that would have made the laws unreasonably strict.

Brown signed Senate Bill 247, a charter-bus safety law that will require pre-trip safety announcements, luminescent emergency signage within two years and emergency lighting in four years.

Several sections that would have required motorcoaches to be fitted or retrofitted with equipment exceeding federal standards were stripped from the bill before passage.

Brown also signed Senate Bill 812, which focuses increased enforcement efforts on operators previously found unsatisfactory. A provision that would have drastically increased inspections and fees for tour-bus operators was removed from the bill to allow more time for study and possible action in the next legislative session.

"Considering where they started out and what transformed, this

is a big win for the industry," said Josh Pane, lobbyist for the California Bus Association. "Both bills became more reasonable as they went along."

The association estimated the motorcoach modifications originally contained in SB 247 would have cost \$25,000 to \$35,000 per coach.

As originally submitted, the bill would have required existing motorcoaches operated by California-based carriers to be retrofitted with event data recorders, burn-resistant interior fabrics, modified windows and emergency lighting with an independent power source.

The bill also would have mandated modifications to new coaches purchased by California operators after July 1, 2020 — a secondary door for use as an emergency exit, windows that could be "easily opened and remain open during an emergency" and emergency lighting that would automatically illuminate upon an impact.

As signed by the governor, SB 247 will require California carriers to "provide a written or video

safety announcement" to passengers. The California Highway Patrol is directed to "adopt standards and criteria for the implementation" of the requirement by July 1, 2018.

By July 1, 2019, California carriers must "equip each coach with interior and exterior luminescent or retro-reflective emergency signage."

Coaches sold in California after July 1, 2020, will be required to carry emergency lighting triggered by a collision.

The bill was introduced by Sen. Ricardo Lara, D-Bell Gardens, based on National Transportation Safety Board recommendations issued following its study of a fatal motorcoach accident, Pane said.

"Originally SB 247 was totally illogical and unreasonable in wanting to implement the NTSB report without any science behind it. As we know, the NTSB makes recommendations to the National Highway Safety Administration, which then scientifically studies them for months and years to understand the effects on the traveling public before they implement

any of them. After our conversations, the senator recognized the need for scientific analysis by a federal agency before these things should be implemented."

California operators also convinced legislators to modify provisions of SB 812 that they considered onerous. This bill was filed by Sen. Jerry Hill, a Democrat representing San Mateo and Santa Clara counties, to increase inspection frequencies on tour buses in the wake of recent accidents in San Francisco.

It also would have ordered a motorcoach out of commission if any item on it had been subject to a recall.

Operators encouraged legislators to aim an increased inspection regiment at carriers that have exhibited unsatisfactory tendencies.

As passed, SB 812 will require a bus that has received an unsatisfactory compliance rating to be re-inspected in 30 to 90 days and directs inspectors to place a tour bus out of service upon determining that "it has multiple safety violations of a nature that the tour bus could constitute an imminent dan-

ger to public safety." The bus would require a re-inspection before returning to service.

A new menu of inspection fees, part of the proposed bill, was put on hold until the next legislative session.

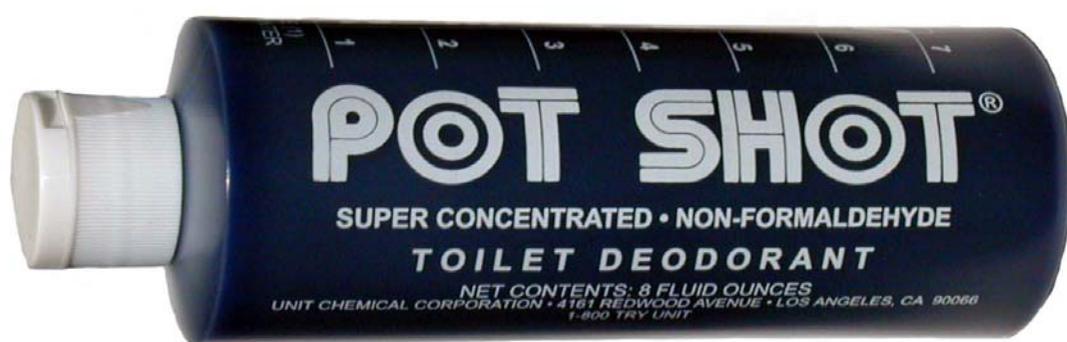
"It was agreed that we could continue to study the fees," Pane said. "The current fee of \$15 was put in place in 1986. The industry understands that is not reasonable and we want to figure out a fair position on that."

The heightened focus on bus and motorcoach safety in California was prompted by several fatal accidents, including the 2014 cross-over crash of a double-trailer truck into a motorcoach carrying 45 passengers.

The Federal Express truck-tractor combination crossed a 58-foot-wide median on Interstate 5 near Orland in northern California. The truck sideswiped a passenger car then struck a Silverado Stages motorcoach head-on.

The collision ruptured a fuel tank on the truck and sprayed fuel into the motorcoach. Both vehicles were engulfed in a fireball.

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FMCSA accepting comments on CSA

WASHINGTON — The Federal Motor Carrier Safety Administration is accepting comments through Dec. 3 on its latest proposed changes to its Safety Measurement System's Compliance, Safety, Accountability program.

The agency also has set up a website that outlines the changes and shows motor carriers how those changes would affect their safety ratings. The website address is <https://csa.fmcsa.dot.gov/SMSPreview/Index.aspx>.

The newly proposed changes call for increasing the minimum number of crashes needed for determining whether a carrier receives a score in the Crash Indicator BASIC from two to three and assigning BASIC percentile ratings only to carriers that have had an inspection with a violation in the past year versus within the current 24-month period.

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Fuel tax hike in New Jersey is good news for MCI

TRENTON, N.J. — New Jersey's Democratic-led legislature adopted a gasoline and diesel fuel tax increase last month that allows stalled state transportation projects to be restarted in November.

The legislation seemingly is good news for Motor Coach Industries, which has a contract to produce more than 1,200 commuter coaches for New Jersey Transit over the next six years.

In September, MCI was largely forced to halt work on the contract because the state fund used to pay for the NJ Transit coaches had run dry, and the legislature and governor couldn't come up with a revenue source big enough to replenish it.

However, after weeks of deadlock and negotiations, the legislative leaders and Gov. Chris Christie agreed on a \$16 billion deal to fund road, bridge and transit programs for eight years.

The contract for the MCI coaches is the single biggest project currently being financed by the New Jersey Transportation Trust Fund.

The legislative funding

package will increase the state diesel fuel tax by 4 cents a gallon, but boost the state gasoline tax by 23 cents a gallon, taking it from 14.5 cents a gallon to 37.5 cents.

The gasoline tax hike will drive New Jersey's gas tax from second lowest in the nation to seventh highest, though still below neighboring Pennsylvania and New York. The tax has not been raised since 1988.

In exchange for the higher fuel taxes, the funding measure reduces the sales tax rate in phases and eliminates the estate tax, which now applies to estates valued over

\$675,000.

The total tax cuts included in the legislation will ultimately cost the state \$1.4 billion of revenue annually once fully implemented.

In early July, Christie halted all but the most essential projects paid for with the state Transportation Trust Fund, including \$2.7 billion of NJ Transit projects — the MCI commuter-coach contract among them.

Neither MCI nor its parent company, New Flyer Industries, had an immediate comment on the funding measure adopted by New Jersey lawmakers.

Previously, New Flyer had said it was MCI's understanding that NJ Transit "fully intends to acquire the coaches and rescind the suspension once the (Transportation Trust Fund) funding issue has been resolved."

NJ Transit told MCI in a letter that "upon the rescission of the executive order (halting road, bridge and transit projects) and availability of Transportation Trust Fund funds for this contract, NJ Transit will be able to authorize the continuation of work under the contract consistent with applicable obligations imposed by contract and

statute."

As of late September, all 90 NJ Transit coaches from the first manufacturing tranche were completed.

New Flyer announced in early September that if the funding issue were not resolved by mid-September "notifications for potential layoffs, commencing around mid-November 2016, may be sent to the labor unions and employees."

It was not immediately clear whether plans to send the layoff notices were suspended in the wake of the funding agreement.

The New Jersey Senate passed the tax package 24-14, with 19 Democrats and five Republicans in favor, and the State Assembly, 44-27, with 37 Democrats and seven Republicans in favor, sending it to Christie's desk for his signature.

It is to go into effect Nov. 1, or two weeks after it is signed by the governor, whichever is later.

Christie has said he will urge voters to approve a referendum on the Nov. 8 ballot constitutionally dedicating the new fuel-tax revenue to the Transportation Trust Fund.

California bills

CONTINUED FROM PAGE 4

The drivers and eight motorcoach passengers were killed.

"This accident was caused by the truck and not the bus," Pane said. "We were able to talk things through and make sure people understood that motorcoach travel is one of the safest means of transportation in the country. Where we can improve safety the

industry wants to do as much as it can, and always has."

Yet another tragedy was behind a third bill signed by Brown. Last year, a 19-year-old special needs student died in Whittier after being left in a sweltering school bus parked with its windows closed at the end of the driver's route.

The new law requires school buses, youth buses and childcare motor vehicles to be equipped by

the 2018-19 school year with alert systems that will require drivers to manually disarm or scan an alarm at the rear of the bus before exiting the bus.

The law also requires school districts to improve the training of drivers to avoid students being left on buses alone and requires notification of the Department of Motor Vehicles about some incidents involving students being left behind.



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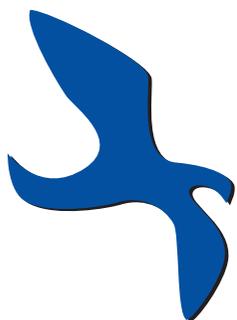
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S.C. church penalized, sued in wake of fatal bus crash

FAYETTEVILLE, N.C. — Four penalties have been issued against a South Carolina church but no criminal charges will be filed in a fatal bus wreck involving a college football team traveling to a game in Fayetteville, the Highway Patrol said.

Meanwhile, the driver of the bus, who was among four people killed in the crash, was found to have a history of driving infractions, and several injured passengers have sued the Sandy River Baptist Church of Chester, S.C., which owns the bus.

The accident occurred on Sept. 17 on U.S. 74 in North Carolina. The left front tire on the 1993 MCI motor coach blew out, causing the bus to hit a guardrail before crashing into a concrete bridge support.

The bus was carrying a team from Ramah Academy and Clinton College in Rock Hill, S.C., to Fayetteville, where it was scheduled to play the University of God's Chosen, a team from Raeford, N.C.

A post-wreck inspection of the bus found four violations, a Highway Patrol release said. The

violations were:

- Failing to have financial responsibility for a for-hire passenger-carrying vehicle
- Failing to have an International Fuel Tax Agreement Fuel Tax Registration
- Failing to have the carrier name marked properly on both sides of the vehicle
- Failing to have the proper "apportioned registration plates"

The post-crash inspection was conducted by the Highway Patrol's Motor Carrier Inspection Unit, with assistance from the National Transportation Safety Board and the Federal Motor Carrier Safety Administration.

A report filed by Trooper T.R. Grooms said the bus was traveling 65 mph in the 70 mph speed zone at impact. Tire impressions before impact were measured at 319 feet. After impact, the bus traveled 171 feet.

The driver, two football players and the 10-year-old son of a coach were killed in the crash, and 40 passengers were injured.

The bus driver, Brian Andre Kirkpatrick, 43, had three moving

violations and an accident in the five years before the fatal crash, South Carolina Department of Motor Vehicles records show.

He had other driving citations for speeding dating to 1998, online and court records show.

A few weeks after the accident, a dozen survivors, including the coach who chartered the bus, filed a lawsuit against the church and its parent organization, claiming faulty maintenance of the bus and tire that troopers say blew out to cause the crash.

The lawsuit claims that the team chartered the bus for the trip, but the church did not have a for-hire designation, federal records show, meaning it was not required to meet the same inspection and safety requirements adhered to by for-hire passenger coaches.

Cheaper than competition

Ramah Academy Coach Bakari Rawlinson said he met the driver the night before the trip. He paid the fee out of his own pocket, unaware that the bus was not authorized to conduct charters.

"If they would have told me it

was a not-for-hire bus, if they would have told me this bus had issues or if they had told me anything that might draw suspicion, we wouldn't have been on that bus," he told WBTV in Charlotte. "He gave us a very fair price that was cheaper than the competition in the area."

The accident has raised questions about the use of church-owned buses for commercial trips.

Bob Garrett, president of the Motorcoach Association of South Carolina, said many churches in southeastern states have purchased buses and motorcoaches.

His association is concerned that many churches are operating older vehicles that are not properly maintained and may be riding on tires not intended for highway use.

In addition, he questions the licensure and training of church drivers, who often volunteer.

The motorcoach, purchased by Sandy Hill Baptist Church two years ago, reportedly had passed its last required annual state inspection and was licensed for interstate trips.

However, it wasn't licensed as

a for-hire bus subject to commercial rules and inspections, and experts say any kind of chartering, particularly across state lines, automatically increases the church's insurance liability by millions of dollars.

The church is classified as a "private passenger non-business" carrier on its "company snapshot" on the Federal Motor Carrier Safety Administration website.

"A lot of churches are buying their own equipment, thinking they are saving a lot of money," said Garrett, vice president of Sunshine Travel & Express in Lancaster, S.C. "Churches are listed as not-for-hire carriers so they are not being inspected, but they are charging people to ride their buses."

The state motorcoach association often has encouraged federal and state inspectors to pay attention to South Carolina's church bus fleet, he said.

"They say they don't have the manpower to do it. I think the government has let the churches down by not having a program to indoctrinate them when they get a bus."

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Generation Z becoming the 'New Young Fogeys' of travel

By Terence Baker
HotelNews.com

I am again writing about the younger generation.

Recently I proposed the idea that some in the industry dispute whether a university degree is a prerequisite to entering the hospitality industry.

Not only do university graduates enter the field with significant debt, they also have three or four years' less experience than those who entered the profession straight from school.

Now, after reading my colleague Danielle Hess's article on how hoteliers can prepare for the emerging hotel guest known as Generation Z, I am wondering about youngsters again.

Generation Z will have more money to spend on travel than any generation before it, especially since generations around my age spent their money on mortgages — which according to economists and charity group representatives is largely beyond an average person nowadays.

It might be simplistic logic, but if you are not capable of having a place of your own, then perhaps

instead you will view the world as your own and start traveling there.

I have two main lines of questioning about Generation Z, the first spurious, the second important to our industry.

First, what term are we going to coin for the next generation after Z? "Z" is the last letter of our 26-letter alphabet. Hoteliers and marketers were on a roll for a few years after Generation X, but what now?

It cannot be Generation A. That makes no sense. Or Generation AA? No. A2? Help me out here with suggestions.

On a more serious note, what is this new generation going to bring to the industry?

Hess's article quotes hoteliers who said these new guests want to be connected, to be with one another and to grasp experience. Members of Generation Z also will have more than \$60 billion in purchasing power by 2020, when their average age will still be below 25.

This benefits hoteliers because these guests will increasingly not mind small rooms, will not spend much time in them anyway and will have more money to spend on

travel.

We all know that rents are not cheap, either, but perhaps Generation Z will have no problem living with 10 people in an apartment. It might even become normal to do so.

But staying at a hotel provides an experience travelers do not get at home, and Generation Z will migrate from their homes (apartments of 10 people) to hotels (dorm rooms of the same number).

But as the Generator and Clink hostel accommodation companies quickly learned, multiplying affordable average daily rate by 10 still leads to a very good room ADR and revenue per available room.

In March, *The Guardian* wrote about the financial conditions Millennials are facing.

"A combination of debt, job-

lessness, globalization, demographics and rising house prices is depressing the incomes and prospects of millions of young people across the developed world, resulting in unprecedented inequality between generations."

In the U.K., the government is scared of angering residents over age 65 — the group referred to as "Old Age Pensioners" — because they vote in large numbers.

This is all alarming. And that quote from *The Guardian* is much sadder because it is a quote about Generation Y, not Z. So what is in store for Generation Z?

Hoteliers might be better off diving deep into what future generations will spend their cash on. My guess is one of the top desires will be to travel. If you cannot have your own home here, why not spend all your cash elsewhere?

Will disposable income drop so much that travel is not affordable? I say that will not happen. Travel does not need to be expensive. Its pull is great, and the experiences these guests supposedly crave are far more meaningful when shared rather than spent squirreled away in a suite at the top floor of a plush hotel.

One future thorn in the side of hoteliers, though, might be Gen Z's likelihood to drink in moderation or not at all, which is not good news for those fancy hotel bars. Some people call them the "New Young Fogeys."

Wherever the truth lies, there will apparently be less cash left on the bar but perhaps more spent on the room and hotel-organized cultural experiences.

Hoteliers will no doubt adapt, as they have always done.

Smartphones make good travel tools

By GroupsToday.com

Believe it or not, your smartphone may be your best tool for planning, organizing and executing a fantastic group tour.

From planning your itinerary to planning for the weather, here are six ways you could use your smartphone in group travel:

1. As a master itinerary. Keep any flight bookings, theater tickets and restaurant reservations organized in one place with apps such as TripCase and TripIt.

These apps could also alert you to flight delays and better seat openings on your flight.

2. As a scanner and filing cabinet. Traveling for business? Don't burden yourself with

documents.

Docs To Go allows you to view, edit and create Microsoft Office files on your phone, and the free CamScanner app allows you to use your smartphone camera as a scanner so you can email the document in whatever format you want.

3. To help you find Wi-Fi. The JiWire Wi-Fi Finder app could help you find free Wi-Fi wherever you are — even if you're offline.

4. To help you find people. Apps such as Glympse and Find My Friends allow you and your group to temporarily share each other's locations so you can track arrival times and coordinate meeting spots.

5. As a first-aid guide.

Hopefully you won't need this one.

But in case of an emergency, the Red Cross First Aid app allows you to quickly access information to handle first-aid emergencies.

6. As a weather forecaster. You can pull up a basic weather forecast on any smartphone with a single swipe.

But weather apps, such as Weather Bug, could provide you with more detailed information outside of what elements to expect.

These apps could provide you with information on the pollen count, what time the sun sets, and even when you have a chance of spotting the northern lights.

GroupsToday.com is an online community for group travel professionals.

Correction

An article in the Oct. 15, 2016, *Bus & Motorcoach News* incorrectly stated that the new federal overtime rule that takes effect Dec. 1 would be phased in over the next three years.

The rule, which will double the amount salaried workers must make to be exempt from overtime from the current \$23,660 to \$47,476, will be fully effective on Dec. 1 of this year.

Some members of Congress who are opposed to the new rule had attempted to amend it to include the three-year phase-in, but they were unsuccessful.

There are two lawsuits pending against the rule. The suits, filed separately by 21 states and a coalition of more than 50 business groups, both seek to overturn the rule. Opponents of the rule contend that it violates the U.S. Constitution and exceeds congressional authority.

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Hunting skeeters with a sledgehammer might be overkill

By Dave Millhouser

Roberta was smart, but not car smart. Trekking towards California during the summer of 1970 in her VW Beetle, she stopped for gas in Tucumcari, N.M., on old Route 66.

An engaging young attendant filled her tank, and when he learned she was headed west on a road with few services, he convinced her to buy a water bag in case the car overheated.

Two things to keep in mind: In ye olden days they actually pumped gas for you. But even more important, Beetles were air-cooled.

Patting herself on the back for her foresight, she strapped the bag across the VW's hood and proudly headed west.

The water bag was a highly visible solution for a non-existent problem.

One wonders if the new leasing regulations being pushed by the feds are similar. Ostensibly, they will prevent bad actors from "popping up" again in the industry. One executive quipped that the regulations actually provide a regulatory roadmap for repeat offenders.

In theory, you could operate a

"lease fleet" and always have perfect scores because violations would go on your customer's record.

This rule has major implications, many not yet apparent, while aimed at solving what is statistically a tiny problem.

Are we trying to wipe out the Zika virus by hunting mosquitoes with a sledgehammer? And might swinging that sucker cause collateral damage?

If I understand it correctly, there are two issues. If I don't understand it correctly, maybe they're making things too complex.

First, does it accomplish anything? Will it do more harm than good? It forces restructuring of a struggling industry in ways that will limit flexibility in the efficient use of coaches. In the current environment you still can be held civilly liable for hiring ill-chosen carriers. That should be enough.

This rule's burden, like many new measures, falls disproportionately on small operators who use "leasing" as a tool to maximize fleet utilization and to mitigate passenger discomfort when breakdowns or hours-of-service issues crop up.

Passengers now will be inconvenienced and endangered because companies will bring their own buses from a distance when problems occur, rather than quickly hiring nearby resources.

Large carriers are lurking in the shadows on this controversy because they see a competitive edge in the regulation.

Small carriers often serve small markets, and if they are driven out of business, entire communities are left with few alternatives other than paying large operators to deadhead, riding in automobiles or not going at all.

It may make it easier to bag a few bad guys, but miscreants have a history of outmaneuvering agencies. They'll find new ways.

How much pain can the industry endure so officials can try to find a minuscule number of malefactors? Maybe the answer is enforcement of existing laws, not establishing new rules for the convenience of regulators.

Second, we have a rule that is effective July 26, 2015, but enforcement won't commence until January 2018. Sounds sorta OK, unless the company you farm a job to has an accident.

In ye olden days, there was a fairly clear chain of responsibility, but between July 2015 and January 2018 this rule virtually doubles the targets available to lawyers. It's sorta like turning them loose in a carnival's shooting gallery with a 12-gauge shotgun.

This harkens back to the 70s when the feds mandated antilock brakes on commercial vehicles before available technology was up to snuff. Manufacturers installed ABS and there were a few hiccups, like sudden stops when a CB microphone was keyed nearby or the occasional nap, where brakes laid down on the job.

ABS worked fine on airplanes, so why not commercial vehicles? Might the environment and economics be different? Failure to consider those things led to demanding that expensive devices be installed on a bunch of trucks and buses, then requiring them to be disconnected.

I don't recall any bureaucrats volunteering to help pay for their mistake.

One January morning, a buddy was asked to clear the cooling water intake of a trawler that had overheated and was now tied up in

Gloucester harbor. A couple of us went along to enjoy his pain.

He donned scuba gear, leaped off the boat's deck and disappeared under the icy water for nearly 10 minutes.

Popping up triumphantly with a fish carcass that had been sucked into the intake, he suddenly realized two things.

A dead fish had defeated the 75-foot trawler, AND he had jumped into the water without knowing how he'd get out. The deck was eight feet above the surface, the dock was higher, and there were no ladders in sight. Following a bit of mocking, we tied a loop in a rope, lowered it, and hauled him up.

Looking before you leap is a good idea, and regulators could learn from my pal. It's good to think about how a situation will play out before jumping in.

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



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DOT coalition formed to end traffic deaths in 30 years

WASHINGTON — Three federal transportation agencies and the National Safety Council have teamed up to launch a new initiative with the goal of eliminating traffic deaths on U.S. roads within the next 30 years.

The National Highway Traffic Safety Administration, Federal Highway Safety Administration and Federal Motor Carrier Safety Administration have formed the Road to Zero Coalition.

The Department of Transportation has committed \$1 million a year for the next three years to provide grants to organizations working on lifesaving programs.

The initiative stems from the

fact that the number of people killed on the road in the U.S. soared 7.2 percent to 35,092 in 2015, marking the deadliest year on the road since 2008.

Only days after the initiative was announced, the government said the number of traffic deaths jumped by 10.4 percent to 17,775 in the first six months of this year. At least one reason for the steep rise is the increase in texting while driving.

“Last year, our nation lost over 35,000 lives in fatal traffic crashes, which is a significant increase over the year before,” Transportation Secretary Anthony Foxx said in announcing the Road to Zero

Coalition.

“Never before has a coalition of this size and experience been assembled with such an ambitious goal,” Foxx said. “Our vision is simple — zero fatalities on our roads. We know that setting the bar for safety to the highest possible standard requires commitment from everyone to think differently about safety — from drivers to industry, safety organizations and government at all levels.”

The Road to Zero Coalition will initially focus on promoting “proven lifesaving strategies,” including truck safety, seatbelt use, installing rumble strips, street design, behavior change

campaigns and data-driven enforcement. The coalition will then lead the development of a new scenario-based vision on how to achieve zero traffic deaths based on evidence-based strategies and a systematic approach to eliminating risks.

The coalition is betting on the rapid advancement of autonomous vehicle technologies as a way forward to its goal of zero traffic deaths and will work to accelerate its adoption into infrastructure design, vehicle technology, enforcement and driver behavior. The groups believe that by countering inevitable human mistakes, it can seriously reduce

and potentially eliminate fatalities on the road.

“With the rapid introduction of automated vehicle technologies that may prove to be a road safety game changer, our goal of zero deaths is achievable in our lifetimes,” Foxx said.

“Reaching zero deaths will be difficult, will take time and will require significant effort from all of us but it is the only acceptable vision,” said David Kim, FHWA deputy administrator. “We’re not at zero yet, but by working together, the day will come when there are no fatalities on the nation’s roadways, sidewalks or bicycle paths.”

Washington Monument closes, African American museum opens

WASHINGTON — While one tourist attraction in Washington, D.C., is closed, another is selling tickets well into next year.

The Washington Monument has been shut down indefinitely as work to modernize the elevator continues, National Park Service officials announced.

“We have not been able to determine the causes of the

ongoing reliability issues,” the park service said in a statement. “As a result, we have made the difficult decision not to reopen the Washington Monument until we can modernize the elevator control system.”

The elevator that takes passengers to the top of the 555-foot marble obelisk has repeatedly broken down, trapping riders and

forcing visitors to walk down dozens of flights of stairs.

The Washington Monument underwent three years of repairs following a 2011 earthquake before reopening to visitors in 2014. But elevator issues continued.

The monument receives about 600,000 visitors a year and is considered one of the tallest free-standing masonry structures in the

world. Its original construction started in 1848 and was done in 1884.

Meanwhile, the new Smithsonian National Museum of African American History and Culture, which stands in the shadow of the monument on the National Mall, has made timed-entry passes available for January, February and March 2017.

The museum said up to 55

commercial tour operator passes can be reserved, with multiple reservations on one transaction allowed.

Non-profit groups, including school, student, religious and community-based organizations with groups of 10 or more, can obtain free advance timed passes.

For information on passes, go to <https://nmaahc.si.edu/visit/passes>.

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Stockholders to vote on National Interstate merger

RICHFIELD, Ohio — Stockholders are expected to approve an agreement this month that would allow the parent company of National Interstate Corp. to purchase all of the shares of National Interstate it doesn't already own.

When National Interstate went public 11 years ago, 51 percent of its shares went to its principal investor, Great American Insurance Co. of Cincinnati. The remaining shares, 49 percent, went to company founders and executives and the public through a share offering.

Under a merger agreement completed in late July, Great American will purchase the shares it doesn't own for about \$315 million. The net effect of the transaction will be that National Interstate will cease to exist as a public company, and it will be 100 percent controlled by Great American and its parent company, American Financial Group of Cincinnati.

National Interstate Corp. is the parent company of National Interstate Insurance, a leading insurer of private motorcoaches and operator of so-called captive insurance programs for motorcoach companies.

A preliminary proxy statement issued last month, announcing a special stockholders meeting to consider the merger proposal, indicated the shareholder gathering would be Nov. 11 at the corporate headquarters of National Interstate here.

Under U.S. Securities and Exchange Commission rules governing "going-private" transactions, Great American and American Financial Group are required to explain the purposes and reasons for the merger to the unaffiliated stockholders of National Interstate.

Attractive investment

American Financial Group and Great American said they decided to pursue the merger because "after careful consideration they concluded that the best available and most attractive investment for American Financial Group's excess capital at this time is the merger."

Additionally, the two companies concluded that since National Interstate's operating and reserve position had not materially changed since 2014, when Great American failed in a previous attempt to buy National Interstate, the National

Interstate board might be receptive to a new acquisition proposal.

Another consideration was National Interstate's financial performance in recent years.

In the proxy statement, Great American and American Financial Group noted that the commercial auto liability sector faced significant and continuing challenges, which had resulted in a combined ratio for that segment of National Interstate's business of more than 100 percent from 2011 through 2015.

"Combined ratio" is a measure of profitability used by insurance companies to indicate how well they're performing in their daily operations.

The ratio is calculated by taking the sum of incurred losses and expenses and dividing by earned premium. The ratio is typically expressed as a percentage. A ratio below 100 percent indicates the company is making an underwriting profit while a ratio above 100 percent means it is paying out more money in claims than it's receiving from premiums.

However, even if the combined ratio is above 100 percent, a company can potentially still make a profit because the ratio does not

include the income received from investments.

Many insurance analysts believe the combined ratio is the best way to measure the success of a company because it does not include investment income and only includes profit that is earned through efficient management.

National Interstate's combined ratio for its auto liability business was 107.2 percent in 2013, 103.4 percent in 2014 and 108.8 percent in 2015.

Leaving NASDAQ

Great American and American Financial Group also said they think National Interstate's competitive position will be improved as a result of delisting its common shares from the NASDAQ stock market and operating privately within AFG's larger group of insurance companies.

In addition, National Interstate will no longer be required to file quarterly, annual or other periodic reports with the Securities and Exchange Commission; publish and distribute annual reports and proxy statements; comply with certain provisions of the Sarbanes-Oxley Act; or pay NASDAQ list-

ing fees or transfer agent fees.

Eliminating those requirements "should result in savings of approximately \$2.2 million per year," said Great American and American Financial Group.

Finally, "the burdens on management associated with public reporting and other tasks resulting from the company's public company status, including, for example, the dedication of time by and resources of the company's management and the board to shareholder inquiries and investor and public relations, will be eliminated."

Under the merger proposal, shareholders are to receive \$32.50 for each share of National Interstate they currently own.

A half-dozen current and former National Interstate executives are slated to receive "golden parachute" compensation as a result of the merger. Shareholders are being asked to approve the compensation in a "non-binding advisory vote."

Dave Michelson, National Interstate's former president, CEO, and a "senior advisor" to the company since retiring early this year, is expected to receive nearly \$880,000.

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Blue Lakes expands in Michigan, eyes regional growth

CLIO, Mich. — Since Stanley Cupp acquired his first school bus in the mid-1950s, the Cupp family's passion for the transportation business has grown steadily.

So has its company, Blue Lakes Charters & Tours.

Over three generations, Blue Lakes has expanded through mergers and acquisitions to become one of the largest privately owned bus companies in the Midwest, offering full-service transportation options with departures from lower Michigan and northern Ohio to destinations throughout the U.S. and Canada.

Most recently the company acquired the former By the Bay Tours and Charters in Traverse City, Mich.

The new operation has been rolled into the Blue Lakes brand and is operated under the oversight of General Manager Ryan Cupp. Now called Blue Lakes By the Bay, the Traverse City operation provides local and regional service, specializing in small and mid-size markets with a primary focus on corporate visitors to the area.

The operation offers airport shuttles, customized tours and day trips to some of northwest Michigan's most popular destinations, including local wineries. A variety of transportation packages and services also are available, including wedding services, charter bus rentals, sporting events, and school and university transport.

Blue Lakes President Dave Cupp said the new acquisition will leverage the strong



Blue Lakes Charters & Tours of Clio, Mich., recently acquired the former By the Bay Tours and Charters in Traverse City, Mich. The company is focusing on continuing to grow in the Midwest region, with further acquisitions in neighboring states.

business model that has been replicated to drive success at the company's other locations.

Cupp said that model for success is comprised of a variety of factors, chief among them an experienced staff, fleet modernization, equipment diversity and adapting new technologies.

"We operate one of the newest fleets in our market and we are continually investing

in our fleet to give customers more choice and a reliable, unforgettable travel experience," he said.

Blue Lakes' diverse equipment mix includes everything from private cars, SUVs and passenger vans for smaller groups to luxury minibuses, limobuses, lounge-buses and 56-passenger motorcoaches.

Passengers can expect a high-end travel experience thanks to a newer-model fleet

that integrates the latest technologies, comfort and safety features.

Recent additions to the fleet include four 2016 Van Hool 56-passenger coaches and four new Van Hool CX35 40-passenger coaches.

"From a single business traveler to large charter groups and everything in between, Blue Lakes can accommodate virtually any size group with the style, amenities and comfort passengers demand today," Cupp said.

As the first in its market to run the Van Hool CX35, Blue Lakes already has realized savings and reduced costs because of parts interchangeability between the smaller and larger coaches. Driver familiarity with the coaches also is a factor, as is customer response to the new vehicles.

"The CX35 has the look, feel and rideability of larger over-the-road coaches," Ryan Cupp said. "Our customers just love them and we've seen a real spike in booking requests for the coaches."

Blue Lakes utilizes a variety of technologies to streamline and enhance daily operations, including simplified communications via a direct connect phone system and instant messaging, keeping all locations in sync.

An automated quote program to generate follow-up communication with customers consistently results in more closed bookings.

CONTINUED ON PAGE 18 ►



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CVSA elects officers, committee chairs for 2016-17

GREENBELT, Md. — The Commercial Vehicle Safety Alliance has elected its 2016-17 leadership team, led by Julius Debuschewitz of Yukon Highways and Public Works as president

Capt. Christopher Turner of the Kansas Highway Patrol is CVSA's vice president, and Capt. Scott Carnegie of the Mississippi Highway Patrol was elected secretary by members.

Maj. Jay Thompson of the Arkansas Highway Police is now the alliance's immediate past-president.

"I am proud to serve as CVSA's new president," Debuschewitz said. "This is an especially exciting time to step into the role as president with the recent completion of the alliance's new strategic plan for

the future of the organization. I will work hard throughout my presidency to lead the organization during this time of positive and proactive transition."

Debuschewitz is manager of National Safety Code, Transport Services, Highways and Public Works, Government of Yukon, Canada. He has been in the transportation field for 38 years and has worked in commercial vehicle compliance for the Transport Services Branch of Yukon Highways and Public Works for the past 22 years.

He is a CVSA North American Standard Level I Part A and B instructor and a passenger vehicle instructor (motor coach) and serves on the Canadian Education Quality Assurance Team, of which

he is a founding member. Debuschewitz was also the vice chair of CVSA's North American Inspectors Championship.

Turner has served in law enforcement for 19 years and manages the Kansas Highway Patrol's Motor Carrier Safety Assistance Program, motor carrier inspectors fixed/mobile weight enforcement, reconstruction teams and the breath alcohol/drug recognition programs for Kansas.

He has served as vice chair of CVSA's Programs Initiatives Committee and vice chair of the Adjudicated Citations Ad Hoc Committee.

Turner has moderated several technology forums for CVSA, such as the forum on connected vehicles, and served as a region member of

the American Association of Motor Vehicle Administrators' Law Enforcement Standing Committee and the Federal Motor Carrier Safety Administration's Performance Standards, Measurements and Benchmarks Working Group.

Carnegie has been with the Mississippi Highway Patrol for 23 years and is currently the director of the Motor Carrier Division. He leads multiple aspects of Mississippi's commercial vehicle enforcement and operations programs, which include commercial driver's license, information technology, compliance investigations and safety audits.

Carnegie also served as the CVSA Region II vice president and on the CVSA Executive Committee. He served on a CVSA ad hoc committee on training-related issues and actively participated in strategic planning for the future of the alliance.

Other CVSA leadership changes include:

Ross Batson with the Arkansas Highway Police is the new Region II president, and Lt. Allen England with the Tennessee Highway Patrol is Region II vice president.

Richard Roberts of the British

Columbia Ministry of Transportation and Infrastructure will serve as Region V vice president.

Ofc. Wes Bement of the Grand Prairie Texas Police Department was re-elected as the president for local members, and Ofc. Jason Belz of the Arlington (Texas) Police Department was elected vice president.

Jason Wing of Walmart Transportation Inc. was re-elected as president of the associate members and Dave Schofield of Oldcastle Materials was selected as vice president.

The new Size and Weight Committee chair is F/Sgt. Kenneth Sneed of the North Carolina State Highway Patrol, and the Vehicle Committee will be chaired by Tpr. John Sova of the North Dakota Highway Patrol.

Two new committees met for the first time at this year's CVSA Annual Conference and Exhibition in Little Rock, Ark. The Enforcement and Industry Modernization Committee is chaired by Maj. Derek Barrs of the Florida Highway Patrol, and the Policy and Regulatory Affairs Committee is chaired by Alan Martin of the Public Utilities Commission of Ohio.

Blue Lakes

CONTINUED FROM PAGE 16

The company also recently implemented Motorcoach Manager software to enable greater access and visibility to operations companywide. A Geo Tracker system has been installed allowing real-time tracking fleetwide. The feature also provides Wi-Fi access to pas-

sengers, a must in today's competitive environment.

While operating a modern fleet is a key element to attracting customers, Dave Cupp attributes the firm's ongoing success to staff loyalty and longevity and family commitment.

The Cupp family takes a hands-on approach to operations and family members serve in manage-

ment positions throughout the organization.

"Our customers know exactly what to expect from their initial phone call to final confirmation, and that builds confidence and trust," he said. "Going forward, our company is focusing on continuing to grow the business in the Midwest region, with further acquisitions in neighboring states."

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Quebec police riding buses to catch texting drivers

QUEBEC CITY, Quebec — Drivers who text behind the wheel have gotten good at hiding the habit, so Quebec police have stepped up their spotting tactics with a bus that gives them a better view of bad behavior.

Police and highway patrollers have hopped on board the new pilot project, which sees them scanning the roads from inside a large bus. They say the elevated view helps them catch people texting while driving.

“We see a lot of people who have a cellphone at the wheel, to talk or text, on their thigh,” said Isabelle Gaudreau from Quebec

traffic control.

“It’s not the sort of thing we can see when we’re in a patrol vehicle. But in the bus, we see it clearly.”

While officers in the bus observe drivers from above, a dozen

police cars follow behind to intercept those who’ve been flagged.

In addition to the use of cellphones while driving, the operation revealed other infringements of the Highway Safety Code.

“The seatbelt also — it sur-

prised us to see how much, especially drivers of heavy vehicles,” Gaudreau said.

Officials already are calling the pilot project a success — more than 70 tickets were handed out in just a few days in Quebec City and

on the province’s highways.

“We’ve had excellent results, above our expectations,” Gaudreau said.

Motorists who are caught texting and driving face a \$120 fine and four demerit points.

Oklahoma tolls to rise 17% by 2019

OKLAHOMA CITY — Tolls on the Oklahoma Turnpike will increase by 5 percent over the next two years, bringing the total toll hikes to 17 percent over a three-year period.

The tolls already rose by 12 percent on Jan. 1, with additional hikes of 2.5 percent set for 2018 and 2019.

According to the Oklahoma Turnpike Authority, the rate hikes will take effect if a lawsuit challenging the use of toll revenue to finance the construction of new toll roads in Oklahoma City and Tulsa is resolved. The Oklahoma Supreme Court is considering the case.

New tolls roads, including one that will connect Interstates 40 and 44 near Oklahoma City, are part of a four-year transportation plan unveiled last year that is largely being financed by \$900 million in bonds.

That also has allowed Oklahoma to focus on reducing the number of structurally deficient bridges in the state.

Uber-style buses

CONTINUED FROM PAGE 3

Brunswick, traveling to Times Square, Bryant Park, Grand Central Station and Madison Park. There’s a return trip in the evening.

“We save about 30 minutes in the morning, 30 minutes in the evening, and we’re able to do it at at least 30 to 40 percent below public transport fares,” Virdi said.

OurBus has about 600 people signed up in five ZIP codes. About 37 routes have been researched and are “ready to go,” according to Virdi.

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CH Bus sues

CONTINUED FROM PAGE 1

lawsuit alleges.

“In furtherance of their scheme, in May 2016, Defendants ABC Bus Sales and Clint Guth caused a package to be sent to Netflix with a non-existent return address,” the lawsuit states. “In this package, Defendants ABC Bus

Sales and Clint Guth made defamatory statements which falsely implied or represented, among other things, that Temsa was complicit in the funding of terrorist organization ISIS. Defendants ABC Bus Sales and Clint Guth also implied or represented that Temsa supported attacks against Israeli citizens.”

The defendants also “falsely implied or represented to Netflix

that an officer at Transdev/Compass intended to unionize Netflix’s employees,” and told Netflix that if the companies won the bid, it would “result in Netflix receiving ‘undue negative press,’” the suit alleges.

Michael Haggerty, owner of CH Bus Sales, said the company hired a handwriting expert who confirmed that Guth’s handwriting was on the package mailed to

Netflix.

It is unclear whether the Netflix contract was awarded to either Transdev or WeDriveU.

ABC Companies declined to respond to questions about the lawsuit, but Dane R. Cornell, the company’s chairman and CEO, issued the following statement:

“ABC Bus Companies has been a leading provider of motorcoaches

for over 60 years. We are taking this matter very seriously and have engaged outside counsel to investigate this matter and aggressively defend our business.”

The CH Bus Sales lawsuit accuses the defendants of defamation, intentional interference with prospective economic advantage and unfair competition.

It is asking for unspecified damages and reimbursement for all its costs.

The company has requested a jury trial in the case.

Coach scams

CONTINUED FROM PAGE 1

Massachusetts Attorney General Maura Healey announced. Rottenberg pleaded not guilty.

Julie Katz, 56, of Chestnut Hill, Mass., was charged with two counts of “Receiving Stolen Property over \$250” in a criminal complaint issued in Boston Municipal Court. The attorney general said Katz, owner of TourMappers North America, will be arraigned at a later date.

“We allege these defendants have been working together for years to steal more than half a million dollars by cutting personal checks and authorizing fraudulent invoices,” Healey said.

The attorney general’s office began investigating Rottenberg and Katz in April 2015 “after a referral from Peter Pan,” said a statement from Healey.

The statement said that Peter Pan provided charter bus services to TourMappers North America LLC, a tour company owned by Katz.

As director of operations for Peter Pan’s Chelsea division during that time, Rottenberg was responsible for providing the company’s charter service and for collecting the money owed to Peter Pan from its customers — including TourMappers.

“Between 2009 and 2014, the services provided by Peter Pan to TourMappers totaled more than \$1 million, of which the defendants allegedly stole nearly \$600,000,” the AG’s office said.

“Starting in 2009, Rottenberg allegedly asked Katz to make payments to him personally rather than directly to Peter Pan. Rottenberg received a number of checks from TourMappers, totaling more than \$550,000, of which none were sent to Peter Pan for its services.

“After receiving payments from TourMappers, Rottenberg issued checks from his personal account to Katz in return, totaling more than \$200,000. To conceal the missing payments from his company, Rottenberg allegedly manipulated Peter Pan’s accounting records and misapplied other funds.”

In a separate scheme, Rottenberg allegedly presented and

approved fraudulent invoices to Peter Pan in the name of TourMappers for fraudulent services including translators and hospitality personnel that were not provided, the AG’s office said.

Investigators allege that Katz and Rottenberg also shared the proceeds from this scheme through the exchange of payments resulting in the loss of close to \$50,000 to Peter Pan.

The charges were investigated by the Financial Investigations Division of the Massachusetts State Police and the attorney general’s Digital Evidence Lab. They are being prosecuted by the attorney general’s White Collar and Public Integrity Division.

Misdirected funds are a staple of white-collar crime.

“I know of a bookkeeper at one company who embezzled \$100,000,” Millhouser said. “Ten years later the next bookkeeper did the same thing.”

Ken Presley, vice president of industry relations and chief operating officer at the United Motorcoach Association, agreed that such fraud is fairly common.

“You would be surprised at how much this goes on,” Presley said. “Company owners may not pay much attention to who they are booking — they may think it is a tour operator or broker when in reality it is their salesperson or secretary.”

Millhouser said he knows of a salesman who defrauded three companies that way.

“He would book the business through his tour company then book the discounted charter through the bus companies he worked for. All the profit was his since he was getting paid a salary plus commission.”

Years ago an operator hired a manager upon the offer of a poorly-worded incentive.

“The manager’s pay was to be a percentage of revenue,” Millhouser said. “The company’s revenue skyrocketed because the manager was selling charters under the cost of running them. The company’s revenue was way up but it was losing money. The manager wasn’t paid, so he sued and won because his contract specified that he was to be paid on the basis of revenue.”

The bravest driver/operators take business creativity to a brazen level, surreptitiously riding their own charters on the company’s bus.

“Years ago I talked to a dispatcher at a major charter garage,” Millhouser said. “One day an irate customer called and said ‘Your charter has not arrived on time!’ The dispatcher checked his books and told the guy, ‘I don’t have a bus scheduled for you.’”

“Just about that time the guy on the phone told the dispatcher, ‘Never mind — your bus is here,’ and hung up the phone. That’s how the driver got caught. He was running his own charter business on the side. When all the buses were fueled and lined up, he would jump in one, run his charter, bring it back and put it in line to be fueled again.”

The carrier’s station had so many buses lined up on busy days that no one took the time to look for the missing bus. If a driver couldn’t find his assigned coach he was told to jump in another and hit the road, Millhouser said.

Another redirection of wheeled resources can occur in busy tourist centers where buses may sit idle for hours while booked passengers are touring. Meanwhile, other arriving passengers sure could use a quick shuttle ride.

“This guy used to go down to Boston when there were big events. He would wander around the parked buses and offer bribes to drivers. He said he would pay them in cash to do transfers to and from the cruise ships,” Millhouser said.

“He would charge \$300 or \$400 for the trip and give \$100 to the driver, who would do the transfer without telling his company. The company probably would not find out because the bus was just sitting there anyway.”

Other side trips may seem innocent but could wreak havoc.

“Let’s say a driver has a 10-hour run from Boston to Baltimore. He gets there and he’s out of hours, but the tour leader offers to give him a couple hundred bucks to do a city tour that night,” Millhouser explained. “He doesn’t log the hours, the company is not getting paid for it and he is driving illegally. If he has an accident during that tour, he has got a big mess on his hands.”

Company supplies are easily

converted to personal use or profit, particularly at the shops of large carriers that deal in huge volumes.

“Guys can come in at night and fill their own cars with your gas. Tools can slip away. A mechanic in your shop can order parts for himself — I heard of a parts truck delivering a race car engine that cost \$25,000 to the owner’s son. He charged it to the company,” Millhouser said.

“There was a guy who ran a huge garage in Camden, N.J. It handled maintenance for coaches up and down the East Coast. He used to back a truck up to the warehouse on weekends, load it with parts and sell them on the side, mostly in New York City. He took tens of thousands, maybe hundreds of thousands of dollars worth of parts. He did get caught eventually.”

Used parts can be an overlooked but valuable resource. Is that alternator or pump tossed into the barrel a rebuildable core or a piece of scrap?

“I knew a guy who was buying 55-gallon drums of cast-off parts for junk,” Millhouser said. “At one point he realized, ‘Wait, there are some good parts in there.’ He ended up selling the parts back to the carriers that had thrown them away. Pay attention to what you are throwing away.”

The employees in the shop can be the source of some scamming when they cozy up too closely to vendors.

“Incentive selling is a big deal for some suppliers, like that guy who comes in regularly to replenish the bins of nuts and bolts,” Millhouser said. “A lot of those people offer something like a gift certificate if you buy from them. If the boss gets that gift certificate, that is okay. If the boss knows the employee is getting the gift certificate, that is okay. If the parts buyer is keeping the gift but not telling the boss, that is not legitimate.”

“Keep an eye on the consumables!”

The key to avoiding such scams, Millhouser said, is to “make sure you hire people you trust but still keep your eyes on them. In a low-margin, high-risk business like the bus business, you dare not let bad things happen.”

TSA security

CONTINUED FROM PAGE 1

savvy travelers on popular short-haul routes.

Security officials haven’t completely ignored bus companies. Laneshia Gipson, a spokeswoman for Dallas-based Greyhound Lines Inc., said the TSA has conducted security inspections at 33 terminals in Greyhound’s network

That doesn’t mean passengers will suddenly be forced to take their shoes off and line up for a body scan before boarding a Greyhound or Megabus.

“This is very much not creating for bus or rail transportation the (security) model that exists for aviation,” Frederick Hill, a spokesperson for the Senate Committee on Commerce, Science, and Transportation, told Bloomberg.

He said any new security would be based on risk-assessment research, so it could take any number of forms, from higher police presence to, possibly, bag scanners and canine units.

Another reason any increased security could be a long time coming is that TSA’s operating budget already was increased this year after complaints about understaffed and slow airport security lines. It’s unlikely Congress will be willing to cough up even more money to fund a massive increase in TSA personnel.

Calendar

November 2016

18-19 Minnesota Charter Bus Operators’ Association Meeting, River’s Edge Convention Center, St. Cloud, Minn. Info: www.mcboa.net.

December 2016

7-8 UMA Safety Management Seminar, Ashburn, Va. Info: www.uma.org.

February 2017

26-March 2 UMA Motorcoach Expo 2017, St. Louis, Mo. Info: www.motorcoachexpo.com.

Cummins close to approving renewable diesel in U.S.

HANNOVER, Germany — Cummins Inc. reports that it may soon be approving renewable diesel for use in its engines in North America following its recent approval of the fuel for the European market.

During the recent IAA Commercial Vehicles show in Germany, Cummins announced that it approved the use of hydrotreated vegetable oil (HVO) renewable diesel and other EN 15940 paraffinic fuels for its Euro 6 diesel engines.

Cummins also said its renew-

able diesel test program in North America to evaluate compatibility with EPA-compliant engines is nearing completion.

“HVO diesel and other paraffinic fuels offer a useful low-carbon alternative fuel for transport and have now reached a point of commercial maturity and standardization at which Cummins is pleased to confirm compatibility with our current Euro 6 engine lineup,” said Ashley Watton, director of On-Highway Europe for Cummins.

“Our HVO test program cov-

ered a range of vehicle duty cycles, so we are confident that bus and truck operators can undertake a seamless transition to using HVO without impacting their vehicle operations or engine reliability,” Watton said.

Cummins called the approval of renewable diesel “a significant step forward to reduce the carbon footprint of Cummins-powered bus, truck and coach fleets operating in Europe.”

Compared with conventional fossil-based diesel, HVO offers the potential to reduce greenhouse gas

emissions by 40 to 90 percent over the total life cycle of the fuel, the company said.

HVO renewable diesel can be used as a 100 percent substitute for standard ultra-low sulphur diesel without requiring any change to the Cummins engine. No additional engine maintenance is required when using HVO, and the same fuel filters are retained, the company said.

HVO is easily blended with standard diesel at varying percentages, including winter-grade fuels. Renewable diesel has the same

stability and cold-resistant properties as conventional diesel, which means it can be used and stored in the same way.

After an extensive test program running on 100 percent HVO renewable diesel, Cummins engines have been demonstrated to the regulatory authorities as being compliant with Euro 6 emissions standards.

Renewable diesel already has attracted major U.S. fleets, including UPS, the State of California and the City of Oakland, Calif.

Uber cars

CONTINUED FROM PAGE 3

budgeted \$40,000 for the year for the service, which is less than half of the cost of the campus shuttle at \$100,000, according to Gentile, who stressed the budget is a “guesstimate” because the school has no real data on how many students might use public transportation and Uber to get to and from the Danvers campus.

The NSCC Uber ride program is only for enrolled students who request rides to the Danvers cam-

pus through the community college’s option in the Uber app.

When students use a promo code integrated within the Uber app, North Shore Community College will automatically cover the first \$10 of the ride. The ride to and from the Beverly Depot will cost \$15, and the ride to and from the Northshore Mall will cost \$13, so students would have to pay \$5 or \$3 respectively one way.

The app also gives students the option to share a ride with other students to further reduce how much each student pays.

Safety inspection company TSX sold

FAIRFAX, Va. — Transportation safety inspection company CSS-Dynamac has acquired all of the assets of the Transportation Safety Exchange (TSX), which provides third-party motor carrier safety inspections.

All TSX operations will be ended on Dec. 31, the company said.

TSX began in 2011 with the goals of reducing highway accidents, saving lives and minimizing the cost of damages from acci-

dents. TSX performed comprehensive on-site compliance reviews as part of a carrier safety, ranking and classification process.

The company’s transportation safety investigators evaluated each motor carrier’s level of compliance and the effectiveness of their safety management controls. Each month, TSX also regularly monitored the on-road performance data for its approved carriers.

In five years of operations, TSX has approved and monitored

more than 150 carriers, and provided this information for free to the public domain. TSX invested significant resources to establish a nationwide program that could meet the needs of end-users and shippers demanding a higher safety standard, through safety campaigns, news alerts and social media and a comprehensive Web portal.

CSS-Dynamac will continue to provide the TSX list of approved carriers to all subscribers through Dec. 31

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People

STE-CLAIRE, Quebec — *Jack Forbes*, a 35-year bus industry veteran, has been named vice president, North American sales, at **Prevost**.

In his new role, Forbes is responsible for new coach, conversion and public-sector sales. He has been with Prevost for 18 years, starting in the parts sector, and most recently managed corporate accounts and commuter sales.

"I want to make an impact with customers," Forbes said. "I want to understand their needs and vision and how Prevost can work with them to advance their business."

Forbes enjoys long-established relationships with many customers and has a comprehensive understanding of the many segments of Prevost that are important to those customers,



Jack Forbes



Ron Miller

from service to parts to sales.

"We are enthusiastic about Jack's new role within Prevost and what his 35 years of experience in the bus industry can bring to our sales team," said *Francois Tremblay*, head of the Prevost business line. "I'm confident we can look forward to the continued growth of the Prevost business under his strong leadership skills and solid focus on customer relations."

Forbes will report to Tremblay and will be based in North Carolina.

DES PLAINES, Ill. — *Ron Miller* has been named director of **Motor Coach Industries'** six service centers in the U.S. and Canada.

Miller, who served as the network's interim director since April, began his career with MCI 12 years ago at the former service center in Loudonville, Ohio. Before becoming interim director, he was fleet services manager, responsible for heavy-duty collision and repair projects at MCI service center locations.

"Ron's hands-on experience managing maintenance shops and his quality focus make him a valuable contributor to our singular goal of outstanding customer service," said *Brian Dewsnup*, MCI vice president and general manager of aftermarket. "He is known and respected industrywide for his expertise, integrity and dedication to getting the job done."

Before joining MCI, Miller was an automotive technician who rose to lead service operations for dealerships.

"We have longtime, far-reaching relationships throughout the motorcoach industry, which is why I am so excited about this opportunity," Miller said. "Everything we're about begins at the service level, so it's our team's job to improve customer satisfaction whether we're dealing with an emergency repair, a parts pickup or preparing a new or pre-owned coach for delivery."



When the Indiana Bicentennial Torch Relay passed through Middlebury recently, Cardinal Buses Inc. driver Don Weirch took torch-bearer Don Smucker for a half-mile ride through town in the company's mini-mini bus. Weirch built the bus by basically stretching out a golf cart. It is used for parades and other events.



MTA New York City Transit driver Anthony Griffith took first place in the 2016 New York Public Transit Association Transportation & Maintenance Rodeo. The Rodeo challenged top bus operators and maintenance personnel from across the state. Griffith, who is assigned to the Grand Avenue Depot, scored 649 out of a possible 700 points.

Photo by M. Hermann/
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Former MCI exec Gene Tarkoff dies

SCOTTSDALE, Ariz. — Eugene "Gene" Tarkoff, a former long-time top executive at Hausman Bus Sales/Motor Coach Industries, died here last month. He was 82.

Because of the industry leading position of Hausman/MCI during the 1970s and '80s, and Tarkoff's position as vice president of finance and later president, he became well known in the industry.

After Hausman Bus Sales' founder and industry icon Gerald Hausman "retired" in 1989, Tarkoff ran the Hausman/MCI operation as president for the next five years.

Tarkoff was Gerald Hausman's brother-in-law, which made for an interesting work dynamic during their years together.

One former MCI colleague remembered Tarkoff as "a real force for good, behind the scenes," during the decades Gerald Hausman was the leading coach sales figure in the industry.

"Gene was the guy who put legs under Jerry's good ideas (and there were many) and quietly stifled the bad ones. Because he was Jerry's brother-in-law, he could 'speak truth to power,'" said a former fellow MCI executive.

"He was a real gentleman —

honest, very smart and content, I think, to be in the background. But all of us in the industry knew he was a key player."

Tarkoff moved to Scottsdale from the Chicago area, home base of MCI, after he retired in 1994.

He is survived by his wife, Cooky; sons Dan and Jack; daughter Terri Abalos; brother Michael; and sister Barbara Cope.

Memorials in Tarkoff's name have been established at the Heard Museum, 2301 N. Central Ave, Phoenix, AZ 85004, and Hospice of the Valley, 1510 E. Flower St., Phoenix, AZ 85014.

Bus company founder Ralph Mlaker dies

DAVIDSVILLE, Pa. — Ralph Mlaker, founder of Mlaker Transportation, died last month at Shadyside Hospital in Pittsburgh. He was 85.

Mlaker was a school bus salesman from 1961 to 1997, prior to founding Mlaker Transportation. He was active in the Pennsylvania

School Bus Association.

Mlaker was born March 2, 1931, in Johnstown, the son of Andrew and Rose Marie (Greecher) Mlaker. He was preceded in death by his parents, wife Jacquelyn E. (Barchey) Mlaker, who died September 28, 2004, and brother Richard Mlaker.

He is survived by sons Craig Mlaker (Beverly) of Johnstown and Glenn Mlaker of Palm Springs, Calif.

He also is survived by eight grandchildren and a great-granddaughter, as well as an extended family of bus drivers and staff at Mlaker Transportation.



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