NTSB seeks USDOT audit of FMCSA compliance oversight

WASHINGTON — The National Transportation Safety Board has recommended the U.S. Department of Transportation conduct an audit of the Federal Motor Carrier Safety Administration because recent accidents raise “serious questions about the oversight of motor carrier investigations.”

The NTSB said it’s concerned the FMCSA missed “red flags” prior to four fatal collisions, two involving motorcoaches and two involving trucks. Together, the crashes resulted in 25 deaths and 83 injuries.

The NTSB questioned the quality of FMCSA compliance checks of the companies, as well as the agency’s “increasing reliance” on narrow reviews that examine only a “limited portion of the commercial operation.”

That safety sweep, which included special training for 50 FMCSA safety inspectors and targeted 250 high-risk carriers, resulted in 18 bus companies being ordered out of service for safety violations.

The agency also revoked the operating authority of 10 additional bus companies following Compliance Review investigations that resulted in an “unsatisfactory” safety rating.

“While the FMCSA deserves recognition for putting bad operators out of business, they need to crack down before crashes occur, not just after high-visibility events,” said NTSB Chairman Deborah Hersman.

“We have also brought together key safety, industry and enforcement organizations to ask for their help and support our efforts,” said the FMCSA statement.

“We are continuously looking for new ways to make our investigation methods more effective so we shut down unsafe companies before a crash occurs and will thoroughly review the NTSB’s findings.”

During the past decade, every time the NTSB has leveled fresh criticism of the FMCSA and recommended more aggressive action by the agency, the FMCSA has used the recommendations as cover for ratcheting up its safety oversight.

Driver screening tool cuts accidents

PALA, Calif. — Motorcoach operators who used a computerized record-checking tool to prescreen prospective driver-employees had fewer accidents and lowered their driver out-of-service rates, a new study shows.

Carriers using the Federal Motor Carrier Safety Administration Pre-Employment Screening Program (PSP) had 9 percent fewer accidents and a 17 percent lower driver out-of-service rate over a 12-month period, according to a new FMCSA report.

That’s just some of the good news that operators heard about the Pre-Employment Screening Program at the California Bus Association Convention & Trade Show here.

The PSP program is voluntary; it’s simple to use, and it allows carriers and drivers access to a driver’s five-year crash history and three-year violation and inspection history, explained Laura Fredrickson of NIC Technologies, the private contractor that runs the program for the FMCSA.

One thing it’s not is free.

New, Chinese-built coach slated for U.S. in mid-2014

CANTON, Mich. — A Chinese-built, 45-foot motorcoach is slated for a return to the North American market next year.

Executives leading the effort say they’re determined not to repeat the mistakes made by the previous importer of 45-foot Chinese buses, which also were manufactured by Bonluck Bus Co. of Nanchang.

Andus Industries LLC is distributing literature and attending trade shows, where it displays videos of motorcoaches similar to those that will be built for North America, said Fred VanDenBerg, vice president of sales and marketing.

Andus plans to begin importing 45-foot and 35-foot coaches by mid-2014.

The company will be the importer of the new coaches.

“They got left in the vacuum when the whole thing fell apart, just as everybody got left here (in the U.S.).”

“BCI was the manufacturer of record; the way we understand it,” insists Don Whitsett, chief operating officer of Andus Industries in Canton, which will be the importer of the new coaches.

Andus’ partner in the venture is CHTC-USA, the American arm of China Hi-Tech Group Corporation, owner of Bonluck (Jiangxi Kama Business Bus Co. Ltd.).

A U.S. company, Bus & Coach International (BCI) of Jennings, Kan., imported more than 100 Chinese-built motorcoaches, branded as BCI Falcon 45s, before abruptly going out of business three years ago, leaving operators of the coaches in a lurch.

Parts became uncertain and the value of the buses immediately plummeted, leaving many operators with underwater loans worth far more than the coaches.

“Bonluck didn’t steer the ship in that previous situation,” insists Whitsett, chief operating officer of Andus Industries in Canton.

“No, they didn’t,” adds VanDenBerg.

Andus was founded as a joint venture between Andus Industries, whose stockholder is the Chinese government, and the VanDenBerg family.

The company’s first foray into the U.S. market was in 2002, when BCI imported more than 100 motorcoaches.

But two years after BCI went out of business, “BCI was the manufacturer of record,” says VanDenBerg.

“We have also brought together key safety, industry and enforcement organizations to ask for their help and support our efforts,” said the FMCSA statement.

“Our investigators found that, in many cases, the poor performing company was on the FMCSA radar for violations, but was allowed to continue operating and was not scrutinized closely until they had deadly crashes.”

The FMCSA issued a statement, defending its record, saying it has more than tripled the number of unsafe carriers and drivers it has ordered out of service.

In 2012, FMCSA closed 47 bus and truck companies, compared with 10 in 2011, according to the agency.

“We have also brought together key safety, industry and enforcement organizations to ask for their help and support our efforts,” said the FMCSA statement.

“We are continuously looking for new ways to make our investigation methods more effective so we shut down unsafe companies before a crash occurs and will thoroughly review the NTSB’s findings.”

During the past decade, every time the NTSB has leveled fresh criticism of the FMCSA and recommended more aggressive action by the agency, the FMCSA has used the recommendations as cover for ratcheting up its safety oversight.
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NJ Transit: ‘OK for Academy to use our buses for charters’

WASHINGTON — A public transit agency accused of violating the federal charter service rule has admitted its buses were used by a private motorcoach company to operate a shuttle for a PGA golf tournament.

However, New Jersey Transit insists there was nothing wrong with Academy Express Inc. of Hoboken, N.J., using the taxpayer-paid-for buses to shuttle people from several parking garages to The Barclays golf tournament in Jersey City Aug. 22-25.

“No Transit denies that Academy’s use of these buses runs afoul of the charter service regulations,” the agency stated in its response to a formal complaint filed with the Federal Transit Administration by the United Motorcoach Association. (See Oct. 15 Bus & Motorcoach News.)

The no harm-no foul claim by New Jersey Transit brought a sharp retort from UMA, which charged that use of the buses by Academy not only violated the charter service rule, but also impacted the revenue of other private motorcoach operators that might have been interested in providing the service.

“Every charter conducted in (an) FTA-funded bus represents a lost opportunity that denies to operators of privately purchased equipment the ability to compete in an open and fair marketplace,” UMA Vice President Ken Presley wrote in the association’s answer to NJ Transit’s response to the complaint.

Presley cited UMA member Service Bus Co. of Yonkers, N.Y., as one of the companies that suffered financial and irreparable harm by the violation because it was not allowed to compete for the shuttle contract as required by the charter service rule.

The charter service rule broadly prohibits public transit agencies from using federally funded buses to unfairly compete with private carriers and requires those that receive requests for charter service to alert private operators in the area to the possible work and allow them to bid for the service if they're interested.

Presley noted that while some public transit agencies may view the use of federally funded buses engaged in charter service as incidental or insignificant, the practice is financially devastating and demoralizing to the entire private charter bus community.

“Every bus purchased by a private operator reflects a significant investment in their company, employees and community,” he added.

CONTINUED ON PAGE 16

ALBANY, N.Y. — A New York motorcoach operator has asked the Federal Transit Administration to provide an opinion on whether a public transit agency is eligible to provide contracted commuter service for state employees.

Yankee Trails Inc. of Rensselaer, N.Y., filed the request last month with the FTA’s chief counsel.

In its filing, Yankee Trails Inc. contends the proposal — offered for bid by the New York Office of General Services — qualifies as “charter service” under FTA regulations.

Among bidders for the work was a public agency, the Capital District Transportation Authority (CDTA) of Albany.

Yankee Trails, which has held contracts for the service for more than 40 years, says it requested the advisory opinion because CDTA is a recipient of FTA funds and should be barred by the federal charter service rule from providing the shuttle service.

FTA rules clearly prohibit public transit agencies, receiving U.S. taxpayer funds (for bus purchases and maintenance), from competing with private bus companies for charter work.

Bids for the Albany proposal were due to be opened May 29 and the five-year contract to commence Oct. 1. Due to the dispute over the CDTA bid, Yankee Trails continues to provide the service under the previous contract.

Yankee Trails attended an April 30 pre-proposal conference regarding bids to provide service for state employees from five peripheral shuttle lots to state offices in Albany.

Stephen Tobin, president of Yankee Trails, noted that representatives of the Capital District Transportation Authority also attended the conference.

“The services to be provided in the (Office of General Services) proposal meet the definition of ‘charter service’ under the Federal Transit Administration regulations (489 CFR Part 604.3(e)).” Tobin wrote CDTA on May 3.

“As CDTA is a recipient of FTA funds, you are required to comply with the charter service regulations. The purpose of this letter is to notify you of our interest in providing the charter service to (the Office of General Services). Would you please confirm that CDTA does not intend to bid on this contract.”

Carm Basile, CEO of CDTA, responded to Tobin in a May 9 letter.

“Thank you for reminding us CONTINUED ON PAGE 16

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Bus & Motorcoach News
December 1, 2013
Easing path to driving jobs for veterans is goal of feds

WASHINGTON — A study released by the Federal Motor Carrier Safety Administration recommends a series of regulatory changes to further ease the transition of military personnel and veterans into civilian jobs driving commercial trucks and buses.

In releasing the study, the FMCSA announced plans to implement the changes as soon as possible.

The study, which was directed by Congress in the Moving Ahead for Progress in the 21st Century Act one year ago, analyzed training, testing and licensing similarities and differences between military and civilian commercial driver's license requirements.

A number of federal and state regulatory changes were identified that would not adversely impact safety but would allow returning U.S. military personnel possessing extensive training and experience operating trucks, buses and other heavy equipment to more easily and conveniently receive a state-issued CDL.

The changes outlined in the report require formal rulemaking action, which FMCSA will initiate this year. The proposed changes include:

- Extending the period of time, from 90 days to one year, in which active duty military personnel and recently separated veterans can take advantage of a Military Skills Test Waiver.
- Allowing a service member who is stationed in one state, but who is stationed in another, to obtain a CDL while still on active duty.
- Updating federal regulations to allow over 60,000 service members trained and employed in the operation of heavy vehicles, many of which are nearly identical to civilian commercial motor vehicles, to immediately qualify for a CDL while still on active duty.
- Allowing a service member who is stationed in one state, but licensed in another, to obtain a CDL before being discharged.

A copy of the study is available at: www.fmcsa.dot.gov.

Proposed rule would restrict oil speculation

WASHINGTON — Oil traders would be limited in the number of positions they can hold under a proposed rule approved by the Commodity Futures Trading Commission.

The waiver, which FMCSA implemented two years ago, allowed states to waive CDL skills tests for service members with two years of safe driving experience with similar vehicles. Today, 46 states and Washington, D.C., offer the waiver, which reportedly has provided almost 2,000 former military personnel a quicker pathway to a job.

Congress mandated in the Dodd-Frank financial reform law that CFTC write a rule to limit trader positions, although users, such as bus and truck operators, still would be allowed to hedge.

In 2011, CFTC approved a rule, but it was vacated in 2012 in federal court after Wall Street firms challenged it, saying CFTC failed to show why position limits were needed.

The latest proposed rule “would limit traders to 25 percent of deliverable supply in the month when a futures contract matures.”

The Commodity Markets Oversight Coalition hailed the CFTC 3-1 vote.

FMCSA unveils upgrades to CSA safety data website


A preview of the enhancements to the FMCSA Compliance, Safety, Accountability program website went live last month.

The agency said it’s seeking comments on the web redesign that resulted from feedback from industry stakeholders regarding how the information should be displayed.

The agency is not currently proposing changes to the Safety Measurement System methodology that forms the basis of the website, officials noted.

The FMCSA said it wants to make it clearer that SMS scores are based on a percentile system, which ranks companies based on regulatory violations and Compliance Reviews relative to similar carriers.

The SMS site is where carriers and the public can go to get the same safety performance data the agency uses to determine which carriers pose a risk and need to be investigated.

Last year, the site hosted nearly 48 million user sessions.

The changes can be previewed online at https://csa.fmcsa.dot.gov/SMSPreview/Home.aspx.

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Bill would allow drug hair testing

WASHINGTON — Bills have been introduced in the U.S. Senate and House that would recognize hair testing as an alternative for drug and alcohol testing of commercial vehicle drivers.

Currently, urinalysis is the only accepted method for pre-employment drug screening of commercial drivers.

Some experts say urine testing is only effective in detecting substance abuse during a 2- to 3-day window, while hair testing provides a 60- to 90-day window.

The Drug Free Commercial Trucking Act of 2013 would instruct the U.S. Department of Transportation to recognize hair testing as an option to give bus and trucking companies greater flexibility when conducting drug and alcohol testing.
PALA, Calif. — Concerns about motorcoaches possibly exceeding tire weight limits, along with the effect of high temperatures, led federal safety officials to issue bulletins on “Exceeding Tire Load Ratings” during the past two summers.

And, they’re likely to sound the alarm again next year, according to an engineer with the Federal Motor Carrier Safety Administration.

“Tires are put together with heat and pressure, and they come apart the same way,” Luke Loy of the FMCSA told attendees at the California Bus Association Convention & Trade Show here.

“You run them overloaded, low-inflation pressure, hot summer temperatures, you are going to pull that tire right back to its original components,” he warned, adding that — in extreme summer heat — pavement temperatures are 50-to-90 degrees higher than air temperature.

Summer heat was only one of the safety topics Loy covered in his talk, entitled “Tires...What’s the Big Deal,” which could just as aptly been called “Where the Rubber Meets the Road” for his no-nonsense approach and wry humor.

A mechanical engineer with the agency’s Bus and Truck Standards and Operations division, he began by projecting a photo of passengers toting ice chests, backpacks and other gear on board a bus.

“(T)he manufacturers certify that the vehicle can carry 150 pounds per seated passenger. Our riders out there are normally heavier than 150 pounds,” he said.

“They’ve got stuff. They’re hauling more than 25 pounds. My wife carries more than that in shoes….

“So, 150 pounds per passenger minimum acceptable, it’s not realistic. Not today, not in the U.S., not with Wal-Mart shoppers.”

He advised operators to talk to coach manufacturers about tires and vehicle weight, and to work with them to build what’s needed.

“When you’re buying vehicles, talk to the manufacturer. ‘What did you design that coach to haul? I know the minimum is 150 pounds. What’s my safety margin?’” he said.

“Carriers are ordering the coaches. You ask for what you want. Don’t take what they’ve got off-the-shelf. They’ll build it. They want your business.”

To bolster his case, he cited a field study conducted last fall on passenger-loaded motorcoaches that showed:

- Minimal safety margins, some axles overloaded
- Steer axle was the worst offender
- Problems detected even with less-than-full passenger loads
- Both single-deck and double-deck buses were affected
- Steer and tag axles were the most significant concerns

The bottom line, Loy said, is that tires need to be designed for the motorcoach to carry the load safely — a point that was reiterated during a conversation he recounted he had with a tire engineer for Bridgestone/Firestone.

“He said, these coach manufacturers, they design the coach, and then pull the tire off the shelf. ‘Well, this is what we always use,’” he said. “It’s time to tell them, it’s not big enough anymore.”

Loy offered other tire-safety tips and suggestions:

- On valve caps: “Use good quality caps. You should be running a valve cap with an O-ring. Now you have two seals to make sure that pressure stays in the tire.”

- On tire pressure gauges: “How good are these stick gauges? Well, they’re not very good.

CONTINUED ON PAGE 6
Pot measures pass in four cities

In voting last month, residents of Portland, Maine, and three Michigan cities approved measures that legalize the possession of marijuana.

In Portland, voters went along with an initiative that legalizes the recreational use of marijuana by adults 21 years or older. It allows residents to possess up to 2.5 ounces of pot.

Portland becomes the first city on the East Coast to legalize marijuana. The Portland Press Herald reported that 67 percent of voters favored the measure.

The law bans recreational marijuana use in public spaces, school grounds or on transportation infrastructure. Landlords can prohibit tenants from using marijuana on their property.

The initiative does not legalize the sale or purchase of marijuana, but allows adults 21 or older to “engage in activities for the purposes of ascertaining the possession of marijuana and paraphernalia.”

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Overall transportation safety picture continues to improve

MIDLAND, Texas — Because buses and motorcoaches often participate in local parades, this tragedy just as easily could have involved a coach instead of a tractor-trailer.

The incident might serve as a cautionary tale for operators to make certain they only participate in parades where the organizers know what they’re doing, and drivers know the score.

Lessons from a fatal parade crash

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How to contact us

EVANSTON, Ill. — The general decline in recent years U.S. fatality rates for highway travel may not have received the public attention it should.

The National Highway Traffic Administration reported earlier this year that 34,080 people died on U.S. roads and highways last year.

As large and disturbing as that number is, it actually represents progress. In 1994, 40,716 died on the nation’s roads, or nearly 20 percent more in 1973. 40 years ago, the number killed in traffic accidents totaled 54,952, a stunning 59 percent more.

However, traffic deaths rose 5.3 percent last year from 2011, the first year-over-year increase since 2007.

The overall decline in highway fatalities has led a reduction in the death rate in all forms of transportation. In 2010, the transportation fatality rate was just one-third of that in 1975 (1.11 vs. 3.35 fatalities per 100 million miles traveled).

A study published in the specialty journal, Research in Transportation Economics, “Comparing the Fatality Risks in United States Transportation across Modes and Over Time,” takes a look at historical trends and paints a fuller picture of fatality and injury rates for all modes of transportation.

Bus safety is confirmed by the research.

Still, airlines continue to be safer, while railroads are somewhat safer than buses.

Between 2005 and 2011, buses (i.e., vehicles with a capacity of 10 passengers or more) represented just 0.1 percent of total highway fatalities.

On average, there were approximately 40 fatalities per year, with drivers and other bus company employees representing roughly one-quarter of the lives lost.

Scheduled- and charter-bus services accounted for 44 percent of total bus fatalities.

The balance of deaths occurred with school buses (23 percent), urban transit (11 percent) and a variety of private shuttles, church buses and other services (22 percent).

Extrapolating from those numbers, an average of about 13 bus passengers died annually in line-run and charter-bus crashes from 2005 through 2011.

While the fatality rate per billion passenger miles for buses is relatively low, at 0.11, it is still 65 percent greater than that for commercial aviation, and doesn’t include victims of crime on buses.

Per year, on average, only seven passengers traveling on mainline trains die.

Commercial aviation was the safest mode of travel in the United States during the study period, with 0.07 fatalities per billion passenger miles.

“A person who took a 500-mile flight every single day for a year, would have a fatality risk of 1 in 85,000.”

There is one variable to note: Takeoffs and landings are where the principal flight risk is, not in the number of miles flown, so risk-per-flight calculations are higher.

By far the most dangerous form of highway travel is on a motorcycle.

Nearly 10 percent of all highway fatalities — one in 10 — were motorcyclists.

Over the period studied, motorcycles became increasingly popular. As a consequence, fatality rates increased proportionally.

This trend has been exacerbated by the “general rollback in the number of states requiring motorcycle riders to wear helmets.”

Motorcycles had a fatality rate of 212 per billion passenger miles, by far the highest of all modes. “A motorcyclist who traveled 15 miles every day for a year, had an astonishing 1 in 860 chance of dying — 29 times the risk for automobiles and light trucks.”

Drivers or passengers in cars or light trucks faced a fatality risk of 7.3 per billion passenger miles. “A person who was in a motor vehicle for 30 miles every day for a year faced a fatality risk of about 1 in 12,500.”

The incident might serve as a cautionary tale for operators to make certain they only participate in parades where the organizers know what they’re doing, and drivers know the score.

The NTSB also looked at three other parade accidents occurring this year and determined that many communities and organizations across the U.S. don’t conduct risk assessments and implement safety plans.

“The NTSB determined the grade-crossing system provided the required 20 seconds of advance warning through warning bells, lights and gates. As part of the investigation, the NTSB also looked at three other parade accidents occurring this year and determined that many communities and organizations across the U.S. don’t conduct risk assessments and implement safety plans.”

That is 67 times greater than in a bus and 112 times greater than a commercial airliner.

While the fatality rate per billion passenger miles. “A person who took a 500-mile flight every single day for a year, would have a fatality risk of 1 in 85,000.”

This created what investigators called an “expectancy of safety and right of way,” which the NTSB said contributed to the cause of the accident because it led the driver to conclude police were controlling all intersections and associated traffic hazards.

The NTSB says the float driver told investigators he did not see the flashing lights of the grade-crossing warning system or detect the presence of the train until the float was on the tracks because he was looking in his side-view mirror to monitor the well-being of his float passengers as he negotiated a dip in the roadway on approach to the grade crossing.

The NTSB concluded that the noise generated by the parade, combined with the float driver’s expectation of safety, likely reduced his ability to hear or properly interpret the grade crossing system warning bells and lights, as well as the train horn.

The NTSB determined the grade-crossing system provided the required 20 seconds of advance warning through warning bells, lights and gates.

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One word describes TSA security training proposal: silly

By Dave Millhouser

“Free Air for Life” sounds a bit redundant; after all, they aren’t taking air — yet.

In this case, it’s a sticker on scuba tanks that occasionally turn up at my friend’s dive shop to be filled with compressed air.

Years ago, a number of dive shops offered “Free Air for Life” as a marketing tool. If you bought a scuba tank from them, they’d refill it free, forever.

One thing that these shops have in common is that they are all now defunct. It seems that, among other things, pumping free air cost more than they could afford.

The folks who thought they were getting a “deal” are now traveling to more distant shops, and paying for getting a “deal” are now traveling to more distant shops, and paying for excess of dollars, similar to the now-defunct TSA “Over the Road Bus Security Grant Program” that handed out $100 million plus in federal taxpayer money to a few hundred bus companies.

Another association thinks the requirement could be more easily and inexpensively handled by a simple on-line training program.

I’m kinda retired, so I can ask an unpopular question: Is ANY motorcoach industry security training program necessary, or desirable?

In our headlong attempts to make the world perfectly safe, have we lost perspective?

In Hitler’s Germany it was safe to walk the streets. There was no crime, but it’s not a place most of us would choose to live.

Conversely, a friend pointed out that we anarchists might look at Somalia, where there is virtually no government, and little safety. The point is, we need to strike a thoughtful balance. Some of these programs are wasteful, silly and potentially dangerous.

Did the previous TSA program accomplish anything beyond doing out tens of millions of dollars for equipment companies wouldn’t have invested their own money in?

Whether we go with a luxury program or an economy version of this latest idea, is anything meaningful or substantial going to be accomplished?

Government types, using other people’s money, are willing to spend a ton for small returns. Pointing to a lack of domestic terror attacks is a red herring; it’s impossible to establish that these programs had any effect.

A terror attack on a motorcoach is certainly possible, but that’s true of any venue where lots of people gather. Perhaps a coach driver will spot a threat, but our industry is so small the odds against it are staggering.

Short of an Orwellian “1984”ish government (like Hitler’s, but with better technology), there will always be risk. Spending the money on road improvements likely would save more lives, without adding additional government intrusion and “busy work.”

Which brings us to the second point: Is it desirable?

Soon after the Americans with Disability Act mandate for the motorcoach industry was announced and grants from the federal government became available to purchase wheelchair lifts, a major operator re-fused to apply for money because it meant divulging too much information about his company. He felt that no good would come from that.

Any program involving drivers and TSA would evolve into collecting a variety of data about your company and employees. That’s not necessarily evil, but government tends to accumulate information and power — because it can. It makes its job easier, but can become a source of mischief later on.

One reason for the Constitution is to restrain power in a free society; governing is supposed to be difficult. If you trust this administration to do right, are you sure the next will be benign?

In fairness to government security agencies, when they succeed, there is no news. When they fail (or get unlucky), the public asks why they didn’t anticipate the problem. Continuing to give them additional authority will not change that, and will assure they will be irritating at best, intrusive at worst.

It’s highly unlikely to have a significant impact on real security, and the “free” grants or training will end up having lots of strings attached. “Trojan Horse” springs to mind. Or, the nine most terrifying words in the English language: “I’m from the government and I’m here to help.”

Like all those divers who thought they were getting something for nothing, we’ll end up paying in time, hassle and money for something we thought was free.

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

Remember a couple of administrations ago when the Feds funded local police departments hiring of extra officers? And how stunned the jurisdictions were when they found that, after the first blush, THEY had to pay for the officers continued employment? Surely there are lots of examples like this.

Don’t get me started on the silly, redundant, TWC program.

Folks, I think this one is silly.

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By Dave Millhouser

“Free Air for Life” sounds a bit redundant; after all, they aren’t taking air — yet.

In this case, it’s a sticker on scuba tanks that occasionally turn up at my friend’s dive shop to be filled with compressed air.

Years ago, a number of dive shops offered “Free Air for Life” as a marketing tool. If you bought a scuba tank from them, they’d refill it free, forever.

One thing that these shops have in common is that they are all now defunct. It seems that, among other things, pumping free air cost more than they could afford.

The folks who thought they were getting a “deal” are now traveling to more distant shops, and paying for getting a “deal” are now traveling to more distant shops, and paying for excess of dollars, similar to the now-defunct TSA “Over the Road Bus Security Grant Program” that handed out $100 million plus in federal taxpayer money to a few hundred bus companies.

Another association thinks the requirement could be more easily and inexpensively handled by a simple on-line training program.

I’m kinda retired, so I can ask an unpopular question: Is ANY motorcoach industry security training program necessary, or desirable?

In our headlong attempts to make the world perfectly safe, have we lost perspective?

In Hitler’s Germany it was safe to walk the streets. There was no crime, but it’s not a place most of us would choose to live.

Conversely, a friend pointed out that we anarchists might look at Somalia, where there is virtually no government, and little safety. The point is, we need to strike a thoughtful balance. Some of these programs are wasteful, silly and potentially dangerous.

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Soon-to-come New York casinos could crush Atlantic City

NEW YORK CITY — More troubles are probably on the horizon for casinos in Atlantic City.

Last month, New Yorkers approved an amendment to the state constitution that will allow seven full-scale casinos to open in the state, including one to three in the New York City area.

The casinos could be open within the next seven years.

And that, say analysts, could sound the death knell for Atlantic City, already struggling under the weight of increased regional competition.

Atlantic City should be “very concerned,” Chad Mollman, an analyst who covers casino and hotel stocks for Morningstar, told CNBC.

“New York is the biggest feeder market in Atlantic City. There is a question in terms of the viability of Atlantic City in the long term.”

CARSON CITY, Nev. — Despite the increased competition — everywhere across the U.S., the Las Vegas Strip continues to draw gamblers who are willing to part with their money by the busload.

“Winnings” on the Las Vegas Strip in September were $563.1 million, up 13.4 percent from the same month last year, while downtown Las Vegas revenues of $45.3 million were up 2 percent.

Across the state, Nevada casinos won $958.8 million from gamblers in September, representing a 7.4 percent increase over the same month last year due largely to big action with high-roller gamblers in September, said Mike Lawton, senior analyst with the Nevada Gaming Control Board.

The big boxing bout between Floyd Mayweather Jr. and Canelo Alvarez in September apparently marked the second-highest month-long total for the year behind February, said Mike Lawton, senior analyst with the Nevada Gaming Control Board.

The “win” is what casinos took in September winnings. That was an 11.5 percent drop from the same month last year.

Taxes don’t always correlate with winnings because high roller action is mostly played on credit and casinos don’t pay taxes on their gains until the gambling debt is paid.

The “win” is what casinos took in after gamblers wagered $13.1 billion. A breakdown shows $2.7 billion was bet on card and dice games, while $8.6 billion was pumped into video and slot machines.

The state collected $62.9 million in taxes based on September gambling winnings. That was an 11.5 percent drop from the same month last year.

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Shutdown curbside operator spends $1 million to upgrade

BOSTON — Federal regulators have cleared one of Boston’s best-known curbside “Chinatown” operators to resume operations.

Five months after Lucky Star was shut down for a long list of safety violations by the Federal Motor Carrier Safety Administration during its summer Operation Quick Strike, the FMCSA has granted approval for the company to operate again.

Lucky Star is expected to resume roundtrips between Boston’s South Station and New York Chinatown within the next few weeks, starting with eight trips on weekdays and 16 on weekends.

It plans to increase its trips to 15 to 17 each weekday, and up to 24 on weekends, within two months of restarting.

According to published reports, ticket prices will rise to the $25 to $30 range, from the $20 to $25 Lucky Star was charging when it was shut down, to cover expanding operating costs.

The FMCSA pulled the plug on Lucky Star in June because of what the agency said were lousy maintenance practices, failure to monitor driver hours, and disregard of drug and alcohol test requirements — among other things.

Agency investigators found the company’s buses had broken down more than 80 percent of the time during the previous year, at times forcing passengers to disembark on the highway.

With a fleet of 21 coaches, Lucky Star likely was the largest company shutdown during Operation Quick Strike, which ran from April to September. (See related story on Page 1.)

Since then, Lucky Star owners say they have spent almost $1 million upgrading operations. A third of the 22-bus fleet is new, and each vehicle is equipped with a digital system that allows drivers to immediately transmit their equipment management reports.

The carrier also has installed devices that limit the speed of coaches to 65 miles per hour. Each driver has undergone training in federal regulations, vehicle inspections, and other safety measures, and managers have been instructed in record-keeping.

Four drivers who failed an English-language test were fired.

Owners Edward Leung and his wife, Maria Wong, who also own four Asian restaurants, told a Boston newspaper that customer safety remains their first priority.

They reportedly hired former FMCSA Administrator Annette Sandberg to oversee the reapplication process.

One challenge to restarting operations is that they must hire many drivers; most of their previous employees found other jobs when the company was shut down.

“It has been a very difficult five months,” Maria Wong told a Boston newspaper. “To keep our company alive, it’s not easy without any revenue coming in.”

Seattle transit agency proposes huge cuts

SEATTLE — This area’s principal public transit agency, which has interfered in the private marketplace perhaps more than any other transit system in the country, revealed last month it may have to eliminate 74 bus routes and make changes to more than 100 others unless it can come up with a big pot of money.

Interestingly, none of the proposed cuts announced by King County Metro Transit involve eliminating or reducing what it calls “special event bus service.”

King County Metro’s special event service is one of the most blatant charter bus services operated by a public transit agency in the U.S., but is permitted as a result of a special federal exemption that only benefits the Seattle transit agency. The exemption was the handiwork of U.S. Sen. Patty Murray, D-Wash.

King County Metro said it has done everything it can to cut costs since the recession, but it has lost about $1.2 billion in sales tax revenue between 2009 and 2013, and some temporary state funding runs out in the middle of next year.

More than 80 percent of King County Metro’s bus and DART routes would be affected by the proposed cutbacks. The agency says that will lead to longer waits between buses, more transfers, more crowding, and less reliable buses.

It could also mean more traffic on already congested Seattle-area roads if some riders are forced to use autos because they don’t have reliable access to buses.

But it apparently won’t mean Seattle sports fans will have to forego the special King County Metro shuttles that tote them to games.

King County Metro says it would have to raise fares by at least $2 to pay for its financial shortfall, making a one-way adult fare $4.25. But, the agency contends such a move would not be feasible.

It likely would lead to fewer Sandberg to oversee the reaplication process.

One transit bus expert suggested the financial issues at King County Transit are the “inevitable result when a high-cost, inefficient transit agency refuses to reform.”

This expert said the proposed cuts had been a long time coming, noting that King County Metro’s bus operating costs were $12.12 a mile in 2011, and that excludes capital costs, which are paid by federal taxpayers.

To learn more about the proposed cuts, go to: http://metro.kingcounty.gov/am/future/.
Baltimore, Md. — A group of old friends and former colleagues honored long-time motorcoach industry safety guru Jack Burkert with a birthday celebration here last month. Burkert turned 70.

The event was at the Baltimore Museum of Industry, which is in a former cannery along the city’s famed Inner Harbor.

In attendance, said Burkert, were individuals “from nearly every phase of my life.”

Starting in the late 1970s, Burkert went through a handful of phases.

His introduction to transportation safety came when he gave up a high school teaching job to manage a repair shop for trucks and other commercial vehicles.

An inspector from the Federal Occupational Safety and Health Administration showed up one day and found several violations that resulted in a failed inspection. A short time later, Burkert was in a traffic accident.

Those two incidents, Burkert said, stirred his interest in vehicle safety and in 1978 he landed a job with Penn State University as its fleet training specialist.

“I just merged my teaching experience with my trucking experience,” he told an interviewer in 2010.

Burkert stayed at the university until 1983 when he became safety manager at the American Bus Association, which recruited him after an official of the trade group attended one of his safety workshops.

Four years later he moved to Lancer Insurance as a senior vice president and stayed there until 2002 when he went out on his own as a private safety consultant.

Along the way he became the recipient of the Lifetime Safety Achievement Award from the United Motorcoach Association.

Three and a half years ago he retired from day-to-day consulting. He has remained active, however.

He completed a revised version of his safety text book, Motor Fleet: Standards and Practices, which was published this past summer.

The 200-page book provides guidance on topics critical to managing a safe bus operation.

The text is being sold on the UMA website (www.uma.org).
Greyhound orders 55 additional coaches from Prevost

SAINTE-CLAIRE, Ontario — Prevost announced it has received an order for 55 additional X3-45s from Greyhound Lines, bringing to 145 the number of X3-45s Greyhound has ordered this year.

A Greyhound order for 90 Prevost X3-45s was announced in April (see May 1 Bus & Motorcoach News). Fifty of those coaches were delivered between April and September.

The 95 remaining coaches, including the 55 in the latest order, will be delivered in April and May 2014.

For the fiscal year ending December 1, 2013

SAINTE-CLAIRE, Ontario — A U.S. bankruptcy court judge approved the sale last month of most of bus manufacturer DesignLine’s assets to a California investor who says he plans to restart company operations here.

An attorney representing DesignLine, which filed for bankruptcy protection in August, told U.S. Bankruptcy Judge Craig Whitley that Wonderland Investment Group’s $1.6 million bid for DesignLine and its products.

The saga of DesignLine has featured a who’s who of Charlotte, including the 55 in the latest order, which includes the X3-45s Greyhound has ordered this year.

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Greyhound chairman Anthony Fox, who became the company’s new CEO in July, has been long familiar with Greyhound Lines, which filed for bankruptcy after an investor expected to provide needed financing pulled out in July. (See Aug. 15 and Sept. 1 issues of Bus & Motorcoach News.)

In its bankruptcy filing, DesignLine listed assets of $14 million and debts of $37.5 million.

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The current FMCSA audit initiative aimed specifically at the motorcoach industry can be traced directly to criticism and recommendations made by the NTSB during the past two years.

The new, 14-page NTSB audit-recommendation document urged the USDOT conduct an audit of the FMCSA Compliance Review process.

NTSB specifically recommended examining “why inspectors are not identifying all violations of safety regulations by motor carriers undergoing review” and “why the FMCSA’s quality assurance efforts are not fully effective in assessing the accuracy and completeness of Compliance Reviews.”

The two motorcoach companies involved in the bus crashes that were half the focus of the new study shared what the NTSB called “disturbing similarities.”

Mi Joo Tour & Travel began as a bus company in Canada, while Scapadas Magicas LLC was originally a sole proprietor taxi service in Mexico.

When Mi Joo Tour’s coach crashed near Pendleton, Ore., on Dec. 30, 2012, killing nine passengers, the company was based in Vancouver, British Columbia. At the time a Scapadas Magicas’ coach crashed near San Bernardino, Calif., on Feb. 3, 2013, the company claimed it was based in National City, Calif.

It’s address, however, was a self-storage unit. In reality, its buses returned to Mexico nightly and were serviced there. Both carriers received U.S. operating authority from the FMCSA. Neither company had a safety management plan, a preventative maintenance program, or a driver training handoff.

Neither company owned a garage to maintain its fleet nor had a mechanic on staff. They did not have in-service driver training, their driver training files were incomplete, and their driver drug and alcohol programs were noncompliant.

FMCSA inspectors gave Scapadas Magicas safety clearance one month before its February crash, which occurred when the brakes failed on one of its coaches returning from a ski resort. Seven passengers and a pickup truck driver were killed, 11 passengers were seriously injured and 22 others received minor to moderate injuries.

Federal inspectors didn’t ask to examine Scapadas Magicas’ buses during their visit to the company’s headquarters near San Diego. The buses inspected were ordered out of service.

Any sort of new iteration of Operation Quick Strike likely would mean more frequent and more intensive inspections of motorcoach companies.

Bitten warned that would be the case. Further, she said, inspectors will no longer conduct investigations to review company safety files.

“It’s ‘show me the file, I’ll look at it, and then I’m going to go see for myself,’” she said. “You’re going to find that they are going to be doing their inspections, talking to people throughout your organization.

“Just to give you a heads up, if you haven’t had one of these investigations, when it happens, it’s going to be different than what you had in the past.”

Operators that have been through an Operation Quick Strike probe frequently describe them as a company colonoscopy. The audit includes investigators talking to a variety of company employees, looking for whatever flaws they can find.

Bitten also alerted the California Bus Association Convention and Trade Show attendees to other current and upcoming actions, including:

- **Americans with Disabilities Act compliance.**
  - Bitten reminded operators that the FMCSA shares enforcement of motorcoach industry-related ADA regulations with the U.S. Justice Department.
  - FMCSA was on Oct. 29, 2012, large over-the-road bus companies were required to have 100 percent of the buses in their fleet that provide fixed-route service — accessible.
  - Demand responsive (charter operators) and small fixed-route carriers are not required to have an accessible over-the-road bus in their fleets, but must provide one within 48 hours upon request.
  - The Department of Justice has exclusive civil penalty authority for violations of the ADA regulations for over-the-road-bus companies.
  - “If you’re demand responsive or small-fixed route, you have to be able to provide the service within 48 hours,” said Bitten. “You can do it by owning an accessible bus or you may do it by having an agreement with somebody else. But you can’t pass the responsibility off to someone else.”
  - “You can’t tell the customer, ‘well, you need to call Joe’s and he’s going to take care of you.’ It’s up to the bus company to make the arrangement (with Joe) so the consumer doesn’t even know about it…The ADA community must have the same travel experience as everyone else. That’s the goal.”
  - Further, she said, “(when) it comes to ADA…our current and only hammer is to take away your operating authority. If you don’t comply, then the company gets their operating authority revoked. We have come close to doing this twice.”

**ADA enforcement program implementation**

- The FMCSA has conducted 217 ADA reviews.
- The revised New Entrant Safety Audit includes an ADA compliance component.
- Additional FMCSA field staff will be trained to conduct ADA Compliance Reviews, and ADA reviews will become part of each investigation conducted.

**Compliance, Safety and Accountability program.**

The Safety Measurement System (SMS) website is being changed to make information easier to read. (See related story on Page 4.) A carrier preview of the upgraded website was being conducted in November, followed by a 60-day comment period and final roll-out in 2014.

**Moving Ahead for Progress in the 21st Century Act (known as MAP 21).**

- The FMCSA is mandated to assign a safety fitness rating to each passenger motor carrier within two years.
- Reassess safety fitness rating of each motor carrier at least every three years.
- $25,000 minimum penalty for operating without authority or violating an out-of-service order.
- “Expect to see us quite often. That’s the real message here,” said Bitten.

She urged operators to safeguard their operating authority, making certain proof of insurance is filed promptly and correctly.

She also suggested companies check their operating authority status regularly, and pay attention to correspondence from the FMCSA.

“Be careful. Because sometimes things happen with operating authority that you may not be aware of. Don’t accidentally have your operating authority get revoked,” she said.

**Driver screening**

To use the service, operators with more than 100 vehicles pay a $110-per-year subscription, while smaller carriers pay $25. Each company pays $10.

- How’s it work: Carriers enroll online at www.psp.fmcsa.dot.gov, provide proof of operating authority, and fill out an agreement. The application is usually processed within a day or two.

- Once enrolled, operators are only allowed to obtain records for prospective hires. Since the program is designed for pre-employment screening, they are not allowed to obtain records once a driver is hired.

They must also obtain permission in writing from the driver to access his or her records.

Driver-consent forms, with approved language, are supplied to PSP account holders from the FMCSA.

Drivers, too, are allowed to access their records. They pay the $10 fee or go through a process to have the fee waived.

“We want drivers to understand what’s on their report,” she said. “In some cases, drivers with great safety records are proactively pulling their reports and using it as part of their appli- cation process. It’s a good resource for them.”

Think of it as a driver CarFax.

If a driver finds an error on a report, he or she can file a request for a data review (RDR) with the FMCSA DataQ system, which is sent to the state that issued the citation or violation. Once the state reports back to the FMCSA, the report may or may not be updated, depending on the outcome.

PSP reports contain information about violations from roadside inspections — and not conviction data.

Take, for example, a speeding violation: “Let’s say I’m a commercial driver and I get pulled over for speeding at 12 miles over the speed limit, and the official…does a roadside inspection, so my PSP report will show I had a violation of going over the speed limit at 12 miles per hour. The motor vehicle record would reflect that as well,” she said.

“The fact that if I go to court, and that gets dismissed, then my motor vehicle record would no longer reflect that speeding violation, only my PSP report does….So it’s the original violation as stated at the roadside.”

During a Q&A period, Fredrickson was asked about prospective employees who decline to give permission to access records.

“The assumption would be there’s probably something in his or her background that he doesn’t want the potential employer to see,” an attendee said. “So can you go back to him, and say, ‘Look, you won’t let me see your driving record, therefore, I’m not going to hire you.’ What are the consequences of that? Are there any?”

Clyde Hart, senior vice president of the American Bus Association, offered some advice: “If it is true that it’s a carrier’s policy not to hire a driver if they don’t give access to the record, that’s fine with me; I’m writing, so nobody can claim — and it’s been done — that you’re just doing this as a pretext because you don’t want to hire me for another reason,” he said.

Just have it in writing that I won’t hire anybody whose driving records I don’t see before I hire you.”
Study: Safety devices reduce truck rollovers, other accidents

BLACKSBURG, Va. — A new study has found that big rigs using lane-departure warning and roll-stability control systems are less likely to be involved in a crash than those not using the technology.

Conducted by the Virginia Tech Transportation Institute’s Center for Truck and Bus Safety for the Federal Motor Carrier Safety Administration, the study found that tested trucks without lane-departure warning systems had a lane-departure-related crash rate per million vehicle miles traveled that was 1.9 times higher than trucks with a lane-departure warning system.

“Overall, (lane-departure warning) devices seem to have the potential for reducing lane departure/run-off-road collisions,” the study said.

“These devices seem to reduce the number and severity of lane excursions, improve overall lane keeping and encourage the use of turn signals when changing lanes.”

Similarly, roll-stability control system-effectiveness analysis showed that trucks without roll-stability control had a roll-stability control-related crash rate nearly 1.5 times higher than trucks with roll-stability control systems.

“Drivers indicated the (roll-stability control) system increased their situational awareness, making them more cognizant of their driving behavior. The system also aids the driver’s judgment when calculating speed into turns,” the study said.

The study concluded that deployment of lane-departure systems and roll-stability control devices registered a 15-to-1 benefit-to-cost ratio, and roll-stability control devices registered a 13-to-1 benefit.

The study did not include an assessment of electronic stability control, the more technologically sophisticated roll-avoidance system that’s available on many new motorcoaches.

The study was based on 88,000 federal crash records.

NYC issues holiday rules

NEW YORK CITY — The New York City Department of Transportation has issued the 2013 version of its special regulations that govern motorcoach traffic on Manhattan Island between Nov. 26 and Jan. 1.

The department says the rules, along with additional parking areas, are aimed at improving tour-and-charter bus operations during the holiday season.


Here are general rules in effect during the holidays:

• Buses must not park or lay over in the Manhattan core locations (Rockefeller Center and Radio City Music Hall) for passengers to rejoin the bus.
• If the temperature is 40 degrees or above, no idling is permitted. If the temperature drops below 40, idling is permitted for three minutes.
• Buses must not park in city bus stops, at fire hydrants, and in crosswalks or driveways.
• Buses cannot double park.

Got questions? Call (212) 485-7200.
a while, Bonluck was the contract manufacturer, but they were never really very well here. They were building buses for BCI to BCI specs. That was really a BCI issue. Honestly speaking, we are trying to do everything we can to not reactivate that.

There are those in the motorcoach industry who say Bonluck, not BCI, was the manufacturer of record of the Falcon 45s. Most Falcon 45s reportedly carry a Bonluck VIN.

Clear accountability

In the new venture, Bonluck will certainly be the manufacturer of record.

“That keeps accountability clear,” said Whitsett.

The Andus executives do not believe the woes left by BCI will affect their marketing effort.

“We haven’t seen that so far, based on the reaction we are getting from dealers,” Whitsett said.

“The world continually changes. This bus is being built different,” VanDenBerg added. “This bus is being manufactured for the U.S. market using name-brand components.”

Bonluck specs

Specification brochures being distributed by Andus indicate the coaches will be equipped with Cummins ISX engines, Allison B500s, Michelin, Isringhausen driver seats, Fainsa passenger seating, Alcoa wheels, and Eberspacher AC system for comfort and energy efficiency. Shave manufacturers of other components have not been selected, VanDenBerg said. “They will be name-brand, U.S.-serviceable items.”

The warranty will be comparable to what is offered by the competition, he said. “As we see it now, it will be two years and 100,000 miles.”

Coach features listed in the spec sheets include fully multiplexed electrical system, auxiliary heater, back-up camera, liftable tag axle, electronic stability control, and “Australian suprergal integral structure.”

“We are going to compete against the high-end products that are out there today,” said VanDenBerg. “We will have the same features, benefits and quality. We anticipate very aggressive pricing.”

When the BCI Falcon was introduced, it had an all-the-bells-and-whistles price of $349,900, which was $100,000-$150,000 less than other 45-foot coaches at the time, making it attractive to some operators.

Here in June?

“The first prototypes (of the new Bonluck coach) will be going through the shop next month,” Whitsett said. “We project having the first ones here, after testing is complete, probably in the June time frame.”

Bonluck has a significant presence in the global bus and motorcoach market, he said. “They are the second-biggest producer for the Australian market and sell some in Europe. They are fairly big in the Middle East and think they are selling vehicles in 22 or 23 countries.”

The Bonluck factory covers 323,000 square feet and has a capacity of 5,000 vehicles annually, according to the company website. Capacity could grow to 10,000 units after a possible expansion.

Since 2011, Bonluck has been part of the China Hi-Tech Group Corporation (CHTC), “which is a large central enterprise solely funded by the state would have the strength, huge scale and strong international competitiveness,” the website states.

Who’s Andus?

Andus Industries also is Chinese-owned, VanDenBerg said. “It is in the vehicle development business, historically the light-duty market up through mini-vans and small vans. The bus market hasn’t been a focus to us but we have experience in vehicle development and marketing.”

A website operated for owners of BCI Falcon 45s has theorized that the return of the Chinese companies to the U.S. could provide a target for a class-action lawsuit over damages suffered by that vehicle line.

“As I recall, CHCT did not buy Bonluck until late 2011, so I don’t think there is a connection between BCI and CHCT,” VanDenBerg said.

The Andus Industries and CHTC are partners in the current venture, he said. “There is no ownership interlock.”

Dealers, service

Andus plans to distribute the new Bonluck coach through a network of dealers. It hopes to sign 10 to 12 dealers across the U.S. for sales and service.

After establishing its U.S. base, it will pursue its network of three or four dealers in Canada, VanDenBerg said. “We want to get as close to our customers as we can.”

“We think the model we have put together will address the service/support issue which is always a concern for private operators,” Whitsett said.

“The dealers we are working with are very capable guys with a lot of resources and experience. Many are not yet in the motorcoach business but they are familiar with Cummins and Allison. We believe we have addressed the road service issue maybe better than many of our competitors,” Whitsitt added.

Electric transit bus

Bonluck has been building electric buses since 2008 and a vehicle may be developed for North American customers, VanDenBerg said. “It is not an approved project yet, and it may not be. Our sense is that transportation and our intention is to bring it in.”

The partnership agreement announced in September between Andus, CHTC-USA, and Bonluck (Jiangxi Kama Business Bus Co.) calls for the distribution of both motorcoaches and electric transit buses. All of the buses are to carry the HT badge.

As a city transit bus that would be purchased with public funds, the contract would be needed in a manufacturing, noted VanDenBerg. “We are looking at localization generally anyway, even for the motorcoaches. If we introduce the electric bus for transit service, then maybe there is going to be localization.”

Bonluck builds a wide variety of vehicles, ranging from golf carts to motor homes. Its research projects include hybrid and fuel cell technology.

For more information, contact VanDenBerg at fred.vandenberg@andus.com.

N.J. Transit

CONTINUED FROM PAGE 3

N.J. Transit, the fourth largest transit agency in the United States, acknowledged that Academy — one of its biggest contractors and the largest family-owned private coach company in the country — used the transit agency’s buses on three of the four days of the tournament, including 2 on the second day, 13 on the third and 16 on the fourth.

Kenneth M. Worton, a deputy attorney general of New Jersey who authored the transit agency’s response, insisted that NJ Transit was not in violation of the charter service rule because it did not contract for the shuttle service with either Academy or Barclays.

Instead, he said, the contract for the operation was between the private carrier and the golf tournament with no involvement by NJ Transit.

“NJ Transit had nothing whatsoever to do with the service in question,” he said.

N.Y. worker shuttle

CONTINUED FROM PAGE 3

of Federal Transit Administration rules and regulations. Rest assured we do not operate ‘charter service’ and do not have any plans to do so in the future,” he wrote.

However, he added, “CFTA provides public transportation services in the capital region for the benefit of the people that live and work here...In keeping with our mission and purpose, we will continue to explore opportunities to improve on and promote public transportation services to the people of the capital region, including New York state employees and others that work in downtown Albany. As such, we intend to pursue relationships that could provide improved transportation services for capital region residents.”

The request for the FTA advisory opinion states that the New York Office of General Services “has confirmed to Yankee Trails that CFTA has in fact submitted a proposal in response to the (Office of General Services) RFP.”

A request for comment from CFTA’s counsel was not answered by deadline for this article.

A “certificate of bid opening,” posted by the Office of General Services, lists four vendors — CFTA, Yankee Trails, Northeast Motor Coach and Center Transportation Services.

CFTA should not be considered for the proposed contract because the service meets several of the federal government’s criteria for charter service, argues Yankee Trails counsel Severn E.S. Miller in the opinion request. The request cites the federal charter service rule, which says such service consists of “transportation provided by a recipient at the request of a third party for the exclusive use of a bus or van for a negotiated price.”

Miller and Yankee Trails contend the state employee shuttle has a number of characteristics that would indicate it is charter service under the federal rule:

• “A third party pays the transit provider a negotiated price for the service.”

• “Any fares charged to individuals of the group are collected by the third party.”

• “The service is not part of the transit provider’s regularly scheduled service; or is offered for a limited period of time; or...”

The request says signs posted at two of the parking facilities state, “The shuttle service and from this location is for the express use of (Office of General Services) parking permit holders only.”

States the filing: “OGS has the sole and absolute discretion to establish schedules for when the buses leave the peripheral parking facilities and when they are to arrive at the destinations.”

The Yankee Trails letter also draws attention to the definition of “exclusive service” as “service that a reasonable person would conclude is intended to exclude members of the public.”

In addition, the request says the shuttle service would serve parking facilities for state employees that “are closed to the general public.”

Additionally, the request says the shuttle service would serve parking facilities, “The shuttle service...and from this location is for the express use of (Office of General Services) parking permit holders only.”

States the filing: “OGS has the sole and absolute discretion to establish schedules for when the buses leave the peripheral parking facilities and when they are to arrive at the destinations.”

The Yankee Trails request concludes: “Based on the foregoing facts and the applicable law, Yankee Trails Inc., respectfully requests that the chief counsel render an advisory opinion that the Yankee Trails services being solicited in the (Office of General Services) RFP are ‘charter service’ pursuant to the FTA charter service rule.”

Yankee Trails is one of upstate New York’s largest operators, with 43 vehicles and according to its USDOT registration.

CFTA provides transit services to Albany, Rensselaer, Saratoga and Schenectady counties. It operates 306 vehicles and carries 15.7 million passengers annually, serving 52 bus routes.
ORLANDO, Fla. — Late 2008 would hardly seem to be a propitious time to start a new business, especially in the motorcoach industry.

The national economy was tanking and new motorcoach sales during 2008 dropped to a four-year low.

That didn’t deter Mike Hemby, president and founder of Coach-Transit Components, an aftermarket parts supplier based here. Hemby readily admits, though, it has been a “tough five years.”

Hemby incorporated in September 2008, and has had steady growth each year since — thanks, he says, to a “dedicated sales team, production staff and most of all supportive customers.”

The company has increased its product offerings as representatives, during visits with customers, have asked them what products they need that Coach-Transit Components could produce and supply.

Coach-Transit started business with a single distributorship — Autex wiper parts.

During its first year, it secured a second major distributorship — Goodyear (belts and air bags).

Since then it has picked up a fistful of other distributorships, including Horton, Venair, Dayco Products, Sika Automotive and, most recently, Lining, the maker of fan and compressor clutches, and idler and tensioner pulleys.


It reverse-engineers fenders, bumpers and doors of every description used on coaches and buses.

“There’s a real sense of pride in saying we don’t sell fiberglass components made off shore,”

When Hemby decided to start the business, he knew it would need individuals, besides himself, who were experienced in the bus industry and had a strong work ethic. One of his first picks was Charlie McCarron.

“Charlie met all the requirements,” says Hemby. “He had worked for the largest coach operator on the East Coast as a mechanic, then moved on to work with an original equipment manufacturer (Motor Coach Industries), serving as service manager.”

McCarron is Coach-Transit’s vice president of operations.

After a few months, Hemby started receiving calls from other former MCI parts and service employees interested in joining Coach-Transit.

“These men have been a tremendous asset,” says Hemby. “Dwight Barnett, Frank Boling, Chuck Gosch, Howard Nichols and Richard Olsonawski have made contributions that are un-measurable.”
Nat’l Interstate has lower 3rd-quarter, 9-months earnings

RICHLAND, Ohio — National Interstate Corp. has reported lower net income and earnings per share for the fourth-consecutive quarter, compared to year-earlier figures.

The parent company of leading motorcoach industry insurer National Interstate Insurance Co. said it earned $7.28 million during the third quarter, compared to year-earlier net income. Lower net income and earnings per share basis, third-quarter 2013 net income was 37 cents, versus 46 cents a year ago.

National Interstate Corp. has not reported higher year-over-year quarterly earnings since the third quarter of 2012. However, third-quarter 2013 results were substantially better than those for this year’s second quarter when National Interstate lost $6.28 million.

Lower claims costs during this year’s third quarter helped drive the improved results, compared to the second quarter. The second-quarter loss kept company earnings for the first nine months of this year well below year-ago levels.

For the nine months ended Sept. 30, National Interstate earned $9.02 million, or 46 cents per share, down from $26.03 million, or $1.33 per share, for the first three-quarters of 2012.

Gross premiums increased 4 percent during this year’s third quarter and were up 9 percent for the nine months ended Sept. 30, compared to year ago levels.

Michelson explains

Said National Interstate President and CEO Dave Michelson: “Our 99.3 percent combined ratio for the 2013 third quarter, while still elevated above our historical performance, improved compared to the second quarter.

“The volatility we experienced (during the second) quarter related to auto claims, was an effect of large claims and reserve strengthening which did not recur (in the third).”

“We again had unfavorable development from prior year claims, but the 2013 accident year is generating a modest underlying profit. We have been touched by similar issues facing other carriers that write commercial auto liability coverage,” said Michelson.

“The rates we are charging continue to improve and underwriting actions are ongoing, including the decision this quarter to exit the personal lines commercial vehicle product, as well as another smaller product within the program portion of alternative risk transfer.”

Alternative risk transfer insurance, also known as captive insurance, is a program where, typically, a small group of similar companies self insure, with an insurance company, like National Interstate, managing the process.

“Combined ratio,” another industry term, is a measure of profitability used by insurance companies to indicate how well they’re performing. A ratio below 100 percent indicates a company is making an underwriting profit. A ratio above 100 percent means it’s paying out more money in claims than it’s receiving from premiums.

National Interstate’s combined ratio for the third quarter was 93.3 percent up from an year ago when it was 96.5 percent.

For the first nine months of this year, National Interstate’s combined ratio was 103.6 percent, meaning about 10 percent of losses and expenses and dividing them by earned premium.

Elevated losses

During the first nine months of this year, National Interstate said it experienced elevated losses and a higher loss-expense ratio due to several factors: “Increased claims severity particularly in the second quarter related to passenger transportation and moving and storage, unfavorable development from prior year claims in part from run-off ART program business and commercial vehicle, and the adverse impact of several years of margin deterioration from the competitive market conditions that began to subside in 2012.”

Other items from the 2013 earnings announcement:

Underwriting expenses: The underwriting expense ratio was 20.6 percent, 2.5 percentage points better than the 2012 third quarter.

Net investment income. It totaled $8.3 million for the third quarter, 5 percent below the second quarter, but a 2 percent improvement over the average net investment income for the first two quarters of 2013.

Commented Michelson: “Several of our recent product initiatives are contributing to top-line growth…. For the 2013 first three months we have non-renewed over $50 million of business that was not measurably above the same-period 2012 ratio of 97.1 percent.

The combined ratio is calculated by taking the sum of incurred losses and expenses and dividing them by earned premium.

Muddled economy hampers Greyhound

ABERDEEN, Scotland — Revenue at Greyhound Lines dipped 3 percent during the six months ended Sept. 30, while operating profit fell 10 percent.

Greyhound’s parent company, First Group plc, reported last month that Greyhound had revenue of $514.7 million for the six months ended Sept. 30, down from $522.6 million a year earlier.

Operating profit during the six months of this year was $49.1 million, down from $54.5 million during the six months ended Sept. 30, 2012. Greyhound’s operating margin also was lower at 9.5 percent versus 10.2 a year ago.

First Group said a substantial portion of Greyhound’s customer base remains cautious “as they continue to feel the effects of the prolonged U.S. economic downturn.”

In the U.S., which accounts for roughly 80 percent of Greyhound revenue, First Group said company margins “remained largely resilient,” reflecting actions taken to increase the cost and operating flexibility of the business.

“However we continue to restructure our business in Canada where further changes to our network and cost base are necessary to deliver a more commercially viable service.”

The changes in Canada include further expansion of Greyhound Express, which currently serves 12 routes in four provinces.

Companywide, revenue at Greyhound Express continues to grow, increasing 9.6 percent during the six-month period.

First Group said the expansion of Molonglo into the Pacific North-west has outperformed expectations since its launch more than a year ago. “We are now developing other markets, including California, for further BoltBus expansion,” said First Group.

Y0! Bus, another Greyhound brand, “continues to attract ridership in the Northeast Chinatown market, without impacting our Greyhound Express passenger figures, which continue to increase over the same corridor, demonstrating that our multi-brand strategy is broadening the demographics that are using intercity coach transportation.”

Greyhound is pilot testing a Wi-Fi-enabled entertainment system that allows customers to download content to their mobile devices. First Group said the company is seeing “immediate strong usage during the trial.”

Revenue at First Group’s First Student division was $1.03 billion for the six months ended Sept. 30, versus $1.02 million a year earlier.

Operating profit was $18.1 million, compared to $10.8 million for the six months ended Sept. 30, 2012.

At First Transit, revenue for the three six-month period was $630.8 million, versus $627.8 million a year ago. The 2013 operating profit was $48.6 million, up from $48.5 million a year earlier.

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DD S60 12.7L, Allison B-500. 45 foot, 54 passenger, steel wheels, VIN #48102. Only $35,000!

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**1994 MCI 102DL3**

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**1994 MCI 102DL3**

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DD S60 425, Allison B-500. 45 foot, 55 passenger, National seats, steel wheels, enclosed parcel racks, 2 monitor video system. VIN #51070. Only $37,000!

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Cummins M-11, Allison B-550. 45 foot, 51 passenger, WCL, white exterior, NEW ECM. VIN #50514. Only $46,000!

Outlet

**1996 MCI 102DL3**

DD S60 12.7L, Allison B-500. 45 foot, 54 passenger, steel wheels, VIN #48102. Only $35,000!

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