

Bus & Motorcoach NEWS

WHAT'S GOING ON IN THE BUS INDUSTRY

MOTORCOACH EXPO PREVIEW

Stop paying your Uncle Sam more than he rightly deserves

TAMPA, Fla. — As old Ben Franklin once said: There are only two things certain in life — death and taxes.

You can't avoid taxes, any more than you can avoid death, but you can take steps to reduce what you owe.

If you want stop giving the government an undeserved annual bonus, be at the 2011 UMA Motorcoach Expo Solution Sessions for tips on keeping more of your money in your pocket on tax day. Here are the particulars:

Reducing Tax Exposure: 11 a.m. on Thursday, Jan. 20

This session will review tax information specific to the motorcoach industry and provide advice on how to reduce your company's tax exposure and lessen what you owe.

Who should attend: Motor-

coach operators who want learn how to determine if they are over-paying their taxes.

Even if you attended Expo last year, you don't know Expo.

UMA Motorcoach Expo 2011 features new and timely education sessions that can help you deal with the challenges you face every day and provide strategies to run your business more efficiently and profitably.

After you take advantage of the top-notch education offerings, you can see the latest and most innovative industry products on the trade show floor, peruse an expanded pre-owned coach section, and participate in networking opportunities.

To make plans to attend UMA Expo, Jan. 19-23, in Tampa, go to www.motorcoachexpo.com.

Job No. 1: Maximizing revenue

TAMPA, Fla. — Maximizing revenue is on the forefront of everyone's mind. After all, who doesn't want to get the most out of their business?

Achieving revenue maximization, however, is far easier said than done, especially when operators must conduct their search for new ways of increasing profitability at a time when their customer base is shrinking.

One answer may be in pricing, and a Solution Session at the 2011 UMA Motorcoach Expo can arm you with strategies on smarter ways to determine what to charge for your services. Here are the particulars:

Smart Pricing Strategies: 11 a.m. on Thursday, Jan. 20.

Optimizing your pricing for current market conditions can make a big difference to your

bottom line, especially when operating with an already thin profit margin and a shrinking market.

This session will provide you with smart pricing strategies to make sure you are getting maximum revenue per customer.

Who should attend? Motorcoach operators who want to learn a smarter approach to pricing services for current market conditions.

UMA Motorcoach Expo 2011 features many new and timely education sessions, the latest and most innovative industry products on the trade show floor — with an expanded pre-owned coach section, and networking opportunities galore.

To make plans to attend UMA Expo 2011, Jan. 19-23, in Tampa, go to www.motorcoachexpo.com.

More Expo teasers on Page 16.

Inspections: Too many, too tough?

Have you gotten the feeling lately that the motorcoach industry is under some kind of giant microscope, and federal and state safety inspectors are probing you and other operators more closely and more often?

And, during your last inspection or compliance review, were you surprised by the level of detail and some of the tactics used by inspectors?

Well, you're not alone.

The truth is, though, the Federal Motor Carrier Safety Administration insists the pace of inspections has not picked up, although several special inspection programs have occurred in succession, perhaps leaving the impression in many parts of the U.S. that safety checks have become more numerous.

Still, you could be right if you imagine federal and state inspectors

have altered their tactics and become more aggressive, especially if the experience of one operator is to be believed.

"They seem to be on the war path and they're getting completely out of hand," contends Michael Kraft of KraftTours Corp. in Tulsa, Okla., who is battling regulators over a charge he allowed one of his drivers to operate a bus with a

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Threat: Unregulated competition?

ZEELAND, Mich. — A bus operation that provides low-cost charters for churches and other religious organizations may be spreading its wings in Michigan, touching off pleas for help from private carriers in the area.

But there appears to be little anyone in the motorcoach industry or the federal government can do about it, although help may be possible — in the future.

Private operators say Mobile Ministry Solutions of Zeeland has been trying to expand its operations beyond its core customer base, and now is after more lucrative private tour groups.

Trenton Stange of Compass Coach in Cedar Springs, Mich., said he learned that Mobile Ministry attempted to woo a tour company that long has been a customer of his.

He said he discouraged the customer from using Mobile Ministry by pointing out that it's not part of the highly-regulated charter bus industry and does not have to follow many of the same strict safety and insurance rules required of private commercial carriers.

"It almost cost me about \$10,000 in lost business," he said, adding that other carriers in west Michigan, around Grand Rapids

and Holland, also have complained to him about the company.

Mobile Ministry denies it's considering expanding beyond the church and religious community it currently serves and maintains it has no plans to do so in the future.

"If we do any tours at all it is only for our church groups and that's all it is," said Ruth Dilka, who runs the operation that includes four full-size coaches and nine 15-passenger vehicles.

She said the company's customers include 90 churches, three church-based small colleges and a religious youth group, all of which

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Truckers sue to block CSA 2010 data

WASHINGTON — The Federal Motor Carrier Safety Administration new safety performance measurement system hit a stretch of bad road on the eve of its much-anticipated public unveiling early this month.

Several groups of small trucking companies sued to prevent publication of carriers' safety performance data under the new FMCSA CSA 2010 program.

At about the same time, the FMCSA said it wouldn't be implementing the new measurement system as early as expected this month.

In their bid for a stay to block public release of the CSA 2010 safety data, the trucking groups contend the agency has not followed proper procedures in its plan to publish truck and bus operators' scores in CSA's Behavior Analysis and Safety Improvement Categories, or BASICS.

"The basis of our argument is that the FMCSA has failed to comply with the provisions of the (federal) Administrative Procedures Act in that they never provided proper notice in the Federal Register, an opportunity for public com-

ment, or a final rule based on the record," said Kenneth Siegel of the Washington, D.C., law firm Strasburger & Price.

Siegel represents the National Association of Small Trucking Companies, the Expedite Alliance of North America and the Air & Expedited Motor Carriers Association. Together, these groups have about 2,750 small carriers as members, according to the motion filed late last month with the U.S. Court of Appeals for the District of Columbia Circuit.

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Motorcoach Council seeks support for grant effort

DENVER — The Motorcoach Council's bid to win a \$250,000 grant — that would be used to promote motorcoach travel — is off and running, but the effort needs your help — now.

The council's grant application from soft drink maker Pepsi to "Promote Green Travel and Build Awareness of Green Transportation Options" was accepted for the Pepsi "Refresh Everything" grant program voting this month.

The council's voting page, at www.refresheverything.com/gocoach, is live through Dec. 31. Those going to the website need to be diligent in completing the requirements for voting.

The council is asking everyone in the motorcoach industry to vote daily, helping bolster the organization's chances of winning.

"The council cannot (win one of the grants) without tremendous support from the motorcoach industry," said Motorcoach Council Chairman Brian Annett of Annett Bus Lines in Sebring, Fla.

"Help us help our industry develop more passengers and protect the environment by voting daily," said Annett. "Forward the links

that are provided on the site to encourage everyone in your network to vote for our grant application, and encourage people...to vote each and every day of December."

If the council wins a grant it intends to use the money to pay for a promotional effort that draws attention to the fact that motorcoach travel is the greenest form of transportation available to consumers.

The council says the easiest way to vote is via your mobile phone, by texting the number 104781 to 73774 once per day, every day this month.

Or, you can vote by going to www.refresheverything.com/gocoach.

"You can personally vote on various computers — with a unique IP address — each day, so please vote from your desk top, laptop, smart phone and all computers in your home and office," said Heather Horton, executive director of the council. "Also, ask others to vote. It will take an industry-wide effort to win."

The most important thing to remember, says Horton, is that "you must vote daily. The Pepsi Refresh Everything Grant is unique in that it

Operator dies in plane incident

ST. ELMO, Ala. — Scott Grantham, a popular operator who with his wife founded a motorcoach company a couple of years after they were married 10 years ago, was killed near here late last month when the private plane he was flying crashed. He was 37.

Mr. Grantham was the second young Alabama coach operator to die this fall as the result of a tragic accident.

In early September, Mr. Grantham's friend, Frank Montgomery, president of Capital Trailways in Montgomery, was killed when his SUV crashed. (See Sept. 15 *Bus & Motorcoach News*.)

"First, Frank Montgomery and now Scott. They were best friends and neighbors, too. I am so bummed over this," said one operator who was a friend of both. His disillusionment was shared by many in the industry.

"This was truly a young talent that our industry has lost," said Victor Parra, president and CEO of the United Motorcoach Association, of Scott Grantham. "What a horrible tragedy."

Friends and associates de-

scribed Mr. Grantham as a great guy, good-natured, outstanding boss, humorous, and faith centered.

Mr. Grantham and his wife, Misti, started Kingdom Coach of Theodore, Ala., in 2002. They grew the business to 14 motorcoaches, a staff of more than 20, and recently moved into 15,000-square-foot facility on three acres at the junction of U.S. 90 and Interstate 10, southwest of Mobile, Ala.

The company and Mr. Grantham participated in the UMA 20 Group program. Additionally, he was active in the Alabama Motorcoach Association, of which he was treasurer.

Mr. Grantham was a life-long resident of the Mobile area, and a graduate of the University of South Alabama.

He also was an associate pastor at FaithWord Church in Mobile, which was founded by Mr. Grantham's brother, Joel, who is pastor.

A member of the Mobile Jaycees, Mr. Grantham was active in the Mobile Azalea Trail civic program. He had chaperoned the program's Trail Maids for their an-

nual Thanksgiving trip.

But it was flying that had become Mr. Grantham's passion.

He reportedly had held a pilot's license for less than a year and had set out to practice touch-and-goes the evening he was killed.

He took off about 6:40 p.m. from the St. Leo airport in his single-engine Beechcraft, said a Federal Aviation Administration spokeswoman. But within minutes he called air traffic control and requested to return. He crashed minutes later in a pasture.

Witnesses described hearing a plane sputtering. Flying conditions were reported to be marginal.

The incident is under investigation by the National Transportation Safety Board.

In addition to his wife and brother, Mr. Grantham is survived by his parents, A.B. Grantham and Linda Mathers; his brother, Josh, and his sister, Ginger.



Scott Grantham

is basically a popularity contest, and the 'idea' with the most votes wins."

In other words, the organiza-

tion that best utilizes its social network could grab the prize.

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ily and your friends involved. Remember, there is no age restriction

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THE DOCKET

Bus tolls to rise in New York City

NEW YORK CITY — Bus and motorcoach tolls will rise on six of the seven major bridges and tunnels operated within the city by the Metropolitan Transportation Authority, beginning Dec. 30.

For E-ZPass users, tolls for cars, buses and trucks will move 5 percent higher under the new rate schedule, while the rate hike for

drivers paying cash will be 18.2 percent.

Today, a three-axle coach with E-ZPass pays \$27 to cross the Verazano-Narrows Bridge that connects Brooklyn and Staten Island and has one-way tolling.

When the new rates take effect, the same bus crossing between the two boroughs will pay \$28.35.

Without E-ZPass, however, a three-axle coach crossing the Verazano will have to fork over \$42.55, up from today's \$36.

For the popular Queens Midtown Tunnel, the new E-Z Pass rate will be \$14.17, up from \$13.50, while the cash rate will go to \$21.28 from \$18.

Another hike is planned for 2013.

Effort begun to deal with W.Va. tax

CHARLESTON, W.Va. — Efforts have gotten firmly underway to better understand and to possibly undo a personal property tax that is being levied on both in-state and out-of-state motorcoach operators in West Virginia.

At least two-dozen non-West Virginia-based operators have received notices they will have to pay the tax beginning next year. (See Oct. 15 *Bus & Motorcoach News*.)

Parkersburg, W.Va., operator Bob Cline of U.S. Tours reports that an ad hoc group is considering the issue and working to see if anything can be done about it.

Last month, the committee, composed of Cline; Joe Wolfe, general Manager at Country Inn &

Suites by Carlson in Charleston; Carol Fulks, executive director of the West Virginia Hospitality and Travel Association, and Attorney Brian Helmick met with several members of the West Virginia Tax Department on the issue.

Cline describes the get-together "as a very good meeting."

"The tax department's stance is they are required by law to collect this tax and have been doing so for many years," says Cline.

"The reporting form is 10-12 pages in length and the amount of property tax revenue collected from out-of-state motorcoach companies is significantly less than the property tax collected from in-state companies."

Cline said the tax department officials the group met with "clearly understood the value of motorcoach business and have no objection to our efforts to modify the law requiring the collection of this tax."

A key aspect of the effort is to determine whether the tax is included in the state constitution, or was legislated. Attorney Helmick is researching that issue.

"If it is written in the constitution we will have larger hurdles to jump," said Cline. "If it is not, we may be able to draft legislation for the next session and conceivably have it repealed."

Meanwhile, the tax department staff will look at reducing the tax reporting form to a couple of pages.

New Entrant Safety Program to be audited for effectiveness

WASHINGTON — The U.S. Department of Transportation Office of Inspector General plans to audit the response by the Federal Motor Carrier Safety Administration to National Transportation Safety Board recommendations to improve the FMCSA's New Entrant Safety Assurance Program.

Under the program, the FMCSA oversees newly registered motor carriers (known as new entrants) by informing them of motor carrier safety standards and regulations, and determining whether the new companies are complying with the standards and regulations.

Over the years, it has proven very difficult for the FMCSA to assure that all motor carriers it has put out of service do not evade the law and become new entrants again under different names — such operators are commonly called "reincarnated" or "chameleon" carriers.

After its investigation of a Jan. 2, 2008, motorcoach crash in Victoria, Texas, that resulted in one fatality and more than three-dozen injuries, the NTSB issued a report to FMCSA recommending it address weaknesses in the New Entrant

Safety Assurance Program, including reducing the risk of reincarnated or chameleon carriers.

Specifically, NTSB recommended that FMCSA establish new program requirements and develop new computerized methods of identifying carriers that try to evade detection, assist the National Highway Traffic Safety Administration in developing a database of information on commercial vehicles, and seek statutory authority to enhance its ability to oversee new entrants.

The NTSB investigation of the Victoria crash found the company operating the motorcoach was in essence a chameleon carrier.

In a July 2010 report on the fiscal 2011 USDOT appropriations bill, the House Committee on Appropriations directed the Office of Inspector General to evaluate FMCSA's response to the NTSB recommendations, all of which remain open.

Accordingly, the objective of the audit is to evaluate FMCSA's efforts to improve the New Entrant Safety Assurance Program by addressing key NTSB recommendations, says the USDOT OIG office.

Announcement of the audit came within days of an article published by The Trucker website, investigating a possible chameleon trucking company.

Sources told The Trucker during its investigation that FMCSA simply didn't have the resources to extend to trucking companies the vetting process it uses to check out new motorcoach companies and household goods carriers.

The FMCSA deals with literally hundreds of new entrant applications each week — the vast majority of them new trucking companies.

While the agency's New Entrant Safety Assurance Program is designed to cover the three primary sectors of motor carriers — motorcoach operators, household goods carriers, and property-carrying carriers, which by far comprise the largest group of the three, the FMCSA hasn't had the resources to extend the much more stringent process used for motorcoaches and household goods carriers to truckers.

The agency has focused on coach operators because there have been accidents with multiple deaths and injuries involving chameleon bus companies.

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Heavy Niagara border congestion expected Dec. 25-Jan. 5

BUFFALO, N.Y. — Officials on both sides of the U.S.-Canadian border are warning coach and tour operators to expect heavier than normal congestion at the three Niagara border crossings late this month and into early January.

Triggering much of the congesting will be the World Junior Hockey Championship that will take place over an 11-day period in Buffalo, starting Dec. 26.

Border officials, along with the Ontario Motor Coach Association and trade groups in the U.S., are strongly recommending carriers crossing at Queenston, Rainbow or Peace Bridge from Dec. 26 through Jan. 5, allow extra time and adjust their travel and driver schedules accordingly.

Renewal notice issued by IFTA

CHANDLER, Ariz. — The International Fuel Tax Association, which manages the International Fuel Tax Agreement, has issued a reminder that nearly all interstate bus and truck operators must file for IFTA renewal by year end.

IFTA operates on a calendar year, so renewals are due. However, the issuing and posting of IFTA licenses and decals on fleet vehicles is more flexible.

During January and February, an IFTA carrier may display either valid 2010 credentials (if the carrier has filed its 2011 IFTA renewal application) or valid 2011 credentials, or a valid fuel use tax trip permit.

IFTA emphasizes that the grace period is only for display of credentials, and is not an extension of time for a carrier to file for renewal. That must still be done by the end of December.

A proposal to amend IFTA to eliminate the grace period altogether is currently being voted on by the IFTA membership.

To learn more or to read IFTA's memorandum about the grace period, go to www.iftach.org.

Rear-view systems

WASHINGTON — The U.S. Department of Transportation is proposing to require that passenger cars, pickup trucks, minivans and minibuses under 10,000 pounds be equipped with a rear-view system by 2014.

The agency said it expects vehicle manufacturers to install rear-mounted video cameras and in-vehicle displays to meet the proposed standard.

The proposed rule was required by Congress.

On Dec. 26, in addition to the normal shopping trips and charters and tours, there is a New England Patriots-Buffalo Bills NFL game (that in the past has attracted up to 140 motorcoaches), plus three World Junior Hockey championship games.

The hockey games could draw as many as 25,000 Canadians across the border, with an estimat-

ed 60 percent of the spectators coming from Ontario.

Add to that the number of Canadians going to the Bill's game, shoppers and regular travelers, and you have the makings for very heavy congestion.

The OMCA reports it is working with a half-dozen authorities and groups on both sides of the border to minimize delays.

Ways of alerting drivers in real time to the level of congestion at each crossing are being discussed so drivers and operators can select a crossing with the shortest wait times. Bridge commissions reportedly are working on traffic management plans to minimize delays.

Both U.S. and Canadian border officials have told the OMCA they are willing to accept (voluntary)

passenger manifests as a way to expedite clearances.

For passengers returning to Canada, the voluntary use of E-311 Customs Declaration cards is being strongly recommended as a way of speeding up customs processing.

Despite these efforts, delays are expected.

Have you voted today?

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Spread the word to your customers, your staff, your family and friends and ask for their support.

Don't wait! Every day that passes without your vote is a lost opportunity to drive awareness and cultivate new passengers for your business.

Questions? Please contact Pamela Wolff 412.770.7164 pamela@motorcoachcouncil.org

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Texas jury awards \$126 million in 2005 crash of van

EL PASO, Texas — A jury has ordered a charter bus company based here to pay nearly \$126 million in damages stemming from a 2005 van crash that killed two Mexican citizens and injured five others, a lawyer told *BusinessWeek* magazine.

The state court jury found Los Paisanos Autobuses Inc. to be lia-

ble for the deaths and injuries, their attorney, David Harris, told *Businessweek*.

The seven were in a van that flipped over on a snowy Denver highway and struck an overpass, Harris said.

The suit said Los Paisanos failed to protect its customers and the driver was responsible for the

accident. According to Harris, the driver was traveling at 70 miles an hour through snowy conditions before he lost control of the van.

Los Paisanos treated these poor people like cattle, said another attorney representing the passengers. The van, which had no seat belts, had been driven more than 188,000 miles during the pre-

vious two years.

The passengers were migrant farm workers headed to Nebraska. Los Paisanos, whose buses are familiar on highways in southwestern and plains states, specializes in transporting individuals from Mexico.

The verdict is the 12th-largest jury award in the U.S. this year,

according to data compiled by Bloomberg.

An attorney for Los Paisanos was quoted as saying the verdict will be appealed. Los Paisanos contended it didn't own the van, an argument that didn't work with the jury.

Consumer faith on the rebound

NEW YORK — Consumer confidence rose in November, according to the two organizations that track buyer sentiment.

The New York-based Conference Board said its monthly index improved to a 54.1 reading, from 49.9 in October.

The November level is the highest since June, when the index hit 54.3. September's index had been the lowest since February.

The November reading also beat economists' forecasts of a 53 reading.

Meanwhile, the monthly Thomson Reuters/University of Michigan consumer confidence index showed a reading of 69.3 for November, up from 67.7 the month before. Economists had forecast an increase to a reading of 69.

Before getting too excited, however, keep in mind that it takes a level of 90 for the Conference Board index to indicate a healthy economy.

Still, an improvement in confidence may result in increased consumer spending, which accounts for 70 percent of the economy.

Reauthorization of DERA moves

WASHINGTON — The Diesel Emissions Reduction Act of 2010 appears to be on a relatively fast track, having passed out of committee last month by the U.S. Senate Environment and Public Works Committee.

The bill is a five-year reauthorization of 2005 legislation that established a voluntary national and state-level grant and loan program to reduce diesel emissions. (See Nov. 1 *Bus & Motorcoach News*.)

A broad coalition of 539 groups support reauthorization of DERA during the lame-duck session. The United Motorcoach and National School Transportation associations are among the 539.

If passed, the bill would authorize \$200 million annually for diesel emissions reduction grants and loans from 2012 to 2016.

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Expect More

Go RVing expands promotion plan

RESTON, Va. — The recreational vehicle industry expects to spend \$11 million next year, one third more than it spent this year, to promote RV travel.

Anticipated growth in recreation vehicle production will enable the “Go RVing” campaign to boost promotional spending, providing additional momentum to the industry’s recovery, according to a news release from the all-industry coalition that sponsors the marketing program.

The Go RVing campaign is predominantly funded by mandatory assessments on all new units built by Recreational Vehicle Industry Association-member manufacturers.

Integrated television, print and internet media will dominate Go RVing’s 2011 plan.

In a cross-media promotion with Food Network’s family of media outlets, Go RVing messaging and ads will appear on Food Network television programming, in *Food Network Magazine* and on *FoodNetwork.com*.

Go RVing will air nearly 150 spots as part of the television buy that also includes a customized 60-second vignette starring Food Network talent, showcasing a family traveling by RV.

A pull-and-save “What’s in Season by Region” booklet series in *Food Network Magazine* will be designed around full-page Go RVing ads and editorial content.

And, an online Go RVing “Summer Produce Guide” filled with recipes, a photo gallery starring RVs, custom video and web ads will drive more leads to *GoRVing.com*.

Go RVing will continue advertising on television sports programming, including NASCAR shows on the SPEED channel.

Time-tested performers like PBA bowling, Triple Crown horse racing programming and bull riding, all on the ESPN family of networks, are also part of the 2011 media plan. Go RVing courtside signage will be on display at 150 NCAA basketball games to air on ABC, CBS, ESPN and ESPN2 in

2010 — guaranteed an average two minutes of TV exposure per game.

General interest magazines and internet sites proven to draw leads, national and regional magazines with a strong history of delivering consumer leads, plus a good editorial environment for the ads, will be a mainstay of the 2011 plan. Ads will appear in 28 magazines, including *National Geographic Traveler*, *Field & Stream*, *Parents* and a variety of special interest publications.

The internet is Go RVing’s most cost-efficient source of leads, especially search engines like Google, Yahoo and Bing. The 2011 online buy on over 40 sites includes a number of new sites to reach new potential buyers.

The Go RVing Coalition, formed in 1994, consists of RV manufacturers, component suppliers, dealers and campgrounds. Go RVing works to provide the public and media with pertinent information about the benefits of RV travel. For more information, go to *GoRVing.com*.

GE boosts program for RV dealers

HOFFMAN ESTATES, Ill. — GE Capital Commercial Distribution Finance has launched a program with Spader Business Management aimed at improving the business performance of recreational vehicle dealers.

GE Capital will subsidize a one-year subscription to Spader True, an online system that allows qualified recreational vehicle dealers to compare their business performance against industry benchmarks on a wide variety of financial metrics.

Spader True’s interactive system provides a summary of more than 1,500 individual data points in

a series of graphic displays, known as dashboards.

It allows dealers to compare their performance on a wide variety of detailed metrics related to expenses, sales mix and profit margins, by department, against industry averages.

“GE Capital wants dealers to have the best financial reporting and forecasting tools to grow their businesses,” said Pete Lannon, managing director-RV for GE Capital’s Commercial Distribution Finance business.

Under the program, GE will pay 50 percent of the cost of a one-year subscription.

“Spader True contains live data that dealers can start using immediately,” said John Spader, president of Spader Business Management of Sioux Falls, S.D.

“Spader True was designed to be used by dealers and their management team so that, with one quick look, they can discover what’s working and what needs improvement.”

Spader Business Management has worked with the International Motor Coach Group and the United Motorcoach Association to develop business improvement programs for coach operators known as 20 Groups.

Amtrak assesses biodiesel, Time magazine goes gaga

CHICAGO — Thanks to American taxpayers, Amtrak is testing biodiesel fuel to power its Heartland Flyer train which operates daily between Oklahoma City and Fort Worth, Texas.

Amtrak received a \$274,000 grant from the Federal Railroad Administration to carry out the research in partnership with the Oklahoma Department of Transportation.

The train also receives operational subsidies from taxpayers in both Oklahoma and Texas.

The Heartland Flyer’s 12-cylinder diesel engine is being run on B20 biodiesel (20 percent biofuel and 80 percent diesel fuel), a development that’s considered so novel it made *TIME* magazine’s list of “The 50 Best Inventions of 2010,” along with improved 3-D glasses.

The *TIME* acknowledgement

produced this outpouring from a top Amtrak executive:

“This recognition from *TIME* magazine is an honor to our state partners and all of us at Amtrak who are working on this project, the nation’s first test of biodiesel in an interstate passenger train,” said Roy Deitchman, Amtrak vice president for environmental health and safety.

“Amtrak travel is already more energy efficient than most other forms of intercity transportation. If the test shows this use of a renewable fuel in our locomotive is successful, it’s a home run for our passengers, for our partners, and for the planet.”

It’s nice to see Amtrak get a little wood on the ball once in a while, even if the juice comes from U.S. taxpayers, plus extra scratch from those in Oklahoma and Texas.

Study: U.S. lags in cutting crashes

The following is scary in more ways than one.

A new report from the National Research Council says the United States has fallen behind other high-income nations in reducing traffic fatalities and injuries.

The report, which studied accident data in the U.S. and 15 other countries, found that from 1995 to 2009, the number of traffic fatalities dropped 52 percent in France, 38 percent in the United Kingdom, and 25 percent in Australia, while U.S. fatalities dropped a more modest 19 percent.

When measured by per vehicle mile, the U.S. lags in addressing its fatality rate, the NRC said.

The report said that before

1990, the U.S. fatality rate per vehicle mile was “among the best... but has been below the median rate of the group every year since 2001.”

The NRC is part of the National Academies, a federal government entity that includes the National Academy of Sciences, the National Academy of Engineering and the Institute of Medicine.

Besides indicating possible continuing safety shortcomings in the U.S., the study provides fresh ammunition — as if any were needed — for federal bureaucrats to continue pressing for expanded and more onerous safety regulations and more costly and complicated safety equipment on commercial vehicles.

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Civil War commemorations suffer funding shortfalls

WASHINGTON — Next year marks the 150th anniversary of the start of the Civil War and many coach operators doubtless have been considering putting together special tours in conjunction with the commemoration.

In some cases that may be a challenge.

Many communities across the nation that were developing activities and events to commemorate the anniversary are struggling with a lack of funding, while a bill that could aid them is stuck in Congress.

The Civil War Sesquicentennial Commission Act, which would establish a national, federally-funded committee to help organize and finance commemorative events, was introduced in the House last March by Illinois Democratic Rep. Jesse Jackson Jr. and referred to the House Committee on Oversight and Government Reform, where it languishes.

Democratic Louisiana Sen. Mary Landrieu introduced an act of the same name in the Senate 14 months ago, but it never made it out of the Committee on Energy and Natural Resources Subcommittee on National Parks.

While Jackson remains hopeful his bill will pass during the current lame duck session of Congress, others are less optimistic.

Robert Rosen, a member of the South Carolina Sesquicentennial Advisory Board, has been quoted as saying he thinks Congress "is just going to dodge" any action on the Sesquicentennial Commission Act.

Some events have already kicked off ahead of the April 12, 2011, anniversary of the Civil War's official first shot, which was fired at Fort Sumter in Charleston, S.C.

The commemoration is supposed to last until spring of 2015, says Cheryl Jackson, executive director of the Virginia Sesquicentennial of the American Civil War Commission.

In the absence of a federal committee, some states have set up committees to plan commemorative events. Several, however, including those in North Carolina, South Carolina, Missouri, New Jersey and Connecticut have been denied state funding.

"The biggest problem, of course, is there's no money from any source," says Rosen.

The Georgia Civil War Commission's state funding was cut from \$50,000 two years ago to \$10,000 this year.

Gettysburg, Pa., was any denied state funding.

Virginia's state commission is something of an exception, receiving a \$2 million state appropriation.

Some attribute Congress' inaction regarding the Sesquicentennial Commission Act to controversy surrounding the Civil War. "It's kind of a political hot potato," said one official.

It also would be difficult to persuade conservatives to back a multimillion-dollar national committee in today's economy, say other observers, who worry Americans

are losing their sense of history.

Many of the sesquicentennial events that do take place will be more inclusive than the 1960s centennial, which was planned by a federal commission and largely ignored the role of African Americans, according to one museum official.

Although the Virginia Sesqui-

centennial Commission will neither condone nor condemn battlefield re-enactments, it plans to move away from the celebratory events that characterized the centennial and instead focus on education, says James Robertson, a member of the commission. "We're not out to celebrate anything," he says. "There's nothing to celebrate when three

quarters of a million men died."

One of the sesquicentennial's major events, however, will take place in Manassas, Va., in July.

Up to 14,000 individuals will participate in a reenactment of the First Battle of Bull Run at Manassas Battlefield Park on July 23. The event is expected to attract 25,000 spectators.

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Inspections aplenty

CONTINUED FROM PAGE 1

suspended driver's license.

Kraft, who has the added benefit (or curse) of being an attorney, as well as a motorcoach operator, denies the accusation, insisting that neither he nor the driver were aware of the suspension, and that the agency should dismiss the violation and its \$1,810 fine.

The incident stems from a traffic ticket one of his drivers — a 28-year veteran — received for running a red light in his private vehicle. The driver paid the fine, but was assessed a \$50 license reinstatement fee without his knowledge that went unpaid and which led to his license being suspended.

Kraft said the driver told him of the ticket at the time and produced a receipt showing he had paid the fine, which both he and the driver figured took care of the issue.

Inspections surge

The FMCSA and Commercial Vehicle Safety Alliance conducted their annual "Brake Safety Week" campaign in September and their yearly "Operation Safe Driver" program in October, both of which the agency says are becoming more robust across the country.

At about the same time, numerous states and cities have conducted high visibility commercial motor vehicle safety campaigns. For example, the Pennsylvania State Police, Pennsylvania Public Utility Commission and municipal law enforcement agencies conducted a Motorcoach Safety Week inspection blitz last month.

'It was intimidating to be asked to sign such a form by someone carrying a gun and wearing a badge.'

"All of these things taken together, I suspect, may be the cause for the perceived increase in commercial motor vehicle enforcement activities," suggested FMCSA spokesman Duane DeBruyne.

Inspection surprise

The suspension of Kraft's driver came to light following a compliance review conducted by an Oklahoma state trooper who apparently ran the names of Kraft's drivers through a database of license information that is only available to state authorities and not motorcoach operators.

The following day, the trooper returned to KraftTours' office and cited the carrier for allowing the driver to operate a coach without a proper license.

When informed of the suspension, Kraft immediately contacted the driver, who was on the road 70 miles from Tulsa, and ordered him to park his bus. He then sent a car with a replacement driver and had the driver with the suspended license returned to the office.

When he returned a few hours later, the driver obtained a money

order and immediately delivered it to the state to cover the reinstatement fee.

"We had no reason to believe that some unknown fee had not been paid and that it would lead to my driver having his license suspended," stressed Kraft.

Hefty protest

Disturbed by the violation notice, Kraft carefully crafted a 13-page letter protesting the action against his company and sent it to the FMCSA.

Among the many reasons he cited supporting his request for a dismissal were that the regulation requires that the operator "knowingly" allowed a driver without a license to operate a bus; that the rule is vague and over reaching; that the

safety history of the company defies any claim of danger to the public, and that regulators require so much paperwork that it requires a super human effort to manage the volume of information required.

"It is ridiculous and the height of folly to suggest that KraftTours management would knowingly violate any federal regulation when a simple remedy was available for only \$50," he wrote in his pleadings. "This response alone has cost our company at least a hundred times \$50 and has been a distraction from our focus on operating an extremely safe motorcoach fleet."

Kraft said he was particularly concerned by two actions taken by regulators. No. 1, producing a pre-printed form that stated KraftTours was admitting guilt to the violation. The trooper who performed the compliance review asked Kraft to sign the form; he declined. And, second, the FMCSA placing the name of his company and the violation on its website before the action was adjudicated.

"It was intimidating to be asked to sign such a form by someone carrying a gun and wearing a badge," noted Kraft, adding that he still refused to sign it.

"It is regulatory overreaching at its worst and this practice must

Calendar

JANUARY 2011

8-12 Marketplace 2011, Philadelphia. Info: www.buses.org.

17-19 International Motor Coach Group Maintenance and Safety Forum, Tampa, Fla. Info: Go to www.imgcoach.com, or call (888) 447-3466.

19-23 UMA Motorcoach Expo 2011, Tampa, Fla. Info: Go to www.motorcoachexpo.com, or call (800) 424-8262.

stop."

Bob Neal, federal program specialist in the Oklahoma City FMCSA office, said he could not discuss the case.

However, he acknowledged that troopers sometimes are provided with copies of prepared statements that operators are asked to sign in which they admit guilt to a violation of a federal regulation.

"They're just part of the case," was all he would say when asked why such forms are used.

Kraft thinks the forms are a form of regulatory intimidation, and operators should consider not sign them if they do not believe they are guilty of the violation or intend to appeal the allegation.

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BANY to offer solutions in fight to stave off taxes

ALBANY, N.Y. — The Bus Association of New York is adopting a proactive approach in dealing with possible ramifications of New York state's budget crises.

During BANY's annual meeting and marketplace here late last month, several initiatives were discussed that would highlight the motorcoach industry's contributions to New York and its potential to do more.

Rather than wait for the legislature's inevitable quest for new sources of revenue in the form of additional taxes related to bus operations or motorcoach purchases, BANY has scheduled a group lobbying effort for late March.

According to newly elected BANY President Godfrey LeBron, a two-pronged effort is being organized.

BANY members are being asked to develop personal relationships with their local legislators, and collectively the organization will be offering cost-saving solutions and ideas during its lobbying effort.

Among other measures, privatization of many line and commuter operations would save New York taxpayers millions of dollars annually, while providing better service, BANY members say.

Founded nearly 75 years ago,

Buyer for Berg's Oregon bus unit

SEATTLE — The court-appointed trustee for former motorcoach operator Darren Berg's Chapter 11 bankruptcy reports she has signed a letter of intent to sell Oregon Coachways to a "national transportation management company."

The agreement follows a deal to sell the other four units of Berg's MTR Western luxury charter-bus company to a Seattle-based investment group led by H.S. Wright III.

Berg has been indicted by a federal grand jury on a busload of criminal allegations. (See Dec. 1 *Bus & Motorcoach News*.)

Trustee Diana Carey declined to identify the proposed buyer of the Oregon operation but industry speculation generally has settled on Coach USA.

Court documents filed by the trustee say the MTR Western operations owe about \$10 million to Wells Fargo, ABC Companies, and about 350 other creditors.

Wright's group, GTO, has agreed to lend the charter company up to \$1.3 million while the bankruptcy court prepares an auction to see whether anyone will top its offer for MTR Western.

BANY has experienced steady growth in recent years, as outgoing President John Silvanie and a committed group of operators rallied to defeat measures that would have crippled the motorcoach industry in New York, and had national implications.

Despite the current economic

climate, attendance at this year's event was up slightly, with nearly 100 industry people attending.

A major agenda item was a panel discussion of the implications of CSA 2010, the new safety measurement system being implemented by the Federal Motor Carrier Safety Administration, that in-

cluded Loretta Bitner, FMCSA's chief of the commercial passenger carrier safety division.

State and national legislative updates were provided by BANY Executive Director Arthur J. Kremer, Clyde Hart of the American Bus Association and Ken Presley of the United Motorcoach Association.

Eight coach suppliers participated in a manufacturer's forum on new developments in equipment, and the marketplace featured four demonstrator coaches and 46 vendor companies.

BANY has scheduled next year's annual meeting and marketplace for Oct. 23-25 in Albany.



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Steve Manning – IT Director – Peter Pan Lines, Inc.

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Ray Land – President – Fabulous Coach Lines

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John Nichols – President – J. A. Nichols & Company

Tour certification cost cut by NTA

LEXINGTON, Ky. — The National Tour Association is offering a deep discount program for its Certified Tour Professional program that helps travel professionals better understand day-to-day business opportunities, while demonstrating commitment to their careers and the industry.

To help more NTA members obtain the certified tour professional designation, NTA is offering a 75 percent discount to those who finish the program in two years — a \$450 savings.

Now, when an NTA member registers, the member pays only \$150 of the \$600 program cost. And, if the individual graduates within two years of their enrollment date, \$150 becomes the total cost.

However, after two years from the date of enrollment, if someone hasn't graduated from the program, they will be invoiced for the remaining cost, \$450.

The program is designed to be completed in one year. It is a study-at-your-own-pace program, and there is no limit to how long someone can work on earning the designation. Now, though, there's a big incentive to finish sooner rather than later.

Go to www.NTAOnline.com to learn more. Questions can be emailed to Lisa Thompson at lisa.thompson@NTAstaff.com.

NTA will push Latino tourism

MONTREAL — The National Tour Association has launched a Latino initiative focusing on stimulating packaged travel business with North American Hispanic-owned travel businesses.

The association will develop strategies for attracting Hispanic customers and promoting tours to and from Latin markets, said Lisa Simon, NTA president, who announced the initiative here last month at NTA Convention 2010.

NTA chairman Cathy Greteman appointed a new group, called the Latino Task Force, which will make recommendations for marketing to the growing Latino segment.

The U.S. Hispanic market is projected to be \$1.4 trillion by 2012, and the Hispanic population is expected to be 20 percent of the total U.S. population when final U.S. Census numbers are released.

“We look forward to playing a leadership role in this segment of the travel industry,” said Simon. “As the Hispanic market and tourism between North America and Latin America gain strength, they present phenomenal opportunities.”

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Trolley's buys S.C. operator

CHARLOTTE, N.C. — Trolley's Inc., a specialty passenger transportation company based here, has purchased Sunway Charters and Tours of Myrtle Beach, S.C. The deal diversifies Trolley's operations and keeps Sunway from disappearing.

Sunway was owned by Nelson Jackson, who died in February (see Feb. 15, *Bus & Motorcoach News*), and had been slated to be shut down because there was no provision in Jackson's will for the company and initially a buyer could not be found.

Sunway offers private- and group-chartered tours throughout the country, as well as tours of the Myrtle Beach resort area and surrounding counties. The company had been operated by Jackson for more than 30 years and it has a fleet of a dozen motorcoaches.

Trolley's has specialized in offering customized transportation. For example, it provides shuttles for PGA golf tournaments and charters for private parties or events, such as weddings.

The purchase of Sunway Charters and Tours is not only a "perfect extension" of Trolley's business but Sunway's operation mirrors that of Trolley's in many ways, said Trolley's President Lee Helms.

"Sunway Charters and Tours is a great addition to our charter business. Their core business values, belief in a high-quality experience for their customers, and attention to detail in the maintenance of their vehicles are components of their business that matched the philosophy and business plan at Trolley's Inc.," said Helms.

Sunway's Myrtle Beach location will provide opportunities for tourism-related charters and tours, as well as expanded geographical coverage, Helms noted, adding that he plans to continue to operate Sunway from its South Carolina location.

Trolley's has a fleet of more than 30 vehicles, ranging from minibuses to motorcoaches to trolley buses. The company is family owned and has been in operation since 2002.

During the 40 years he lived in Myrtle Beach, Nelson Jackson became one of the area's best-known promoters. Among the Jackson Companies' many business enterprises were the sprawling Ocean Lakes Family Campground, Prestwick Golf and Country Club, and Crystal Lake Mobile Home Village.



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People

RANCHO MIRAGE, Calif. — Two employees of **H & L Charter** of Rancho Cucamonga, Calif., were honored at the recent annual convention and trade show of the **California Bus Association**.

Jennifer Roark was named Driver of the Year and **Jacques Gagne** was presented the Maintenance Technician of the Year award.

Roark's award, which recognizes exemplary safety performance, is sponsored by **Lancer Insurance Co.** and was presented by company executive **Robert Crescenzo**. **Marshall Deems** of **Motor Coach Industries** presented the maintenance award to Gagne, citing his expertise in fleet operations.

"As a small operator, H & L Charter is proud to have its staff selected for recognition," said company president **Elaine Fickett**. "Working with people who strive to excel is a privilege.

Fickett and H & L are big be-

lievers in continuing education, and adopting best business practices and the latest technology to improve operations, including obtaining staff training by the Telephone Doctor, equipping all vehicles with DriveCam and TeleTrac, maintaining an active website and Facebook presence, installing diesel particulate filters on all vehicles, and developing its own safety video, said **Michelle Silvestro** of **National Interstate Insurance**. Its latest vehicles have seatbelts.

Tim Davis of the **Massachusetts Department of Public Utilities** has stepped down after a decade as chairman of the Passenger Carrier Committee of the **Commercial Vehicle Safety Alliance**.

Davis said travel restrictions within state government meant he no longer could commit to being at each CVSA meeting.

"The (passenger carrier committee) needs a fulltime chair to continue to advocate for bus safety at CVSA and to continue the great work you all have done over

said Horton.

Facebook users can help the council promote the contest by using their personal network. To simplify the process, download the Pepsi application that lets your friends vote directly from your page.



Jacques Gagne Jennifer Roark

the years," Davis said in a note to committee members.

"I would especially like to thank **Dave Sucha** (of the **Michigan Department of Transportation**), **(Sgt.) Duane Bartels** (of the **Minnesota Safety Patrol**) and **Wes Barber** (of the **Federal Motor Carrier Safety Administration**), who always kept me focused and said 'I got your back.'"

"Tim's commitment to improving passenger carrier safety through practical and effective enforcement was unwavering, and his steady hand at the helm will be missed," noted Ken Presley, vice president of industry relations at the **United Motorcoach Association**.

"The Pepsi Refresh Project is all about supporting great ideas that move communities forward. Our industry's grant idea will increase awareness of motorcoach travel, increase ridership and drive new business your way," said Horton.

Trans-Bridge Lines co-founder, John Ferraro, dies at age of 90

BETHLEHEM, Pa. — John A. Ferraro, co-founder of one of the nation's largest and best-known motorcoach companies, Trans-Bridge Lines, died last month. He was 90.

Mr. Ferraro's father, A.J., put together enough money in 1941 to buy what had once been a trolley company and founded Trans-Bridge with his son, John, and daughter, Camille.

Today, Trans-Bridge is the 26th largest North American motorcoach company (according to *Metro Magazine*), with a fleet of 70 coaches, offering tour-and-charter services and regular commuter service from eastern Pennsylvania to New York City.

Born in the New York City borough of the Bronx in 1920, Mr. Ferraro was reared in New Jersey and was a high school football player. He started out driving buses for his father; his wife of 69 years, Carol, often rode with him.

From the age of 21 onward, until he retired in 1990, much of Mr. Ferraro's life was devoted to building and sustaining Trans-Bridge Lines. The remainder of his

time was largely committed to his family.

In 1977, Mr. Ferraro became company president and when he retired he had spent 49 years with the business.

His nephew, Tom JeBran, is now president of the company.

Mr. Ferraro reportedly loved sports, working with his hands, painting and carving. He was a golfer and dedicated Philadelphia Eagles fan, owning season tickets for 40 years.

"He had a love/hate relationship with the Eagles," one of his daughters told a Lehigh Valley newspaper.

In addition to his wife, Mr. Ferraro is survived by three daughters and two sisters.

Memorials in Mr. Ferraro's name have been established with FMC Dialysis Services of Bethlehem, 2005 City Line Rd., Ste. 6000, Bethlehem, PA 18017, and VNA Hospice of St. Lukes, 2455 Black River Rd., Bethlehem, PA 18015.



John Ferraro

Pepsi challenge

CONTINUED FROM PAGE 3

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Senate bill takes misguided approach to new companies

By Dave Millhouser

It seemed the manly thing to do. Standing in the “tender” (a tiny boat, NOT a boneless chicken, for the non-nautical among you), I wanted to swim ashore without having the boat drift away.

There was a rope attached to the bow and for some reason it seemed a good idea to hold it in my teeth as I leaped into the water.

Ever notice that when you do manly stuff, bleeding often follows?

In accordance with Newton’s Law, the boat shot backwards as I went forwards. The rope jerked my lower teeth, so they stuck out horizontally like piano keys. The young lady I was trying to impress spent the afternoon with me at the dentist, as he wired my face back together.

Two lessons learned: There are often unintended consequences when we act without thinking, and Newton was right about equal-and-opposite actions.

A bill currently being considered by the U.S. Senate, S.B. 554, the Motorcoach Enhanced Safety Act, is an example of something that needs to be thought through by both our industry and Congress if we’re to avoid both unintended

consequences and perhaps pushback.

Without discussing details (I’m not smart enough to understand them), there is language embedded in the bill that makes it extremely difficult for reasonably qualified folks to enter the motorcoach business. (See Nov. 15 *Bus & Motorcoach News*.)

At first glance, that seems a bonus for those already operating, eliminating the specter of increased competition. It also seems to address the perception, being pushed by some in the industry, that new entrants comprise a “rogue” element.

Pendulums often swing too far. Before de-regulation it was virtually impossible to enter the bus industry, while soon after, any mammal got operating authority. Just when the pendulum seems to be settling in an acceptable range, S.B. 554 comes along.

“No new entrants” sounds good, until you think about the way we were.

Prior to de-regulation most operating authority was tied to line runs. Operating scheduled service got you the privilege of running charters. Since there was little com-

petition, there was no incentive for innovation in either equipment or service. A few folks made money, while the industry stagnated.

Enter competition in the early 1980s, and suddenly there was a flurry of new ideas and energy. Marketing leaped to the forefront, new models and brands of buses entered the industry. Entertainment systems, galleys, sexy buses with big windows, and unique services popped up. Some worked, some didn’t, but more people began riding buses.

The down side was some competition was based on price alone. Revenue went from (arguably) too high, to (often) too low.

Ask yourself where we’d be if we hadn’t opened up to competition. It’s likely that a few folks would be making money, but fewer people would be riding buses. A few companies would be taking majority slices of the pie — that had shrunk to the size of a tart. Heck, you very likely might not be one of them.

Innovation, spurred by competition, has put millions of folks into buses. Modern coaches, entertainment systems, Wi-Fi, electronic ticketing, customer friendly line

runs and our industry’s justifiable pride in safety, “greenness” and efficiency, have all increased the size of the pie.

Our problem isn’t competition, it’s the perception that bus travel is crude and, therefore, not worth much. In fact, competition may be the only way to dispel this notion. Before we can raise revenue to where it belongs, we have to make the public believe we are worth it.

New blood will bring ideas that help change the public’s mind about buses, and enlarge the pie for everyone. Some form of entry-stifling regulation may feel good short term, but the consequences could be a shrinking, dying industry, and those are only the consequences we foresee. There may be others.

A Wizeden Transportation Executive pointed out that in the 1970s a highly regulated, but shrinking, transit industry was “rescued” by the feds, who bought, or forced out, the remaining tired companies.

Government created the problems, then solved them by absorbing the industry. A stagnant intercity industry could suffer the same fate.

Make sure new folks compete on a level playing field and bring

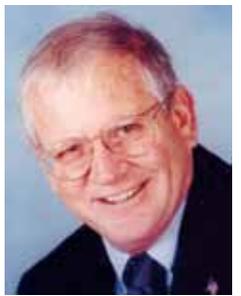
them on. Darwin will pick off the bad ones and the good ones will make us all better.

If you don’t believe it, look at who is successful now. It appears to be a healthy mix of older companies that adapted well, and newer ones who forced the adaptation. Many of today’s good guys might have been denied entry if something like S.B. 554 had been in place.

Every existing company was once one of those dreaded startup “rogues,” and there is no data that supports the notion that new companies are less safe than older ones.

If all this Darwin stuff is depressing, try www.darwinawards.com. It brightens my day because it shows there’s someone a bit dumber than me.

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If you are looking for answers to how to manage your business in a

lowballer environment, then attend two special Solution Sessions at the 2011 UMA Motorcoach Expo here in January. Here are the particulars:

Motorcoach Economics: Finding the "Sweet Spot", Part I – 2:15 p.m. on Thursday, Jan. 20 and Part II – 3:30 p.m. on Thursday, Jan. 20

Industry experts from Spader Business Management will lead this important two-hour session. During the session you will learn how to structure the anatomy of a deal to improve your profitability

and fight back against lowballers. You will also take part in a mock 20 Group, allowing you to learn from other companies similar to yours who have dealt with lowballers in their market.

Who should attend: Motorcoach operators who want to learn strategies to survive in today's lowballer environment.

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To make plans to attend UMA Expo, Jan. 19-23, in Tampa, go to www.motorcoachexpo.com.

Marketing your company effectively

TAMPA, Fla. — It's a reality most motorcoach operators have to deal with: Times are tough and we find ourselves with less business and less revenue.

Now is the time to do something about it, and a pair of Solution Sessions at the 2011 UMA Motorcoach Expo here in January will provide practical tactics that can help you deal with, and overcome, the challenges you are facing right now. Here are the particulars:

Aggressive Marketing Techniques, 2:15 p.m. on Thursday, Jan. 20

Electronic Marketing, 3:30 p.m. on Thursday, Jan. 20

These sessions will help you learn how to market yourself more efficiently and aggressively, how to identify new customers, how to utilize electronic marketing for your business, and provide other ideas to help your company keep going and growing in today's tough economic environment.

Who should attend: Motorcoach operators who want to find new customers and learn how to market their companies more effectively.

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Real deal: Motorcoach Expo Maintenance Interchange '11

TAMPA, Fla. — It's true: UMA Motorcoach Expo is the No. 1 industry venue for finding the newest and most innovative bus maintenance products and services.

And while the Tampa Convention Center that's hosting Expo 2011 next month will be filled with the latest equipment and services, it also will be the site of the industry's most popular forum for bus maintenance personnel to meet, network, share information and find solutions for the real problems they confront every day.

The name of the forum is the Maintenance Interchange and it will be Jan. 20, lasting all day.

The interchange is a vendor-free zone where mechanics, technicians, maintenance supervisors and those with maintenance responsibilities can exchange ideas in a noncompetitive atmosphere, discuss products and services, and provide suggestions for the most pressing and prevalent maintenance issues in the industry.

It also allows attendees to air grievances about vendor products, services and business practices.

"The interchange is a welcom-

ing environment for honest discourse and a great opportunity to create solutions for the most pressing maintenance issues in the industry," says UMA President and CEO Victor Parra.

For the fourth consecutive year there will be a Maintenance Competition in conjunction with the Maintenance Interchange.

Attendees will have an opportunity to engage in a Diagnostic Test that will take place at Escot Bus Lines.

In a competition against the clock and other mechanics, attendees can expect anything from transmission problems, to a broken water pump, to onboard computer issues.

Competitors will diagnose, locate and eliminate problems, and will be judged by a panel of industry experts. Attendees earn prizes, as well as bragging rights.

To learn more about the Maintenance Interchange and the Maintenance Competition, refer to brochures that have been sent with recent issues of *Bus and Motorcoach News*, or go to www.motorcoachexpo.com.

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CSA 2010 suit

CONTINUED FROM PAGE 1

Accurate reflection?

The truckers said they are concerned that their BASICs scores do not adequately reflect their safety performance and that publication of the data will put them at a competitive disadvantage, Siegel said.

The truckers' motion describes the agency's approach to CSA 2010 as "rulemaking lite" because it has not yet included a formal rulemaking process that includes consideration of public comments.

The agency is planning to start a formal rulemaking next year on the safety fitness aspect of CSA 2010. In that proceeding it will ask for comments on its plan to change from the current compliance review process to a new approach of using crashes, inspections and violation history to determine fitness.

The carriers want full disclosure of all aspects of CSA 2010, including the algorithms and other analytical methods the agency will use in developing BASICs grades, before the BASICs data is made public.

"FMCSA should not be allowed to implement CSA 2010 until this process is complete," they say in their motion. To post the data before then would subject

carriers to "irreparable harm," the small truckers contend.

"Public release of BASIC ratings will change the rules of the game. Once the proposed data is released, many motor carriers that are now rated 'satisfactory' by FMCSA will receive at least one BASIC grade in the 'deficient/alert' category and effectively will be barred from handling customers' freight," they say.

Siegel explained that most shippers and brokers have conditions in their contracts that can lead to termination if a carrier is not a top safety performer. These shippers and brokers have a legitimate concern, he said.

"What's happened is, by putting this information out there, by characterizing the carriers, DOT is in fact providing plaintiffs' counsel in accident cases an extra tool to use against the carrier and the shipper and broker. Counsel can say the shipper or broker was negligent for hiring a carrier with this kind of record."

He said it is not necessary for FMCSA to stop the CSA 2010 program. The agency can use the BASICs data but should not make it public until it has completed a formal rulemaking, he said.

CSA 2010, or the Comprehensive Safety Analysis 2010, is de-

signed to enhance the enforcement of current truck and bus safety regulations by making it easier for the FMCSA and state authorities to identify unsafe operators.

It eventually will replace the current SafeStat motor carrier safety rating system, using carrier

'Before the agency chooses to disclose this data, it should ensure that these BASICs accurately predict crash risk.'

scores in seven categories of behavior — or BASIC ratings.

Although the American Trucking Associations did not join in the litigation to block CSA 2010, it filed a new request asking for further changes before carriers' rankings under the program are made public.

"Before the agency chooses to disclose this data, it should ensure that these BASICs accurately predict crash risk," the ATA said in a letter to the FMCSA.

"Until FMCSA can confirm

that the system accurately identifies unsafe carriers in a category, it is inappropriate to make carriers' scores in that category publicly available, as they may erroneously label safe, responsible carriers as unsafe," ATA said.

Changes proposed

To improve the link between BASICs scores and crash risk, ATA recommends several steps:

- Modify severity weights so that they more accurately reflect crash risk

- Control for risk disparities among "generic" violations (situations where violations of varying degrees are lumped together)

- Ensure industry segments are compared against their peers

- Test the system to ensure it accurately identifies carriers that are unsafe

ATA pointed to a number of violations, mostly in the Cargo-Related BASIC, where its members have identified severity weights that significantly exceed crash risk.

At the same time, there are some situations — possession or under the influence of alcohol less

than four hours before driving or inadequate brakes for safe stopping, for example — where FMCSA's severity weight appears too low.

ATA noted that in developing its violation severity weightings, FMCSA convened a group of agency and state enforcement officials to examine the severity weights suggested by its research and confirm that those weights conform to experiences in the field.

"However, in ATA's view, CSA 2010 should be based only upon the statistically demonstrated relationship between violating the FMCSRs and causing a crash, not anecdotal experience and subjective viewpoints," the association said.

The CSA methodology itself states this policy by declaring that violations and severity weights are derived by applying quantitative analysis to historical crash and roadside violation data to the extent possible. "ATA believes that the introduction of subjective viewpoints to the weights distorts the aims of an impartial safety monitoring system."

Unfair competition?

CONTINUED FROM PAGE 1

are required to purchase "membership shares" in Mobile Ministry to use the company's bus services.

Because Mobile Ministry is not classified as a "for-hire" coach business by federal regulators, it is fully or partially exempt from a number of regulations, including insurance requirements, equipment inspections, driver qualifications, and driver hours of service limits.

Stange said he took his case to the Federal Motor Carrier Safety Administration but was told Mobile Ministry is operating properly and within the law.

To be classified as a "for-hire" carrier, a business must provide interstate transportation of passengers, be compensated for its service and be available to the public at large.

"This gray area needs to be closed," stressed Strange, who said carriers like Mobile Ministry have

an unfair advantage in the market and take business away from private carriers. "This could become a huge deal if other companies find out how to skirt the rules."

Ken Presley, vice president of the United Motorcoach Association, said the Mobile Ministry issue is similar to others that have been raised in other states where businesses rent or lease buses and drivers to organizations.

"Discussions regarding 'Private Motor Carriers of Passengers' (as the federal government identifies them in regulations) and leasing companies that furnish drivers is like my dog chasing her tail — just running around in circles," he said.

"Who is regulated and what regulations apply seems to vary with each movement. Churches and other nonprofits need to understand there is not a wholesale exemption to the for-hire rules because they are a nonprofit, but rather because there is an assumption they are only affording pas-

senger transportation to members of their group, and even then many of the regulations still apply.

"Once they provide service to individuals and groups outside of their group, they cross into the world of for-hire transportation and are subject to the same rules as a charter bus company," said Presley.

Many in the industry doubtless recall a horrific crash in 2003, near Tallulah, La., where a bus operated by the First Baptist Church of Eldorado, Texas, crashed into a disabled tractor-trailer.

The church was found to be in violation of the for-hire rules and the Federal Motor Carrier Safety Regulations because many of the passengers were not church members. The FMCSA assessed a \$2,200 fine against the church for failure to comply.

However, Presley said some help might be on the way, although no one is sure when.

"UMA anticipates new authorization for FMCSA to regulate these types of operations if Congress ever gets around to adopting a (multi-year) highway bill," he said.

In the meantime, operators apparently have to live with the unconventional competition.

"It's a little like a church bake sale taking place a few blocks from a shopping center that has a bakery in it. The bakery has strict regulations it must comply with, plus liabilities and expenses associated with its responsibilities."

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