

Bus & Motorcoach NEWS

WHAT'S GOING ON IN THE BUS INDUSTRY

Crashes aren't too plentiful for bus crash study

WASHINGTON, D.C. — Federal officials have wrapped up the investigative phase of a problem-plagued study into the causes of serious bus and motorcoach accidents despite having far fewer crashes to examine than they wanted or initially anticipated.

The Federal Motor Carrier Safety Administration ended the data gathering phase of the Bus Crash Causation Study with only 40 personal injury or fatal accidents to investigate.

Researchers had hoped to have between 50 and 100 crashes to review during the study period.

"The good news is that we did not have as many accidents as we had expected, and the bad news is that we did not have as many accidents as we had expected," said one federal official who asked not be identified because details of the study have yet to be made public.

He said the information gathered during the past two years on accidents in New Jersey now is being put into a format so officials can analyze it and determine what steps the FMCSA could take to reduce the number of serious bus and motorcoach crashes nationwide.

"If we find that drunken pedestrians are walking in front of buses, then there is nothing we can do about it," he said. "But if we find that many of the accidents are caused by bad brakes, then we could look at mandating more brake inspections."

He said the review probably will begin sometime after the end of May and could involve both

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Congressmen want better safety oversight

WASHINGTON — Democrats and Republicans clashed over enforcement of motorcoach safety at a congressional hearing here last month that was punctuated by outspoken comments by some who testified.

Democrats on the House Transportation and Infrastructure Subcommittee called for better inspections and tougher standards for coach operators at the hearing that was convened less than three weeks after a bus crash in Atlanta killed five college baseball players, plus the driver and his wife.



Rep. Peter DeFazio Rep. John Duncan

The hearing highlighted partisan differences over government regulation versus free-market forces, with Subcommittee Chairman Rep. Peter DeFazio, D-Ore., asking why the Federal Motor Car-

rier Safety Administration hasn't implemented long-standing recommendations from the National Transportation Safety Board for restraints, such as seat belts, or stronger windows that could prevent passengers from being ejected during crashes.

Several victims in the Georgia crash were ejected or partially ejected from the bus.

DeFazio and others also decried what they called a breakdown in the federal system of motorcoach safety oversight.

"Clearly the regulatory struc-

ture is not sufficient to the challenge," said DeFazio. "I don't think the American public would have a high level of confidence in this."

But Rep. John Duncan of Tennessee, the subcommittee's senior Republican, cautioned against over-regulation and praised the bus industry as "probably the safest form of transportation."

"I'm concerned about imposing unnecessary burdens which may not have an impact," he said, pointing to government figures showing an average of about 23 bus deaths

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Dealers like ABC Companies say motorcoach operators should buy used buses from someone they know and trust.

Purchasing a used motorcoach: Be more aware

Buying a used motorcoach can be trying — very trying.

It also can involve a lot of questions.

Does the engine have plenty of miles left on it?

Is the transmission solid?

How about the brakes?

And, what about the wiring, the entertainment equipment, and the heating and cooling system?

They're all critical questions that most buyers routinely ask — and get answered — before signing on the dotted line.

But there are other equally important issues that many buyers don't bother to check — like, state consumer protection laws. While no states have "lemon laws" for motorcoaches and other commercial vehicles, they do have a hodge-

podge of laws designed to protect buyers from dishonest and fraudulent business practices.

Not knowing what those laws are all about could result in repeating the kind of nightmare that Acme Coach owner George Guild of Kankakee, Ill., has been enduring for the past three years. His purchase agreement with a New York finance company soured after

he dropped more than \$70,000 on two late-model, repossessed coaches. Now he's in court trying to win back some of the money.

When he went to pick up the buses at a coach company yard in Florida a month after he examined them, he found that numerous parts had been replaced with used or damaged ones. It seems that

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Operators find more to like in midsize buses

An interesting synergy is occurring in the midsize bus market and it stands to benefit motorcoach operators who have long been lukewarm to many of the product offerings from small- and midsize bus makers.

As is well known, large coach operators are being more and more pushed for smaller group charters — athletic teams, senior organiza-

tions of every stripe, assisted-living facilities, corporations and others who can't fill 57-passenger coaches.

Many limousine operators that have progressed from 8-passenger vehicles to 22-passengers limo buses now need something bigger, but not as large as a 45-foot coach.

And then there is the middle market of traditional coach opera-

tors who need smaller vehicles for lower-end use but still want something that's a step up from traditional cutaways.

Well, guess what, the bus makers have been paying attention, and they're revamping existing models or bringing new midsize buses to market that reflect what coach operators have been telling them. The evidence and examples of this

trend — both small and large — are everywhere.

Take, for instance, the ABC M1235, which got an extensive makeover this year. Built on the new S2 Freightliner chassis, the M1235 has a list of features that appears right out of a coach operator's playbook. Consider just a few of the newest upgrades:

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Greyhound upgrade program goes nationwide, fares cut

DALLAS — Greyhound Lines' multimillion-dollar program to renovate terminals and upgrade customer service will be spread across its entire system by Thanksgiving.

At the same time, Greyhound has announced it is cutting fares in selected markets to boost ridership.

Greyhound launched its "Elevate Everything" initiative as a pilot program in June 2005, along

the Chicago-Milwaukee-Minneapolis corridor. The program is designed to improve the travel experience of Greyhound customers, and is being implemented at major facilities across the country.

The program elements include refurbished coaches, with new livery, and more comfortable seats with movable armrests, automatic footrests and magazine straps.

Drivers and terminal employees

are getting new uniforms, and terminals have been upgraded, with many adding new signage, plasma televisions, renovated bathrooms, new food service concepts, and other changes.

The company also has introduced a greeter position to answer questions and assist customers. And the youngest Greyhound customers receive an activity book to entertain them as part of a new

"Traveling Kids Club."

"We are working hard to make sure our customers enjoy their travel experience with Greyhound by improving every customer touch point," says Greyhound President and CEO Steve Gorman.

"We are totally committed to our efforts to rejuvenate our iconic brand and meet our customers' expectations of a more enjoyable experience."

Greyhound customers can even avoid lines at ticket counters with a new e-ticketing feature, which allows them to print tickets purchased online and proceed straight to the gate between New York and Boston, Philadelphia, Baltimore and Washington, D.C., and Los Angeles and Las Vegas.

Gorman notes that many of customers who will be using the

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It's a three-peat for Fung Wah

BOSTON — Fung Wah, the iconic Chinatown bus operator, almost went two consecutive months without an accident but, alas, didn't make it.

Near the end of last month, a Fung Wah driver tried an abrupt lane change near a Weston, Mass., toll booth and wedged his coach, with 30 passengers onboard, atop a concrete barrier.

It was driver Zhongoiang Whu's second day on the job.

"I go the wrong way, you know," Whu told a local TV station. "I see the sign is 'auto only.'"

Whu was ordered off the road after State Police found his driver

logs to be in violation of federal rules. He also was cited for failing to use caution while entering a toll booth, a misdemeanor.

Sgt. Carol MacDonald, a State Police spokeswoman, said that when Whu backed up and tried to drive into a tollbooth to his left, the wheels became suspended atop a barrier separating the lanes.

Passengers told reporters Whu tried to get the bus off the median, but only ended up spinning the wheels, producing lots of tire smoke.

Passengers later boarded another Fung Wah bus for the rest of the trip. "We will be looking for-

ward to getting the incident report from the State Police, and we'll be evaluating that to determine if further action is needed on our part," Ian Grossman, spokesman for the Federal Motor Carrier Safety Administration, told a Boston newspaper.

On Jan. 3, a New York-bound Fung Wah bus lost two wheels on the Massachusetts Turnpike. And during the Valentine's Day snowstorm, a Fung Wah coach skidded off the highway. No one was hurt, but state police cited the driver for going too fast and negligent operation. Other line-run operators shut-down that day, but not Fung Wah.

Laidlaw sets date for vote by stockholders on merger

NAPERVILLE, Ill. — Stockholders of Laidlaw International Inc. will be asked later this month to vote their approval of the company merger with First Group, the largest bus operator in Britain.

A special meeting of Laidlaw shareholders will be April 20, to vote on the merger plan that was announced in February.

Under terms of the \$2.8 billion deal, Laidlaw shareholders are to receive \$35.25 for each share of Laidlaw common stock they hold. Stockholders of record as of the

close of business March 19, will be entitled to vote at the meeting.

The exact terms of the purchase arrangement are spelled out in a proxy statement that was mailed to Laidlaw stockholders late last month.

The deal is subject to other closing requirements, including regulatory approvals and an OK from FirstGroup stockholders.

The special meeting will be at 11 a.m. in the Hilton Lisle/Naperville, 3003 Corporate West Drive, Lisle, Ill.

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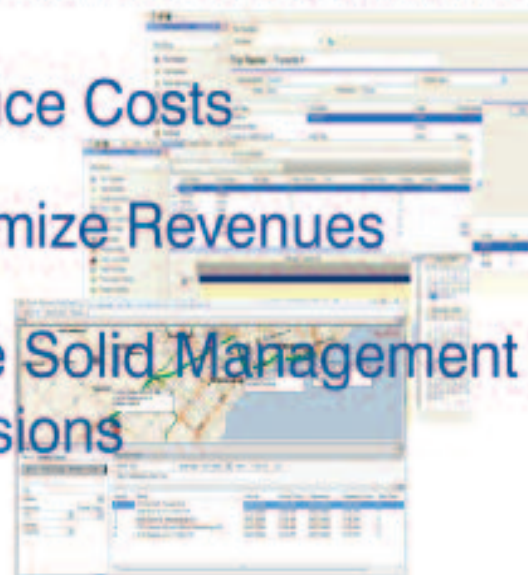
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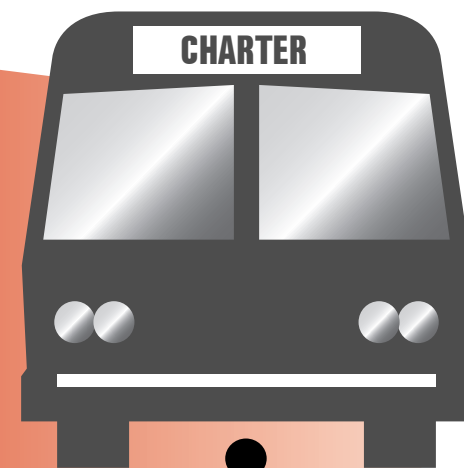
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THE DOCKET

No-new-taxes trend wanes as states propose increases

Hold on to your pocketbooks, a new round of state tax increases appears to be on the way, especially in Midwestern states, with businesses being targeted.

Five governors are proposing hefty tax increases to bankroll ambitious new health-care and education programs. States appear eager to provide coverage for some of the nation's 46.6 million without health insurance.

The new interest in raising taxes is strikingly different from the trend of recent years when legislatures, facing a fiscal crisis, bent over backwards to avoid major tax hikes. Instead, they raided rainy day funds, borrowed money, or expanded gambling to raise more revenue.

Then, the aim was to keep the state budget out of the red.

Now, the aim is to expand the reach of state government — often to provide health coverage for more citizens.

Illinois Gov. Rod Blagojevich is pitching a whopping \$6 billion in new business taxes to pay for his plan to extend health-care coverage to 1.4 million uninsured adults.

In Connecticut, Gov. M. Jodi Rell stunned state lawmakers with her proposal to lift the income tax rate by 10 percent to bring in \$1.3 billion for education.

The governors of Pennsylvania and Wisconsin both want to slap higher taxes on smokers and oil companies, with the extra cash going specifically to provide health care coverage to the uninsured and to patch roads.

And Michigan is looking at higher business and "sin" taxes to close its \$3 billion deficit and to enable more school districts to offer full-day preschool to four-year-olds.

This is the states' first round of budgets since the 2006 election increased Democrats' hold on governorships to 28 and gave the Democratic Party the upper hand in 23 statehouses. Most, though not all, of the proposed tax increases come from Democrats.

While pressure is building in a number of states to cut property taxes, so is interest among some politicians to bump up certain taxes and use the money for specific projects that might have been ignored during the years of budget

cutbacks.

One reason steeper taxes may be attractive is that states have big-ticket items looming on the horizon that must compete for scarce dollars. Spending on existing education and health care programs typically eats up more than half of a state budget, leaving the rest to be divvied up between transportation projects that have been put on hold, future pension and health care needs for state retirees, and costly federal mandates such as REAL ID, a law that requires states to beef up the security of their driver's licenses.

Several states are facing huge holes in their budgets. In the Rust Belt, Illinois and Michigan are struggling to close deficits of \$2 billion and \$3 billion, respectively. California and Florida are each looking at \$1 billion shortfalls for the fiscal years that begin July 1.

Among the proposals for higher taxes:

- Illinois's Blagojevich wants to impose a gross receipts tax on businesses that have gross revenue of more than a \$1 million a year and a 3 percent payroll tax on employers that fail to offer health insurance. The new revenue would pay for his health care and education proposals.

- Pennsylvania Gov. Ed Rendell has proposed a 6 percent tax on oil company profits to pay for mass-transit projects and an increase from 6 percent to 7 percent in the state sales tax to fund education programs and to cut property taxes.

- Wisconsin Gov. Jim Doyle wants to tax hospitals 1 percent of their gross revenue and boost to \$2.02 from 77 cents the tax on a pack of cigarettes in his bid to see that 98 percent of Wisconsin residents are insured. Doyle also wants both a new 2.5 percent tax on oil companies' profits and a law preventing companies from simply passing the tax on to consumers by raising pump prices.

- Michigan Gov. Jennifer Granholm has proposed a new 2 percent excise tax on most services, a 5-cent increase in the \$2-per-pack levy on a pack of cigarettes and a 10 percent jump in the liquor tax to help close a \$3 billion deficit and expand early childhood education by \$200 million.

Goods tax revised

Some Canada visitors to get rebates

LEXINGTON, Ky. — The National Tour Association is jumping up and down over a decision by the Canadian government to include what is called the Foreign Convention and Tour Incentive Program in the new federal budget.

Under the program, which replaces the Visitor Rebate Program, Canada will continue to reimburse Canada's goods and service tax and harmonized sales tax to nonresident attendees of conventions in Canada, as well as rebate the accommodation portion of a tour package.

The new program does not include goods and service tax (GST) rebates for individual travelers to Canada. And starting the first of this month, tourists will no longer be able to get a sales-tax refund for items purchased in Canada.

"Twenty years ago, NTA joined our allied industry friends to lobby for inclusion of package tours in the first GST rebate program," said NTA Legislative Counsel Jim Santini. "NTA commends the minister of finance and the Canadian officials for the continuation of this win-win program."

Last fall, the Canadian government announced it planned to eliminate the visitor rebate program by April 1, 2007, touching off a loud protest by travel organizations both in the U.S. and Canada. (See Nov. 1 *Bus & Motorcoach News*.)

The new Foreign Convention and Tour Incentive Program allows for GST/HST rebates for non-resident attendees at conventions in Canada that start after March 31, 2007. In addition the program allows a GST/HST rebate for the accommodation portion of a tour package.

CDL advisory committee includes Parra

WASHINGTON — Victor Parra, president and chief executive of the United Motorcoach Association, and officials from two bus driver unions will represent the bus and motorcoach industry on a federal committee charged with recommending improvements to the commercial driver license program.

The five-year federal highway and public transportation funding act passed by Congress in August 2005, required the CDL Advisory Committee to be set up and report to Congress by Aug. 7, on any improvements that should be made to the nation's CDL program.

"The committee will address a whole range of impediments and challenges to the program's effectiveness," said Parra.

Among the topics to be considered by the committee are state enforcement practices, procedures to detect and deter fraud, adequate proof of citizenship, and timely notification of CDL holders' traffic and criminal convictions.

The committee has set three meetings to consider these and other CDL-related issues, plus comments and reports prepared by interest groups and the public.

The committee's next three-day session will be April 17-19 and

May 15-17 in the Hilton Arlington at 950 N. Stafford St., in Arlington, Va., just outside Washington, D.C. The committee will take public comments from 1-2 p.m. on April 19 and May 17.

Other bus industry "representatives" on the committee besides Parra are Tish Olshefski from the American Federalization of Teachers' transportation trades department, and Victor Baffoni of the United Transportation Union. Also on the committee are representatives from the trucking, state motor vehicle departments, highway safety groups, federal agencies, and a handful of other organizations.

'Heads up' if chlorine facilities are nearby

WASHINGTON — In the wake of terrorist attacks in Iraq using chlorine-augmented, vehicle-borne improvised explosive devices, the U.S. Department of Homeland Security is paying closer attention to the production and shipment of chlorine in the U.S.

This could be of interest to some motorcoach operators because their bus yards and facilities may be in industrial areas where chlorine is manufactured and stored, or near rail and truck facilities where it is shipped.

So, consider this story something of a heads up.

The Department of Homeland Security says that most of the 11 million metric tons of chlorine produced in the U.S. is used at the site where it is manufactured. However, roughly 4 million metric tons is shipped throughout the country.

Chlorine is commonly used in

water treatment and in the production of paper, plastics, dyes, textiles, medicines, antiseptics, insecticides, solvents and paints.

Chlorine is considered most vulnerable to theft and sabotage during shipment because it is a ubiquitous industrial chemical and travels with little or no physical security. It is transported in small cylinders, one-ton containers, rail-

cars and tanker trucks.

Anyone witnessing suspicious activity near a chlorine production, shortage or shipping facility should contact the FBI or Homeland Security National Operation Center.

FBI phone numbers can be found at www.fbi.gov/contact/fo/fo.htm, and the NOC can be reached at (202) 282-8101 or by e-mail at NOC.Common@dhs.gov.

Transit agencies seek charter firms

The following public transit providers have informed the United Motorcoach Association of their intent to provide charter bus service unless willing and able private charter operators step forward to offer their service, or to bid on contract opportunities. Operators are urged to take the time to respond to these public notices.

Berlin/Gorham, N.H. Dead-

line: April 30, 2007. Write to: Beverly Raymond, Director, North Country Transportation, 31 Pleasant St., Ste. 100, Berlin, NH 03570. Phone: (603) 752-1741.

Keene/Charlestown/Peterborough, NH. Deadline: May 1, 2007. Write to: Harry Costick, Transportation Manager, City Express, P.O. Box 564, Keene, NH 03431. Phone: (603) 352-2253

Safety advocates fault oversight

WASHINGTON — A coalition of safety advocates has blasted the Federal Motor Carrier Safety Administration for its regulatory oversight, and included the bus industry in its call for improved commercial vehicle safety enforcement.

Meeting in Washington for a four-day conference, truck crash victims who are members of the Truck Safety Coalition — an umbrella group for Citizens for Reliable and Safe Highways and Parents Against Tired Truckers — joined with representatives of Advocates for Highway and Auto Safety and Public Citizen to give the FMCSA a series of failing grades on critical safety issues.

The group asked the FMCSA to:

- Mandate the use of electronic onboard recorders for every truck and bus to improve safety enforcement and prevent cheating on driver hours of service rules.

- Deny any special interest exemptions to the federal hours-of-service rule affecting truck and bus drivers.

- Reject any rollback in safety regulations that would allow “special interest” exemptions to federal truck size and weight laws or the freeze on longer combination vehicles, such as triple trailer trucks. Congress is considering a possible pilot project that would allow some trucks to exceed the federal 80,000-pound gross vehicle weight limit on U.S. highways.

- Prohibit the opening of the southern border to Mexico-based trucks until all federal safety requirements have been met. The Bush Administration has announced it will open the U.S. southern border to 100 long-haul interstate companies from Mexico.

- Require speed governors on all trucks to regulate how fast they can travel.

“For years the Federal Motor Carrier Safety Administration has routinely failed to meet deadlines to implement mandated safety rules and regulations that would have surely prevented deadly big truck crashes,” said Daphne Izer, who founded Parents Against Tired

Truckers in 1994 after her 17-year-old son and four of his friends were killed on the Maine Turnpike when a tired trucker fell asleep at the wheel.

The coalition also released a report identifying the states with the highest rates of truck crash deaths. Wyoming had the highest number of deadly truck crashes, with 6.09 deaths per 100,000 people. The other states with the highest truck crash death rates were Arkansas (4.17), Oklahoma (3.41), New Mexico (3.27), Mississippi (3.12), West Virginia (3.03), Kentucky (2.97), Kansas (2.91), South Carolina (2.91), and Missouri (2.86).

The complete report can be found at www.trucksafety.org.

Repeatedly in recent months, the U.S. Department of Transportation has pointed out that the large truck fatality rate has declined during the past decade. Since 1996, truck vehicle miles traveled have increased by more than 24 percent, while the number of large truck crashes increased by less than 0.1 percent.

House approves unionizing measure

WASHINGTON — The U.S. House has passed and sent to the Senate a measure that would make it substantially easier for employees to unionize.

The Employee Free Choice Act, adopted by the House, is a union-supported bill opposed by business interests, and it carries the threat of a veto by President Bush.

The measure, known as H.B. 800, would allow the collection of a majority of pro-union vote cards to be sufficient to recognize a union in a workplace.

Under current law, unless an employer agrees to accept the “card-check” outcome, the National Labor Relations Board schedules and oversees a secret-ballot election, which usually happens 30 days to 50 days after the vote cards have been collected.

Card checks tend to favor union wins about 80 percent of the

time, whereas unions tend to win secret ballots about half the time.

The secret ballot is designed to protect workers from employer intimidation, but union leaders say the intervening month to two months leaves employers free to discourage a “yes” vote by banning union organizers from the premises, threatening to close the business, or boosting pay and benefits. In 2005, more than 31,000 American workers illegally were disciplined or fired for union activity, according to the National Labor Relations Board.

“The current system is broken,” said Jim Hoffa, general president of the Teamsters union. “Workers, after expressing their desire to form a union, usually endure nasty, bruising and lawyer-dominated elections, as the employer fights to block its employees’ choice, often employ-

ing illegal tactics such as firing workers.”

Critics say mandatory card checks will cost workers the secret ballot and leave them more open to intimidation, not less.

“The card check, by its very nature, makes a worker’s vote completely and utterly public,” wrote U.S. Rep. Howard McKeon, R-Calif., in a *San Francisco Examiner* editorial. “There’s no way around it. Once that card is signed, everyone knows his or her vote — the employer, union organizers, co-workers and the union bosses coordinating the whole process.”

The bill also would impose new civil penalties against employers who “willfully or repeatedly” violated workers’ rights to organize. The Bush administration said it is unfair to apply these penalties only to employers and not to union organizers guilty of intimidation.

N.J. halts mandate for out-of-state firms

TRENTON, N.J. — New Jersey has suspended sending notices to truck and bus operators saying they would be required to obtain a certificate to do business in the state, even to conduct purely interstate operations.

The New Jersey Division of Taxation began notifying carriers of the requirement last fall.

The American Trucking Associations wrote the division in October, saying that such a requirement conflicted with a string of decisions by the U.S. Supreme Court, which has repeatedly said a state may not require a company to qualify to solely perform interstate business within its borders.

The ATA asked the state to

cease making such demands on carriers.

The division finally answered the ATA letter, saying it was referring the question to the New Jersey Attorney General for advice.

Meanwhile, the state will not enforce the doing-business certificate requirement on any operator from outside the state.

Washington overtime case worries truckers, operators

OLYMPIA, Wash. — Truckers and motorcoach operators across the state of Washington are poised for the next legal step in a potentially far-reaching case where the Washington supreme court applied a state overtime provision to interstate truck drivers who work more than 40 hours in a week, regardless of whether a portion of those hours took place outside the state.

In a 5-4 opinion, the court ruled that all Washington workers are entitled to the state’s mandatory overtime pay — even interstate truckers who spend many of their working hours out of state.

The court rejected nearly 20 years of rules and rulings by the Washington Department of Labor and Industries which expressly held that interstate truck and bus drivers are eligible for overtime only if they work more than 40 hours in a week within the state.

“Since 1989, the law has been clear for when overtime was paid for Washington interstate carriers,” said one attorney involved in the case that was decided last month.

The court also rejected claims that interpreting overtime eligibility — that is based on hours wherever worked — would violate the U.S. Constitution Commerce Clause as unduly burdening interstate commerce.

In the case that prompted the ruling, the court ordered Food Express, an Arcadia, Calif.-based trucking company, to pay Larie E. Bostain \$9,000 in overtime pay, plus court costs.

The decision overturned a state appeals court ruling against Bostain, who worked at Food Express’ operation in Vancouver, Wash., for a decade before the company fired him five years ago. The lower court ruled that all hours had to be accumulated in-state for Washington’s Minimum Wage Act to apply.

The higher court disagreed.

“The statute makes no distinction between the hours spent driving in state and those spent driving outside Washington,” Justice Barbara Madsen wrote in her majority opinion.

Justice James M. Johnson wrote in his dissent that the ruling not only contradicts Washington law and regulation but “runs afoul of the Commerce Clause” of the U.S. Constitution, which empowers Congress to regulate interstate commerce. Furthermore, the majority opinion subjects the trucking industry to the “vagaries” of legal analysis “regarding a key business

decision,” Johnson wrote.

The majority, however, was unconvinced that a Commerce Clause violation occurs when an employer is merely subject to additional expense, Madsen wrote.

The dissenting opinion also honored the administrative interpretations of the statute and the state legislature’s acquiescence in those interpretations.

The potential impact of the ruling extends far beyond Food Express.

Dale “Hal” Schofield, an attorney who represented Food Express in the case, said the decision reverses the “bright line” of distinction between in-state and out-of-state work, enabling “hundreds of thousands” of truckers to file for back overtime pay during a three-year statute of limitations.

In other words, think class-action lawsuit against Washington state truckers and motorcoach operators by drivers seeking overtime pay.

Philip Talmadge, a former state Supreme Court justice who represented the Washington Trucking Associations in a friend-of-the-court filing, said the opinion “wreaks havoc for trucking carriers in interstate commerce.”

An appeal to the U.S. Supreme Court is considered likely. Schofield said as much, as did the American and Washington Trucking Associations.

Talmadge said the decision would force interstate carriers to ask: “Which law do I apply?” Washington statute requires overtime pay for hours completed in-state; California requires overtime pay whenever eight hours are exceeded in one day, and Oregon requires no overtime pay at all for interstate drivers.

United Motorcoach Association board member Gladys Gillis of Starline Transportation, a Seattle-based motorcoach company, said that until the issue is decided, coach operators need to make sure their wage practices and policies take the decision into account.

She said her company is working closely with the state Department of Labor and Industries to adopt policies that are prudent.

She also wondered aloud whether the Department of Labor and Industries isn’t at least partially culpable for any overtime pay that operators might have to pay based on its past recommendations and rulings — if the court decision stands.

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Report: Future highway needs are soaring, so is cost

WASHINGTON — Another key group in the debate over future highway funding has weighed in with a report that warns of a looming \$11 billion hole in federal highway funds and says the growing interest in tolls and private leases of roads won't generate enough money to meet the nation's short- or long-term transportation needs.

Instead, the federal gas tax of 18.4 cents per gallon, last raised 14 years ago, would have to go up at least 3 cents by 2009 and 7 cents more by 2015 just to maintain the current highway system and keep pace with the fast-rising cost of

roads, according to the American Association of State Highway and Transportation Officials.

One seemingly increasingly popular solution to road-funding woes involves state and local governments adding toll lanes or leasing toll roads to private companies. But tolling isn't going to solve the problem, says the association.

Indiana has leased the Indiana Toll Road for \$3.85 billion for 75 years; Texas wants to build 4,000 miles of privately financed toll roads, and Pennsylvania and New Jersey are considering leasing portions of their toll roads.

In 2005, tolling earned \$7.7 billion, which was 5 percent of highway revenues nationally. Tolling could increase to 9 percent of highway funds over the next decade, a significant amount but not a "silver bullet" to fix the country's transportation funding problems, said Victor Mendez, director of the Arizona Department of Transportation and president of AASHTO.

Pete Rahn, director of the Missouri Department of Transportation, said states are looking for innovative ways to use the marketplace. "But the reality is, no matter how far we try to stretch these

resources, we're not even coming close to dealing with the real needs of the critical roads that are the lifeblood of this country," he said.

The report is the first of six AASHTO plans to provide to the congressionally chartered panel analyzing the country's future transportation needs. The last comprehensive study was in 1979 and called for deregulation of the aviation, rail and trucking industries and major investments in transportation.

The AASHTO report said the capacity of the interstate system will have to double during the next 50 years and the number of people riding public transportation should double within 20 years. Railways must be prepared to handle a 63 percent increase in freight by 2035, ac-

ording to the association's estimates.

The half-century old interstate highway system is in danger of being overwhelmed by long-term neglect, a steady increase in the number of drivers, a stagnant source of funding and rampant inflation of road-building costs, according to AASHTO.

The biggest immediate hurdle to improving roads is that federal gas taxes, which pay for more than 45 percent of the nation's transportation infrastructure, are not even sufficient to cover the spending authorized in the 2005 federal transportation law. Federal gas taxes will fall \$11 billion short of planned road projects by 2009, but the gap could be as big as \$19 billion the following year, the association said.

ABA president says coaches save energy, ease congestion

WASHINGTON — A Congressionally-mandated commission that's looking at the future needs of the nation's surface transportation system was reminded last month of the important role the motorcoach industry plays in saving energy and reducing congestion.

In fact, American Bus Association President and CEO Peter J. Pantuso told the National Surface Transportation Policy and Revenue Commission that motorcoaches are the most energy-efficient and cost-effective way to move people and contribute to economic growth.

"Motorcoaches move nearly as many passengers each year as planes and more than trains," Pantuso told the commission. "We move more people in two weeks than Amtrak moves in one year.

"Coaches reduce congestion and pollution by taking more than 425 million cars off the road each

year. Coaches provide the same congestion mitigation benefits as do transit buses in that we have the capacity to take up to 55 cars, per coach, off the road at one time."

Additionally, motorcoaches play a crucial role in reducing energy use and in helping America reduce its dependence on foreign sources of fuel, Pantuso said.

"Coaches are the most fuel-efficient and least energy intensive mode of commercial passenger transportation. Motorcoach passenger miles per gallon of fuel is highest, with 148 passenger miles per gallon, more than four times greater than air carrier and passenger car fuel efficiency," he added.

The hearing where Pantuso and upwards of 30 others spoke was one of a half-dozen being conducted by the National Surface Transportation Policy and Revenue Study Commission.

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Directory lists thousands of biodiesel stations

WHEATON, Ill. — USA Energy Independence Publications has produced the first-ever directory covering both biodiesel and E85 ethanol fuel retail stations nationwide.

The directory, which is designed to help owners of diesel-powered and flex-fuel vehicles find retail outlets for the two fuels, covers more than 2,200 locations nationwide, listed by state and city. Each entry has the fuel station's address and phone number, hours of operation, and types of payment options available.

Updated quarterly, the 70-plus page directory is available as a single copy sale for \$19.95 or as a subscription with discounts for yearly subscribers.

The directory is available from USA Energy Independence Publications, 1776 S Naperville Rd. Ste 201A, Wheaton, IL 60187. Or, call (630) 221-1778.

Cummins, Cat approve B20 biodiesel blends

Louisville, Ky. — Two of the motorcoach industry's engine suppliers, Caterpillar Inc. and Cummins Inc., have approved the use of B20 biodiesel in their engines.

Cummins made its announcement late last month at a major truck show, but noted its OK only applies to biodiesel fuel that meets the America Society of Testing Materials D6751 specification.

The approval applies to 2002 and newer Cummins ISX, ISM, ISL, ISC and ISB engines. Previously, Cummins only approved B5 biodiesel blends for its engines.

Truckers to increase support for biodiesel

ARLINGTON, Va. — American Trucking Associations announced it had ratified an agreement with the biodiesel industry to promote the fuel at the federal level.

Additionally, the ATA will become more vocal in its support of increased fuel efficiency in over-the-road trucks.

In backing a push on fuel efficiency, ATA officials said it was important to emphasize that environmental efforts can often lead to increased fuel consumption.

"Historically, there's been a trade off between emissions reductions and fuel efficiency," said Rich Moskowitz, ATA's regulatory counsel. "We need to make sure federal agencies do a better job coordinating their actions and understanding the impact that certain environmental regulations have on fuel efficiency."

Truck stops expect more biodiesel sales

SAN ANTONIO, Texas — Executives from the truck-stop industry say one of their main focuses this year will be to prepare for a long-term increase in biodiesel use.

Officials of NATSO, which represents truck-stop operators, also

said during their annual conference here they are beginning to study how the potential use of urea to meet the next round of diesel emission standards — in 2010 — would impact truck stop operations.

With the transition to ultra-low-sulfur-diesel fuel behind them, "I think our members main concern is that the states are coming up

with (biodiesel) mandates, and it's difficult when you're working with a national network — it's difficult to have different mandates for different levels," said NATSO President Lisa Mullings.

Senate in New Mexico okays biodiesel bill

SANTA FE, N.M. — The New

Mexico State Senate voted to require all diesel fuel sold in New Mexico to contain 5 percent biodiesel by July 2012.

The bill was sought by Democratic Gov. Bill Richardson, who backed it as part of his clean-energy initiative. Richardson is a possible 2008 Democratic presidential candidate.



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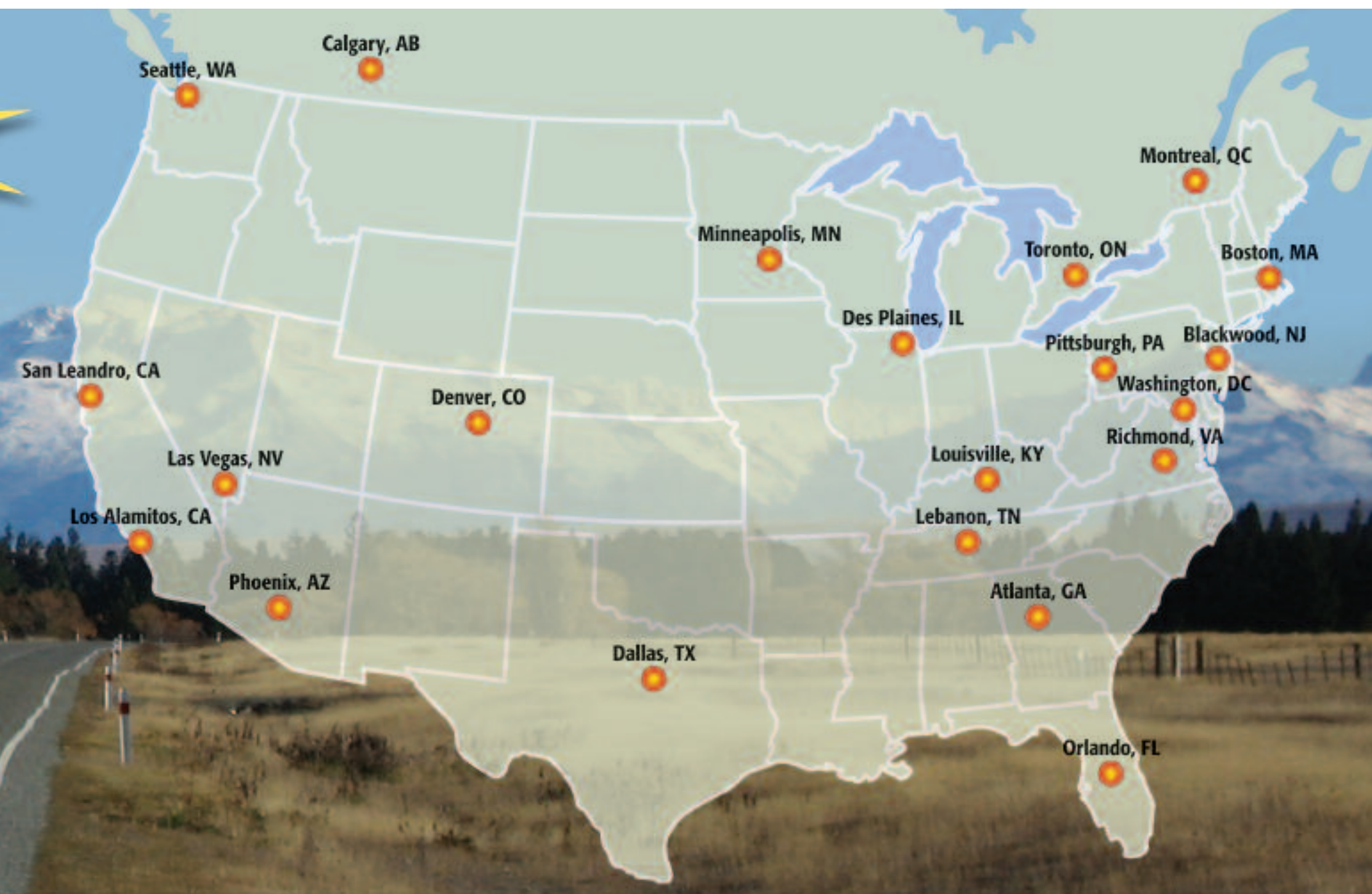
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Transit agencies to get MCIs with EPA-compliant engines

SHAUMBURG, Ill. — Two public transit agencies will be among the first operators of MCI coaches equipped with 2007 EPA-compliant engines.

Motor Coach Industries announced that Orange County Public Transportation System in Goshen, N.Y., and GO Transit of Toronto will be the first public transportation operators to take delivery of MCI commuter coaches with 2007 engines.

Interestingly, the 23 MCI

D4505 Commuter Coaches going to Orange County will have '07 Detroit Diesel engines, while the 20 D4500CT commuter models being purchased by GO Transit will have Caterpillar engines. Both will use Allison B500 transmissions.

The Orange County coaches will run in and out of New York City, a roughly 55-mile trip from the county seat of Goshen. GO Transit, which carries 30,000 bus passengers daily, will put the coaches on its commuter routes.



Eight new J4500 MCI coaches are entering the fleet of megabus.com.

Greyhound

CONTINUED FROM PAGE 3

upgraded terminals and riding in the refurbished coaches also will be enjoying reduced fares.

"Greyhound has a long history of providing affordable travel," he said. "In a time of increasingly expensive travel costs, we are continuing our tradition of low-cost, convenient transportation."

Greyhound's parent company, Laidlaw International, revealed in January that Greyhound was starting to experience resistance to price increases the company implement-

ed during much of fiscal 2006. The price increases totaled nearly 11 percent in the 12 months ended Aug. 31, 2006.

In the quarter ended Nov. 30, 2006, Greyhound experienced an 8 percent drop in revenue from a year earlier.

Laidlaw is projecting that revenues will generally be flat at Greyhound during fiscal 2007 and the company will not be buying many new buses.

However, for fiscal 2008 and 2009, Greyhound is expected to show revenue growth and resume new-coach buying.

megabus.com adds five more cities

CHICAGO — megabus.com is adding five cities to its existing route structure in what could be the beginning of a national expansion for the low-cost intercity bus service.

The company said it is beginning service this month from Chicago to Ann Arbor, Mich.; Columbus, Ohio; Kansas City, Mo.; Louisville, Ky., and Pittsburgh.

The expansion brings to 13 the number of cities that the subsidiary of Coach USA will be serving from its Chicago hub.

According to Dale Moser, president and chief operating officer of Coach USA, the megabus.com expansion stems from the service's outstanding results, which he says have exceeded projections. So far,

the operation has carried more than 275,000 passengers, and volume continues to increase.

"We are delighted with our results for the first 12 months," he said. "The service is more about getting people out of their cars and eliminating traffic congestion, while offering them a real value-for-money-transportation alternative. In theory, megabus.com appeals to a market that wants to-and-from service to a destination city for leisure travel."

Meanwhile, Motor Coach Industries announced that Coach USA is adding 15 new MCI J4500 coaches to its Midwest operations, with 8 of the coaches destined for megabus.com. The others will be operated by Van Galder Bus, Wis-

consin Coach Lines and Coach USA Chicago operations.

"By putting brand-new J4500 coaches into service, we're delivering the high-quality service the urban travelers have come to recognize," said Moser.

The J4500 coaches for megabus.com feature the company's bright blue livery and gold-tinged decals, and the seats are in a bold blue-patterned fabric to match. The delivery brings the megabus.com fleet to 18 coaches.

The J4500s going to Coach USA are wheelchair-lift equipped and feature a GPS system, a six-monitor DVD system, Amaya seating for 56 passengers and a Detroit Diesel engine and ZF AS-Tronic transmission.

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NTA chairman touts value of collaboration with UMA

Randy Julian
Chairman and CEO
National Tour Association

Motorcoach companies and tour operators have always had a special relationship.

Occasionally, it is love/hate; think of that driver's itinerary that never came in, or that coach missing well beyond the departure time. But, for the most part, the relationship is one marked by mutual trust, respect and positive financial rewards.

This brings me to the United Motorcoach Association and the National Tour Association: Our common qualities, goals and strategies, and the tremendous potential that collaboration holds for our two sister organizations and their members.

For anyone who may not know us, NTA has roughly 3,000 tourism professionals, including those from 31 nations.

We are involved in the growth and development of the tour-and-packaged-travel industry, we provide outstanding business opportunities to our members and we offer unmatched government relations services to our tour-and-travel members.

Our ranks include more than 600 tour operators and nearly 2,400 tour suppliers, such as motorcoach companies, hotels, airlines and attractions.

Plus, destinations, like city and state visitor bureaus, and state, provincial and country tourism offices.

We all partner together to provide the operator's clients with turnkey packages in a wide variety of tour and meeting and convention services areas.

We know UMA's and its members' reputation for quality and professionalism, and we also know its members' keen interest in charter and tour and travel.

Going forward together, it strikes UMA President and CEO Victor Parra and me that our two organizations could seize on the fact that we are not trade group competitors, but rather we are buyers and sellers of travel product, with each association firmly focused on the betterment of our members and definitely up to the challenge of reaching out to build a bigger and brighter tomorrow.

Over the next decade, more and more motorcoach companies will enter the charter and tour fields, most as transportation partners with tour companies doing record tour, meeting, convention, and international receptive business.

NTA is without peer in this type of business, the clear leader of the North American packaged-travel industry.

Quality motorcoach service is finite, and NTA tour operators need more transportation inventory, more alternatives, especially at peak season and especially to meet

the ever-changing needs of our customers.

And, if my take is correct, UMA operators need to diversify with more over-the-road business, especially during shoulder and slow months, all in partnership with industry professionals who book, refer and operate an ever-

expanding block of business together.

We at NTA look forward to speaking further with UMA leaders so we can advance our collaboration to the next level.

In the meantime, please do not hesitate to contact me at randyj@starpower.net if you have

any thoughts to pass along.

Here's to a great 2007 for all the members of UMA and NTA.



Randy Julian

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Transits trumpet growth, but ignore hefty price tag

WASHINGTON — Last month, the American Public Transportation Association announced — with considerable fanfare — that there were 10.1 billion trips on local public transportation in 2006.

It was the first time in 49 years the number of trips had climbed above 10 billion.

Many newspapers and other news outlets, including *USA Today*, trumpeted the milestone.

“Over the last decade, public transportation’s growth rate outpaced the growth rate of the population and the growth rate of vehicle miles traveled on our nation’s highways,” the APTA gushed in its press release.

“This significant ridership milestone is part of a multiyear trend as more and more Americans ride public transit to get to destinations important to them, while realizing the benefits of saving money and avoiding congestion,” said William W. Millar, president of APTA.

“Public transit ridership helps reduce America’s dependence on foreign oil and decreases our contribution to global warming; but ultimately, this milestone represents 10 billion reasons to increase local and federal investment in public transportation.”

According to the APTA, use of public transit is up 30 percent since 1995. That is more than double the growth rate of the population (12 percent) and higher than the growth rate for the vehicle miles traveled on U.S. roads (24 percent) during the same period.

However, there’s one other important comparison APTA neglect-

ed to include its announcement.

While transit ridership was increasing by 30 percent between 1995 and last year, the annual federal subsidy for public transportation was nearly doubling.

In fiscal 1995, \$4.6 billion in federal tax dollars went to support public transportation in the U.S. By fiscal 2006, that amount had climbed to more than \$8.5 billion.

Meaning, of course, the federal government’s return on its investment in public transportation during the past decade hasn’t exactly paid whopping dividends.

Nevertheless, Millar wants Congress to dig deeper into the pocketbooks of taxpayers for more money for public transit.

“As Congress looks to find ways to reduce America’s dependence on foreign oil and reduce emissions causing global warming, we call on them to increase investment and include incentives to encourage further use of public transportation,” Millar said.

Overall, public transit ridership grew 2.9 percent last year over 2005, with the lowest growth rate posted by transit bus systems.

Light rail (modern streetcars, trolleys and heritage trolleys) had the highest-percentage increase among all modes, with a 5.6 percent increase last year. Ridership on heavy rail posted the second-largest gain at 4.1 percent.

Commuter rail posted the third-biggest increase at 3.2 percent, while demand-response (paratransit) ridership increased by 2.9 percent.

Bring up the rear was transit bus, showing a 2.3 percent rise.

Competitor berates ‘bus bookies’

By Neil Eisenberg
President/CEO
The Bus Co-Op
Sun Valley, Calif.

In previous *Bus & Motorcoach News* articles about bus brokers, I have deliberately refrained from using specific company or personal names.

My reasoning behind this generally accepted gentleman’s agreement was simple: If all parties involved are responsible, the practices mentioned in the articles should keep the disagreement from getting personal or abusive.

While I am steadfast in my beliefs, even in the face of having the non-gentleman from US Coachways personally attack me in his recent editorial with outrageous mistruths (see March 1 *Bus & Motorcoach News*), I can no longer ignore certain actions on the part of a few brokers that deserve the industries’ scrutiny.

As most readers of this newspaper are aware, I am the founder of The Bus Co-Op and the owner of VanGo “The Art of Transportation,” both located in Southern California.

I am also the predominate antagonist of bus brokers, and have been extremely vocal when it comes to defending our industry against this disreputable group of what I call “bus bookies.” Agree with me or not, this marauding band of self aggrandizing thieves will take a good portion of motorcoach operators down in the years ahead.

Yes, it’s true I was left holding the financial bag with USA Bus Charters.

Yes, it’s true I have been threatened by their attorney.

Yes, it’s true there was an agreement for my company to supply transportation on their behalf.

Yes, it’s true USA Bus Charter would have profited well over 100 percent from the price I gave them.

And, yes, it’s true I cancelled the services well in advance of the trip because VanGo was never paid for services rendered many months earlier.

And, yes, I invite a USA Bus Charter lawsuit so I can publish their attorney’s letter showing how my \$2,800 fee somehow turned into their \$3,200 loss in revenue, plus attorney’s fees.

Yes, I could also go on about my losses with The BusBank but, as we all know, they now have enough problems so I won’t kick a dead horse while it’s down.

Am I angry towards the above-mentioned companies?

The not-so-surprising answer is of course I am, but not for the reasons mentioned above.

The reason is simple. The bus bookies are scared, scared of me, scared of The Bus Co-Op, scared of you, and the motorcoach industry banding together against them in the form of The Bus Co-Op.

As a result, they will do just about anything to hang onto their internet search-engine positions.

In fact, USA Bus Charter is so concerned it has decided to embed the words “BUSCO-OP” three times in its page-source coding for its Website. This bears repeating in different terms.

USA Bus Charter has stolen its competition’s name and embedded it into its Website. In this way, when internet users search the

term Bus Co-Op, the USA Bus Charter Website will come up in the search.

This is profoundly unethical, immoral and goes to the boundary of illegality. It is akin to subliminal advertising. Think of it, could my company get away with embedding the names of Coach USA, Coach America or Greyhound into its Website?

Would it be right for the American Bus Association to embed the United Motorcoach Association name into its Website, or visa versa? Of course not, and that is why I now have to become even more vocal against the likes of USA Bus Charter, The BusBank, US Coachways, Metropolitan Shuttle, et al.

This is not a personal fight as some brokers have declared through their actions; this is a fight for survival.

And, as evidenced by the above, most of the bus bookies are willing to cross any immoral or unethical line to hold onto their obscene profits at your expense, my expense, or The Bus Co-Op’s expense.

What USA Bus Charter has done is only the first salvo fired on behalf of the bus bookies. There will be many more undermining efforts to deter the success of the fledgling Bus Co-Op.

I say, come join the already 31 and growing members that account for over 600 motorcoaches. Stand together and reap the financial, unifying and purchasing strength benefits that The Bus Co-Op has to offer. Stand up to all the bullies on our block. Now is the time to join The Bus Co-Op — www.busco-op.com.

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Operator responds to Metropolitan Shuttle allegations

Michael Kraft
Director of Vehicle Operations
Kraftours, Tulsa, Okla.

Kraftours has spent nearly half a century building its reputation as a company whose management says what we mean and does what we say. Our customers know that, as well as our suppliers and competitors.

Because Mr. Glenn P. Orloff, president and CEO of Metropolitan Shuttle in Wheaton, Md., has chosen to berate our small company in the Feb. 15 issue of *Bus & Motorcoach News*, with false allegations, bolstered by unnamed endorsers, we are obligated to respond.

Kraftours admittedly is not a major player in transportation like Mr. Orloff describes his outfit. We're just another small bus company, hardly noticeable by comparison to major players. We're a family company whose owners get up when necessary at 4 a.m. to make sure the block heater has warmed our engines so drivers don't have trouble.

We take Delta Air Lines' passengers, and others, hundreds of miles on icy highways at an hour's notice when their planes can't land. If needed, we stand in the pouring rain loading passengers into buses to assure nobody falls, as my 82-year-old father, my faithful mechanic, Danny, our drivers and I did for Dollar/Thrifty Car Rental last Friday.

And, we'll go to the aid of fellow coach operators in hotel parking lots to repair their coaches that won't run. We're just like a million other small, family-owned businesses. But, Mr. Orloff picked the wrong folks to accuse of misconduct.

Advent of bus brokers

In recent years, we have witnessed the development of a bus broker "industry" (as described by Mr. Orloff), that has tenaciously wedged itself between coach operators like us and travelers. This so-called bus broker industry is the answer to a question that was never asked. We see it as a parasitic drain on an otherwise affordable means of travel for the public, making such travel therefore less affordable.

It was not until the series of articles in *Bus and Motorcoach News* began that we realized our disdain for bus brokers was not unique.

As many industry colleagues know, Kraftours has operated a cautious, conservative, respectful, quality coach-and-tour operation in Tulsa, Okla., for 47 years. Our family has been involved in the bus industry since 1915, when my grandfather, a Ukrainian immigrant blacksmith, built bus bodies on Commerce and White truck chassis and operated them in Newark, N.J., until his jitney company was purchased, along with many other similar concerns, by the Public Service Company of New Jersey, known today as New Jersey Transit.

After my father's travels across Europe in 1944-45, with a machine gun and mortar company in the U.S. Army 103rd Infantry Division, my parents started Kraftours in Tulsa. Now in their 80s, they are still active in the business everyday.

The White House, the U.S. Department of State, the U.S. Department of the Treasury, the U.S. Department of Defense, Oklahoma governors, numerous multinational corporations, many universities — large and small, and

countless civic and religious organizations and individuals seem to have a different attitude than Mr. Orloff about Kraftours. We have served them all, repeatedly.

We would not have survived had we been in the practice of leaving customers in the lurch, as Mr. Orloff has alleged. Mr. Orloff apparently proposes to hold Kraftours up to the industry as an example of what? A shady operator?

About Kraftours

Kraftours has routinely maintained a No. 1 rating with the DoD and has won safety excellence awards each time they have been available from Lancer Insurance Co. Now, Mr. Orloff and his unnamed co-conspirators propose to discount our achievements through unsubstantiated, perhaps jealousy-motivated, rumor.

While I mournfully must agree with Mr. Orloff in part, "...not all operators are honorable or upstanding..." our experience in 47 years has been that most are decent, hard-working, family-owned concerns, like ours. And, the industry usually identifies and ostracizes the bad apples, if they don't do themselves in beforehand.

Mr. Orloff stated unequivocally that Kraftours "...dropped a big job from us on a moment's notice when a better booking came in later..." This is careless, foolish, embarrassing slander, which exposes Mr. Orloff and his company to breathtaking liability. Mr. Orloff could not possibly know our schedule, or the value we place on different work, including what business was offered to us before or after his inquiries. I think he simply couldn't help himself once his fingers touched the keyboard.

Mr. Orloff went on to implicate others in his rage by adding: "[Kraftours] seem to be notorious for such practices in the Oklahoma/Arkansas area, as other companies we spoke with in the area did not seem to be surprised that Kraftours did such a thing." Goodness.

Mr. Orloff apparently doesn't have a trusted confidant to whom he can submit his venomous diatribes for editing before they appear in nationwide publications. If Mr. Orloff continues to attack well-established, award-winning, coach operators with such "blunt" speech, it would not surprise me to see him spending considerable time in federal court explaining his uncontrolled rants.

Down to specifics

Because Mr. Orloff made reference to a specific charter allegedly booked with Kraftours and lacking any record of confirmation ourselves, we were finally able to contact Mr. Orloff on March 1, after three days of unsuccessful attempts. Two weeks after his opinion column appeared in *Bus & Motorcoach News*, Mr. Orloff explained that he was "trying to dig that [information] up" when asked about his allegations. Mr. Orloff was quick to accuse Kraftours but he didn't have any evidence readily available.

On March 7, a week after our phone conversation with Mr. Orloff, we received a fax from him that made unconfirmed references to charter requests scheduled in March 2006. He provided nothing to buttress his claims except his own fuzzy faxed computer printouts of his purchase orders, without any acknowledgement from Kraftours. He provided no charter quota-

tions from Kraftours, no signed charter contracts, no communication from Kraftours of any kind, and no contact name of any person at Kraftours. His fax was a wandering invective about his former associate's and his unnamed employees' vague recollections of having spoken with a "staffer" at Kraftours and having some undocumented assurances.

Kraftours does not do business like that. In the ordinary course of business, Kraftours provides customers with a charter contract to be signed and returned prior to each charter service. These contracts include all the terms of service, payment arrangements and most importantly, an acknowledgement that what we understand the charter party wants is accurate.

Kraftours' records revealed a fax Kraftours sent to Metropolitan Shuttle on March 9, 2006, asking for information about what his group intended to do on its proposed trip. Kraftours' request for more information was met with no response from Metropolitan Shuttle.

On March 8, 2007, we resent this fax to Mr. Orloff for his review, and requested any documentation from Kraftours that confirmed any charter service for Metropolitan Shuttle. In response to that request, we have received nothing.

We learned in mid-March 2006, that the service about which Metropolitan Shuttle is now complaining had been awarded to another coach operator. So, instead of providing Kraftours with basic information, like when and where the group was going and when and how we were going to be paid, the contract was awarded to someone else.

About getting paid...

With few exceptions, our terms for coach hire are "payment in advance." Public Service Company of Oklahoma likes to be paid promptly each month for electricity, Bowers Oil Company won't fill our diesel tank without some assurance we can pay for our fuel, our drivers and staff like to be paid every other week, MCI Service Parts and the Firestone Tire and Rubber Company consider that it's only fair for us to pay for our spare parts and tires, and Lancer Insurance Company prefers that we pay our premiums to maintain coverage.

It is impossible for us to know what motivated Metropolitan Shuttle to choose another coach operator besides Kraftours, but it's an interesting observation that many bus brokers choose alternative transportation providers after they learn we want to be paid in advance. We believe this policy is one of the reasons Kraftours is still a going concern when so many firms much larger than ours have disappeared. Hats off to Mr. (Dean) Golden of California's West Valley Charter Lines (see March 1 *Bus & Motorcoach News*). Indeed, as Mr. Golden queries, there is no reason why coach operators should not be paid up front.

Mr. Orloff opines about his criteria for coach operators, which we meet and surpass easily.

Our criteria for Mr. Orloff's company were simple: We wanted to know what his group intended to do and how we were to be paid. I am not at all convinced this tactic of hurling purchase orders (in lieu of, for example, cash) at coach operators, followed by fast talking reassurances by brokers' staff, as Mr.

Orloff's fax letter on March 7, revealed, is not a strategy carefully designed to bully operators into providing open-ended service where no agreement to provide service at all even exists.

This is particularly true in an atmosphere of limited vehicle availability. In the aftermath, our experience has been once the work has been done, payment from brokers may or may not be promptly forthcoming, and it may or may not represent payment for all the work performed — yet, the drivers still want to be paid.

Brokers and safety

With regard to Mr. Orloff's comments on safety, it's simply preposterous to imagine that brokers are prepared to be the gatekeepers for motorcoach safety. The public doesn't need brokers to look out for their well being. Brokers are unqualified, beyond widely available public information, like www.safersys.org or www.uma.org, to do that. I have never had a broker's representative come to our shop ready to inspect a coach or driver qualification files.

The U.S. Department of Transportation is monitoring coach operators everyday. The specter of laptop-toting USDOT inspectors appearing unannounced for an audit, ready to issue fines on the spot is an effective deterrent for us. Likewise, the Department of Defense contracts with specialists who regularly come to our shop to inspect our vehicles, and our documentation. Those with good DoD records advertise that fact to anyone who will listen. We do.

I believe many of our industry members have been our own worst enemies in allowing the creation of a bus broker industry. Quality coach operators are busy with the nuts and bolts of providing quality service. At the cost of new coaches; the difficulty finding, qualifying and teaching drivers; the responsibility for cleaning the coach, changing the oil, inflating the tires; compliance with federal, state and sometimes local regulatory standards and other problems inherent to our businesses; operators are sometimes frantic to find anyone to ride our buses, even with dubious but enthusiastic promises of prompt payment and future business. There is precious little time for marketing our businesses.

This reality has provided the crack into which brokers have been able to gain a hand-hold. We can close this crack by developing alliances with friendly competitors, not by appeasing brokers.

If a high school seven blocks from our Tulsa office hires a broker in Pennsylvania to find a bus company in Tulsa and pays half again our rate, that's our fault.

My sister is a medical doctor. Doctors constantly bemoan the cost of medical malpractice insurance and other withering regulations. Doctors don't seem to realize that if they worked together, and told patients to check with their insurance companies to schedule a time when their agent can deliver their baby, there would be genuine medical insurance reform.

Insurance companies need doctors more than doctors need insurance companies. Doctors just don't realize it. Likewise, brokers need coach operators more than operators need brokers. Coach operators just don't realize it.

If Mr. Orloff hopes to make a point about quality coach operators by holding Kraftours up as an example of problems in the industry, I propose that we can all breathe easy.

Used buses

CONTINUED FROM PAGE 1

mechanics at the shop where the coaches were being stored were routinely swapping the parts for use in buses they were repairing for customers. In other words, they were stealing parts off Guild's buses.

Guild sought to cancel the deal, but the fast-talking salesman refused to return his \$50,000 down payment and, instead, promised to make things right. However, Guild said he spent more than \$20,000 to make the buses road worthy and repair the entertainment systems, but never was reimbursed by the seller.

"They never did make things right for me," he said.

A few months later, he stopped making his monthly payments on the buses, which resulted in them being repossessed. He followed with a civil lawsuit against the dealer in federal court in Illinois.

Guild said it was his understanding that because the dealer was based in New York, the buyer protection and business practice laws in that state — some of the toughest in the country — would apply.

Those laws, according to Guild, should have allowed him to cancel the deal when he first asked to do so or have it voided because the lease-purchase agreement had not been counter signed by the dealer. In addition, he said used coaches sold by New York dealers have to pass state inspections and contain state Department of Transportation stickers.

Questions surrounding those and other legal issues remain up in the air, however, and the suit has yet to be resolved.

In hindsight, Guild said he should have researched New York consumer and business practice laws more thoroughly before agreeing to buy the buses. Now, he's urging other operators, who are

in the market, to do just that so they don't find themselves in the same legal bind he's experiencing.

"I just don't want to see this happen to anyone else," he stressed.

Motorcoach operators should know they can't count on state lemon laws to protect them when they buy a used bus, industry experts advise. While every state has consumer protection laws, all of them exempt commercial vehicles, either by identifying covered vehicles as those used primarily for personal, family or household purposes, or limiting them to those that weigh less than 10,000 pounds.

However, state governments also have varied laws that regulate business practices that could apply to dealers who sell used buses. In addition, most state attorneys general operate fraud or similar divisions that investigate complaints of illegal businesses practices.

In New York, where the finance company that sold Guild his buses

is based, state laws require dealers to obtain state DOT inspection stickers on all coaches they sell within the state, according to sales experts. If the coach is located outside of New York, they say, the inspection requirement does not apply — even if the seller is a New York company.

Plus, there is some question if the law would apply inside the state if the seller is not a coach dealer, but an individual owner such as a motorcoach operator or finance company. "A finance company is just the owner of the buses, not a dealer," noted a top sales executive of a bus manufacturing company that sells used coaches throughout the country.

Bus sales and finance company experts stress that each state has its own laws that govern coach sales and they recommend operators do some investigating before buying. They suggest calls to the company attorney, the state motorcoach association and possibly even the attorney

general's office in the state where they are buying the coaches before sealing any purchase deals.

"And you might want to check with your peers as well," offered Matt Hotchkiss, assistant vice president of Wells Fargo Equipment Finance Inc. in Minneapolis.

The real key, though, according to industry veterans, is for motorcoach operators to buy from dealers they know and trust.

"Buying from a reputable dealer is very important," emphasized John Oakman, vice president of sales at ABC Companies in Winter Garden, Fla. "You know they're going to follow the laws because of their reputation."

He said if a customer has a problem with used equipment that was purchased from ABC, his company will do everything possible to help them, including trading the vehicle for another.

And, they all agree that in most cases, "as is, where is" is the rule in most used coach sales.

Safety

CONTINUED FROM PAGE 1

per year over the past decade. "There has to be a balance."

The Atlanta crash involved a charter coach, carrying the Bluffton University of Ohio baseball team, which plunged off an overpass and smashed onto Interstate 75, ejecting some passengers. Twenty-nine people were injured.

What about seatbelts?

The NTSB, which is investigating the accident, has for years recommended improved restraint systems and windows to prevent ejections.

However, under questioning by DeFazio, NTSB Chairman Mark Rosenker said research is not conclusive on whether seatbelts might have saved lives or prevented serious injuries in major crashes like the Atlanta accident.

"The jury is still out," he said. While seatbelts are known to save lives in cars, the "larger compartment" of a bus has different dynamics and may need different features, he said.

For certain, said Rosenker, it

would be hazardous to retro fit buses with seatbelts. He said airbags, including on the sides of the buses, may prove to be a better safety solution.

"In addition, the vehicle itself must be strong enough to prevent intrusion into the occupant compartment," he said.

"Finally, the seats, side panels and other surfaces need to absorb energy when impacted by occupants in the crash scenario. When all these concepts work together, it greatly increases the occupants' chance of survival."

Those testifying at the hearing included John Hill, head of the FMCSA; Brian Scott, president of Escot Bus Lines in Largo, Fla., and chairman of the United Motorcoach Association; Chris Crean, director of safety and security at Peter Pan Bus Lines and vice chairman of the Bus Industry Safety Council; Bruce Hamilton, president/business agent of the Amalgamated Transit Union National Local 1700, which represents Greyhound drivers and mechanics, and Jacqueline Gillan, vice president of Advocates for Highway and Auto Safety.

Variety of views

Hill told the subcommittee that the Executive Coach Luxury Travel Inc. bus involved in the Atlanta crash had been inspected one week before the accident by the Public Utility Commission of Ohio.

No vehicle violations were found and the preliminary investigation showed the driver did not violate regulations for total hours of service, he noted. The driver who was killed relieved the previous driver and boarded the bus at about 4:30 a.m., one hour before the crash.

The HOV-lane exit where the crash occurred was criticized by Gillan of the Advocates for Highway and Auto Safety. "There are major issues involving highway design in this crash, including a left-hand-exit lane with inadequate signing," she testified.

She also decried federal inaction on making buses more crash worthy.

Scott focused on industry safety, saying the industry can proudly stand on its record, not because of low fatalities and injuries but rather because operators diligently pursue best safety practices.

"Our very survival hinges on those pursuits," said Scott.

He also said the industry was ready to work with Congress and federal agencies to develop and implement safer practices and equipment, provided the changes are "grounded in sound science and testing."

Crean creams 'em

Crean, on the other hand, took a different tack, strongly criticizing several aspects of FMCSA safety oversight.

He said the FMCSA SafeStat system is "usually deficient" in reporting the safety performance of new or small carriers, and many carriers identified as "unsafe" are allowed to conduct business as usual.

He noted that many curbside bus companies running in the Northeast and along the border with Mexico "are operating in defiance of federal and state law(s)," including the Americans with Disability Act, federal DOT safety regulations, and federal environmental quality regulations.

"These curbside operators are not safe and when they operate their

service in an unsafe manner they give the bus industry a bad name, force good operators into curtailing service and make a mockery of our efforts to provide safe and efficient transportation to the nation," Crean told the committee.

He said Congress "should insist" the FMCSA use all of its regulatory powers "to stop unsafe carriers from gaining operating authority and prevent them from ignoring the law once they have operating authority."

Crean said it was time for Congress to provide the FMCSA with adequate budget funding to "start doing something about what we know."

But, at the same time, he bemoaned the FMCSA practice of handing out conditional ratings to operators that violate hours-of-service rules, fail to maintain their equipment properly, allow individuals with suspended or revoked licenses to operate coaches, or violate other federal regulations.

At one point during the hearing, Hill of the FMCSA, admitted that "one of the problems we have as an agency is dealing with the volume of vehicles involved."

Crash study

CONTINUED FROM PAGE 1

FMCSA officials and a private consultant. The final study results are not expected until December.

Despite not having as many accidents as desired, the official said the number of crashes for which data has been collected is likely to produce enough information to make the study valid.

The study, initially set to last one year, began in January 2005 in a target area that covered the north-

eastern section of New Jersey, a state in which numerous serious bus and motorcoach accidents have occurred over the years. However, by the end of 2005, only 23 serious accidents were recorded and the FMCSA decided to extend the study a second year and widen the target area to cover the entire state.

The FMCSA said it selected New Jersey because it has a good mix of types of bus and motorcoach operations — professional motorcoach charters and tours, private church transportation, com-

muter runs and inner city transit.

The United Motorcoach Association and others were critical of both the initial study plan and the extended and expanded plan, contending it did not cover a large enough area to produce enough meaningful information to reach valuable conclusions.

The critics also warned that the results of the study could be skewed because of New Jersey's robust bus safety enforcement program.

"It has been UMA's experience that states that employ strict bus

enforcement programs are the least likely jurisdictions to have high crash occurrences," UMA wrote in a filing with the federal agency before the study began.

The trade group and other critics recommended that the study area cover all 50 states and researchers pay close attention to the differences in accidents in states with aggressive programs versus those with weak or non-existent programs.

UMA was joined in its criticism of the study limits and meth-

ods by the Insurance Institute for Highway Safety and Advocates for Highway and Auto Safety.

The FMCSA plans to pool the data gathered in the study with information from existing accident and insurance databases to find out the types of accidents that are occurring most often and what might be causing them.

An already-completed truck crash study and the bus and motorcoach study were mandated by the Motor Carrier Safety Improvement Act of 1999.

Operator Larry Anzuoni of Brush Hill Tours dies at 79

MILTON, Mass. — Lawrence A. Anzuoni Sr., one of three brothers who owned a half-dozen bus and motorcoach operations in Massachusetts, died last month after a lengthy illness. He was 79.

Mr. Anzuoni, who was known as Larry in the industry and as Chick by old family friends, was the long-time president of Brush Hill Tours of Randolph, Mass.

Darril King, secretary/treasurer of the New England Bus Association, said Mr. Anzuoni was an industry pioneer and would be missed by all.

Mr. Anzuoni joined the industry after serving in the Navy during World War II. He went to work for his father as a driver for Service Bus Lines in Revere, Mass., teaming up with his brothers, George and Richard.

In the mid-1950s, Mr. Anzuoni moved his family to Milton after his father purchased Brush Hill Bus Line, a bankrupt company that was founded in the 1920s to transport domestics employed on large estates along Brush Hill Road. The company also operated two commuter lines.

Over the years, Mr. Anzuoni directed the development of Brush Hill in new directions, capitalizing on the re-emergence of Boston as a major tourism and convention des-

ination. The company expanded into sightseeing, convention service, shuttles, tours and charters.

Mr. Anzuoni remained active in the company and never completely retired.

Meanwhile, the family acquired or started other bus operations, including Plymouth & Brockton Street Railway, McGinn Bus Co., North Shore Bus, Beantown Trolley and Gray Line operations in Cape Cod and Boston.

Mr. Anzuoni was active in a number of industry groups, including the American Bus, National Tour and New England Bus associations, and was a past president of the New England Passenger Transportation Association.

He was an emeritus life board member of the Greater Boston Convention and Visitors Bureau, as well as a member of veteran, civic and social organizations.

Mr. Anzuoni is survived by his widow, Jeanette; his son, Lawrence Jr.; his daughters, Jane D. King, Lisa A. Bernozzi, and Fillis A. Jessoe; his brothers George and Richard Sr.; his sister Maryann Shaffer, and seven grandchildren.

A memorial has been established in Mr. Anzuoni's name with the American Liver Foundation, 246 Walnut St., Newton, MA 02160.

'New': Massachusetts Bus Association

BOSTON — The New England Bus Transportation Association has been renamed the Massachusetts Bus Association.

The name was changed, says association secretary Stephen Anzuoni of Plymouth & Brockton Street Railway, because the organization's focus has always been on activities in Boston and the commonwealth of Massachusetts, and that made the former name misleading.

The association has been around for 30 years and has about

20 bus-operator members. The membership includes bus and coach operators from surrounding states.

"The change also will help prevent confusion between the MBA and other groups that serve the industry and have similar abbreviations — the New England Bus Association, and the North-East Passenger Transportation Assn., for instance," said Anzuoni.

The New England Bus Association tackles regional issues.

At the Massachusetts Bus

Association's first annual membership meeting last month, directors were elected and the name change approved. Then the new directors met and elected a chairman and vice chairman. The chairman appoints other officers.

The 2007 officers are: Michael Sharf of Peter Pan Bus Lines, chairman; Jim Maragnano of Bloom's Bus Lines, vice chairman; Ken Hunter of Concord Trailways, treasurer; Anzuoni, secretary, and Carol Tally is a part-time employee of the association.

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Midsize buses

CONTINUED FROM PAGE 1

A substantially larger front window for unobstructed passenger viewing; a seven-inch longer wheelbase and ride-enhancement package for smoother travel; air drum brakes; an upgraded HVAC system that is roof mounted, and an automotive — as opposed to truck — style dashboard.

One change in particular helped sell Joan Libby of Cavalier Trailways in Boston on the '07 M1235s — the Ricon in-step wheelchair lift. That option means Libby's new M1235s can have both a wheelchair lift — that isn't rattling

around in the back of the bus — and a restroom without giving up passenger space.

The new model has customer appeal, says Libby.

It's customers like Libby that have driven the success of the M-series line, says Dane Cornell, president and CEO of ABC Companies. "We'll continue to keep customer feedback front and center on our radar as we implement future engineering and design enhancements on this and all of our full-size equipment offerings," he adds.

But ABC isn't the only midsize bus supplier that has been listening to operators.

Cutaway makers Turtle Top of

New Paris, Ind., and Glaval Bus of Elkhart, Ind., have introduced or are readying products that respond to coach-operator input.

Turtle Top had its high-end Odyssey XL model at Motorcoach Expo in January and received a strong reception to the bus that's built on a Chevrolet C5500 chassis.

Turtle Top Vice President Phil Tom says that because of the interest the company is investing in more marketing aimed at the motorcoach sector, but at the same time laying plans to introduce a new, beefier model that will be built on the Freightliner S2 chassis. The Chevy C5500 chassis is rated at 19,500 pounds, while the S2 is a 26,000 pound chassis.

Tom said the design of the new model, with air ride and a host of other features, is expected to be completed by July and the bus ready for introduction at Buscon in October and at Motorcoach Expo



2008 in January.

One of the most interesting midsize offerings is the Synergy from Glaval. That bus is something of a joint venture between Glaval and two well-known motorcoach operators, Noah Sodrel of The Free Enterprise System in Jeffersonville, Ind., and Doug Anderson of Anderson Coach & Tours in Greenville, Pa., the new chairman of the American Bus Association

Sodrel and Anderson have set

up a marketing organization to sell the coach-like, rear-engine Synergy to fellow operators.

Jerry Mishler, national sales manager of Glaval, said his company worked closely with Sodrel and Anderson to come up with a product that meets the requirements of motorcoach operators for a smaller bus. The 38-foot Synergy seats up to 37 and sells in the \$240,000-\$250,000 price range.

"It's the right size and the right dollar market," says Mishler.

Another midsize bus maker that thinks it has the right product at the right time is Trident Industries of Cumming, Ga. It introduced the Temsa TS-35, a 35-foot monocoque coach from Turkey that's just beginning its first real marketing push.

It's headed for the Northeast and into the hands of operators for hands-on evaluations, says Jason Cash, CEO of Trident.



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People

Lisa Simon has been named president of the **National Tour Association** by the organization's directors. Simon rejoined NTA last August, serving in an interim role as its top staff official.

"Lisa brings to the table a love for visionary thinking, strategic planning and extensive association management experience," said NTA Chairman and CEO *Randy Julian*. "Her strengths will complement the travel industry expertise and NTA passion shared by the NTA board, its Leadership Team and our members. I see all good things on the horizon as NTA builds on the incredible momentum that we're experiencing."

Simon, who worked at the NTA between 1985 and 2004 and was its senior vice president during most of that time, had been serving as executive director of the International Coach Federation, an association of personal and business coaches. Both NTA and the federation are clients of the Lexington, Ky.-based association management firm, Host Communications.

When Hank Phillips announced his resignation as NTA president last July, the association conducted a national search for a replacement. Ultimately, Simon was selected for the job.

Simon has more than two decades of experience in marketing and management. Julian said her facilitation skills and analytical abilities have proven effective in strategic planning, leadership development, organizational structure and managing change. During the years she was employed by NTA, Simon managed the education, certification and marketing activities, as



Lisa Simon

well as served as director of the National Tourism Foundation, and editor of *Courier* magazine.

She holds a bachelor's degree from Eastern Kentucky University.

Philips had been employed by the NTA and Host for 21 years, serving as NTA president for nine years.

SmartDrive Systems Inc. of San Diego has hired *Pete Van Beek*, founder of **Training Alternatives Group** of Houston, Texas, to bolster SmartDrive's fleet vehicle safety improvement service. Van Beek will be SmartDrive's director of safety and driver training, providing training, learning resources and incentives for educating drivers to operate more safely and productively.

SmartDrive also will utilize Van Beek's TAG safety team and resources to spearhead client support, driver oversight, client consultations, driver safety training, and fleet safety reviews.

Van Beek has 25 years of transportation safety and security experience, including a driver safety program at **Coach USA**, focusing on USDOT driver physical qualification requirements.

SmartDrive provides driver risk-management systems and services, offering high-tech, video-capture hardware and professional incident review services.

Calendar

APRIL 2007

5 DATTCO Sales & Service Expo, Mohegan Sun Casino, Uncasville, Conn. Info: Call (800) 229-4878.

24-26 Ontario Transportation Expo, Holiday Inn Select Toronto Airport and International Centre, Mississauga, Ont. Info: Go to www.ote.ca.

26-28 National Tour Association Spring Meet, Grand Okanagan Lakefront Resort, Kelowna, British Columbia. Info: Go to www.nta.travel, or call (800) 682-8886.

BANY sets new direction with new officers, agenda

ALBANY, N.Y. — The Bus Association of New York State, commonly known as BANY, has announced its officers for 2007, and an ambitious work program for the remainder of the year.

John Silvanie, president of Suburban Charters and White Plains Bus, has become president of the association.

Elected vice presidents were John Corrado of Suffolk Bus Corp., Edward F.X. Gallagher Jr. of Leprechaun Lines, and George Semko of Harran Transportation.

The association secretary is David Mankoff of Hampton Jitney, and the treasurer is Melvin Konner of the CPA firm of Konner, Harbus and Schwartz.

"With a new governor in New York and changes in the U.S. Congress, the role of BANY becomes even more important," said Silvanie.

"We are the eyes and ears of our membership. We will testify at governmental hearings and work with key legislators as we develop our legislative agenda that will include seeking fairer tolls on the

New York State Thruway, and on highways, bridges and tunnels operated by the Triboro Bridge and Tunnel Authority and the Port Authority of New York and New Jersey."

Additionally, said Silvanie, the association will be seeking to eliminate sales taxes on all commercial vehicles seating 20 or more adults, and opening discussions regarding the need to provide charter bus parking spots in Manhattan.

BANY, which has been around for 69 years, prides itself on being the oldest association dedicated to private bus companies doing business in New York and the region. It represents the interests of regular route, charter and tour, shuttle and other commercial operators.

The association has weathered its fair share of challenges during the past decade, including the consolidation of operators in the mid-and-late 1990s, the industry slowdown at the start of this decade, 9/11, and more recently the take over of seven large private operators that provided daily transit service in New York City.

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