

***Key Highlights – PL 110-53
(As Signed by President Bush on August 3, 2007)***

(ABA Members, please reference pages 457-464)

Sec. 1531 – Over-the-Road Bus Security Assessments and Plans

- DHS must issue regulations that require that each bus operator that is assigned to the high-risk tier conduct a vulnerability assessment, prepare and submit a security plan within 1.5 year of the enactment of PL 110-53 (Aug 3, 2007). Plus establish standards for developing a vulnerability assessment and security plan. Plans must be submitted by high-risk bus operators no less than 9 months after the regulations are issued. DHS must provide technical assistance to operators to aid in the development of both an assessment and a security plan.
- DHS must establish a security program for non high-risk bus operators, including guidance for developing a security plan and conducting a vulnerability assessment, and establishing a review process to approve assessments and plans as appropriate.
- DHS Secretary must provide threat information that is relevant to operators in a timely fashion to aid in the development and submission of a vulnerability assessment.
- Required elements for a vulnerability assessment include: identification and evaluation of critical assets and infrastructure, including platforms, stations, terminals, and information systems; identification of the vulnerabilities to those assets and infrastructure; and identification of weaknesses in: (i) physical security;(ii) passenger and cargo security;(iii) the security of programmable electronic devices, computers, or other automated systems which are used in providing over-the-road bus transportation; (iv) alarms, cameras, and other protection systems;(v) communications systems and utilities needed for over-the-road bus security purposes, including dispatching systems; (vi) emergency response planning; and (vii) employee training.
- Required elements for a security plan include: the identification of a security coordinator; a list of needed capital and operational improvements; procedures to be implemented or used by the over-the-road bus operator in response to a terrorist attack, including evacuation and passenger communication plans that include individuals with disabilities, as appropriate; the identification of steps to be taken with first responders in response to a terrorist attack; a strategy and timeline for conducting training; enhanced security measures to be taken by the over-the-road bus operator when the Secretary declares a period of heightened security risk; and plans for providing redundant and backup systems required to ensure continued operations.
- Security Coordinator must be a US citizen.
- DHS Secretary will assign each bus operator to a risk-based tier, and must notify them of their assignment within 60 days. The Secretary may request, and an over-the-road bus operator shall provide, information necessary for the Secretary to assign an over-the-road bus operator to the appropriate tier.

Sec 1532 – Over-the-Road Bus Security Assistance

- A grant programs shall be established.
- Eligible uses of grant funds include: 1) Constructing and modifying terminals, garages, and facilities, including terminals and other over-the-road bus facilities owned by State or

local governments, to increase their security; Modifying over-the-road buses to increase their security; Protecting or isolating the driver of an over-the-road bus; Acquiring, upgrading, installing, or operating equipment, software, or accessorial services for collection, storage, or exchange of passenger and driver information through ticketing systems or other means and for information links with government agencies, for security purposes; Installing cameras and video surveillance equipment on over-the-road buses and at terminals, garages, and over-the-road bus facilities; Establishing and improving an emergency communications system linking drivers and over-the-road buses to the recipient's operations center or linking the operations center to law enforcement and emergency personnel; Implementing and operating passenger screening programs for weapons and explosives; Public awareness campaigns for enhanced over-the-road bus security; Operating and capital costs associated with over-the-road bus security awareness, preparedness, and response training, including training under section 1534 and training developed by institutions of higher education and by nonprofit employee labor organizations, for over-the-road bus employees, including frontline employees; Chemical, biological, radiological, or explosive detection, including canine patrols for such detection; Overtime reimbursement, including reimbursement of State, local, and tribal governments for costs, for enhanced security personnel assigned to duties related to over-the-road bus security during periods of high or severe threat levels, National Special Security Events, or other periods of heightened security as determined by the Secretary; Live or simulated exercises; Operational costs to hire, train, and employ police and security officers, including canine units, assigned to full-time security or counterterrorism duties related to over-the-road bus transportation, including reimbursement of State, local, and tribal government costs for such personnel; and the development of assessments or security plans;

- Grant oversight can be shifted to the DOT, but DHS must draft the grant requirements.
- To eligible for grants an operator must have completed an approved vulnerability assessment and security plan.
- \$87 million will be available for grants FY 2008-2011: \$12 million (2008), \$25 million (2009), \$25 million (2010), \$25 million (2011).

Sec. 1533 – Over-The-Road Bus Exercises

- Requirements for exercises, exercises must be: scaled and tailored to the needs of the over-the-road bus operators and terminals, including addressing the needs of the elderly and individuals with disabilities; live, in the case of the most at-risk facilities to a terrorist attack; coordinated with appropriate officials; as realistic as practicable and based on current risk assessments, including credible threats, vulnerabilities, and consequences; inclusive, as appropriate, of over-the-road bus frontline employees; and consistent with the National Incident Management System, the National Response Plan, the National Infrastructure Protection Plan, the National Preparedness Guidance, the National Preparedness Goal, and other such national initiatives.
- Approved exercises will be incorporated into DHS best practices and guidelines for the bus industry.

Sec. 1534 – Over-The-Road Bus Security Training Program

- Requirements for a training program are described, training must include: determination of the seriousness of any occurrence or threat; Driver and passenger communication and coordination; appropriate responses to defend or to protect oneself; use of personal and other protective equipment; evacuation procedures for passengers and over-the-road bus

employees, including individuals with disabilities and the elderly; psychology, behavior, and methods of terrorists, including observation and analysis; training related to psychological responses to terrorist incidents, including the ability to cope with hijacker behavior and passenger responses; live situational training exercises regarding various threat conditions, including tunnel evacuation procedures; recognition and reporting of dangerous substances, suspicious packages, and situations; an understanding of security incident procedures, including procedures for communicating with emergency response providers and for on-scene interaction with such emergency response providers; operation and maintenance of security equipment and systems.

Sec. 1535 – Over-The-Road Bus Security Research And Development

- \$8 million will be available for over-the-road bus security research and development grants for FY 2008-2011: \$2 million (2008), \$2 million (2009), \$2 million (2010), \$2 million (2011).
- Eligible projects shall: reduce the vulnerability of over-the-road buses, stations, terminals, and equipment to explosives and hazardous chemical, biological, and radioactive substances, including the development of technology to screen passengers in large numbers with minimal interference and disruption; test new emergency response and recovery techniques and technologies, including those used at international borders;
- Research shall be coordinated with other research initiatives within DHS.