



LIMOUSINE, CHARTER & TOUR

BUS HOLD-UP: Court Extends Stay On Charter Rule

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A stay on a ruling that finds an amendment to the Charter Rule unconstitutional has now been extended from July 8 to September to allow for oral arguments from both sides.

WASHINGTON, D.C. — A decision on whether the Federal Transit Administration (FTA) can go back to enforcing the Charter Bus Rule against the Seattle-based public transportation system King County Metro Transit was postponed on July 13 for two more months on July 13.

The Rule prohibits public transit agencies from using federally funded buses to operate charters if a private carrier is available and capable of performing the work.

Circuit Judges Karen LeCraft Henderson, Judith W. Rogers, and David S. Tatel of the United States Court of Appeals for the District of Columbia Circuit re-imposed the temporary stay on the Murray Amendment, intended to give opponents of the decision time to make their arguments. The initial stay expired on July 8, when a ruling was expected to take place.

According to court documents, the court approved an expedited briefing and argument schedule. Oral arguments will be scheduled on the first available date in September following the completion of briefing. The stay order cited Washington Metropolitan Area Transit Commission v. Holiday Tours, Inc. as evidence that appellants Peter M. Rogoff, Administrator, Federal Transit Administration and the Federal Transit Administration satisfied the requirements for a stay pending appeal.

"While this is disappointing, it does not indicate how the court will handle the merits on appeal...I expect we will get a decision on the merits by the end of September," said American Bus Association's counsel, Rick Schweitzer.

"Needless to say, we're disappointed that the judge chose to re-impose the stay but we are optimistic that we'll prevail," said Victor Parra, president and CEO, United Motorcoach Association.

[LCT BACKGROUND ARTICLE ON THE CHARTER RULE](#)

Source: Nicole Schlosser, LCT Magazine