

ABA Position Paper

Motorcoach Security

Issue

Since the horrific events of September 11, 2001, security of public transportation systems has become a national concern. Government support is needed to assist in establishing and funding industry security training protocols and security enhancements. The private over-the-road bus industry has received approximately \$10 million in each fiscal year since FY 2002 through the Congressional Appropriations process. Long term authorizing legislation is needed to support and enhance motorcoach security programs.

Background

The safety of the 774 million passengers who ride intercity motorcoaches has been partially addressed through provisions in the USA Patriot Act and the REAL ID Act. These statutes, respectively, establish that terrorist activities in mass transportation systems are federal crimes and require states to issue secure drivers licenses and identification documents, which make certain the applying individual is not a known security risk or has committed illegal acts. Furthermore, prior federal security grants have provided operators with critical sources of capital to upgrade their company security programs. Grant funds have allowed the ABA, in conjunction with others, to develop and deliver a detailed security training program and security planning template to the entire industry. The Transportation Security Administration (TSA) has determined that these security training and planning materials will establish the federal security baseline for our industry should a federal directive or regulatory mandate be issued in the future. In FY 2005 the Office of Domestic Preparedness (ODP) of the Department of Homeland Security (DHS) placed a limit on security grant applications to only include bus companies who operate fixed route, scheduled service as eligible applicants. This exclusion barred about 95 percent of the operators who provide charter and tour service to the 774 million passengers the industry transports each year. In effect, ODP made a blanket determination that no matter how worthy the application, absent fixed route service from its operation, a carrier could not even apply for a security grant.

ABA Position

In order to develop a comprehensive national security program, the public and private sector must continue to work together to develop and keep current a sound public policy that embraces realistic strategies, laws or regulations. Towards that end, ABA supports long-term authorizing legislation, which will provide “Over-the-Road Bus Security Assistance” through continued security funding. This successful program should remain at the forefront and distinct from other efforts to provide preparedness. Furthermore, ABA urges Congress and the DHS to open the security grant process to all bus operators. Given the limited available funding, DHS must set priorities for funding that address the greatest threat to bus passengers and others. The grant applications must stand or fall on their own merits and not allow significant portions of the industry to go without security funding. With new planning requirements emerging related to federal security audits of motorcoach companies and recipients of security funding, ABA will work to ensure that training is made available to assist companies in preparing appropriate planning documents and that federal entities reviewing company security plans adopt an industry

specific approach. Assurances will need to be developed to protect the integrity of the plans implemented by companies and ABA will look to be involved in that process.
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