



**AMERICAN BUS ASSOCIATION**

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## **MEMBER ALERT**

To: ABA Operator Members  
From: Peter J. Pantuso, President & CEO  
Date: May 15, 2008  
Re: New Charter Bus Rules Have Been Implemented, Register Today!

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All ABA operator members should be aware that the new Charter Bus Regulations (49 CFR 604) that were negotiated by the private motorcoach industry, public transit agencies, transportation unions and the Federal Transit Administration under a grant of authority by Congress have now gone into effect as of April 30, 2008.

Several petitions for reconsideration of portions of the regulation have been filed by numerous parties. Those petitions are still being considered by the FTA, and we do not expect any response or action on them before the end of May. There is the possibility that some parts of the rule may change.

You can view the full text of the new regulations on the ABA website at <http://www.buses.org/node/786>. We would also like to remind you of some of the important highlights of the regulation:

- Provides a clear definition of charter bus service.
- Charter service requests received by transit agencies must first be offered to registered private operators, with only a few limited exceptions.
- New electronic notification system for charter service requests from transit agencies (please be aware of short turn around times for interested parties).
- Transit systems must file quarterly reports detailing all charter bus services provided.
- Financial penalties can now be levied against rule-breaking transit agencies illegally performing charter bus service.

ABA would like to advise all motorcoach companies who perform charter work to register with the FTA as a charter provider to ensure that you receive important information on possible charters in your service area before they are awarded to transit agencies. Registration may be done online through the FTA website [http://ftawebprod.fta.dot.gov/CharterRegistration/\(S\(0yepumus3bo45q55sk3allbs\)\)/Default.aspx](http://ftawebprod.fta.dot.gov/CharterRegistration/(S(0yepumus3bo45q55sk3allbs))/Default.aspx).

If you have a question about the applicability of the new regulation to your services or the applicability of the regulations to the services of transit agencies in your service area, the

FTA suggests that you compile the appropriate information and file an advisory opinion using the form provided by the FTA. The FTA is required to respond to advisory opinion requests within ten days. You will need to be a registered charter operator before you are able to bring complaints against illegally operating transit operators.

All requests for advisory opinions or cease-and-desist orders must be electronically filed through the government's docket system, available through [www.regulations.gov](http://www.regulations.gov). Advisory opinions and cease-and-desist orders may be viewed as well as filed under the docket identification number, [2007-0023](#). The FTA has provided forms in a prescribed format necessary for a complete submission. These forms and other related resources are available at [http://www.fta.dot.gov/laws/leg\\_reg\\_179.html](http://www.fta.dot.gov/laws/leg_reg_179.html).

The FTA would like to invite and encourage all interested private operators to attend a special education program on the charter bus rules in Atlanta, Georgia on May 28<sup>th</sup>. The meeting is slated for 2:00-5:30pm EDT in the Olympic Ballroom at the Downtown Marriott, located at 160 Spring St. NW, Atlanta, GA 30303 and will feature Ms. Linda Lasley from the FTA's Office of the Chief Council, who helps lead the team that enforces the new charter rules. Interested operators in Florida, Georgia, Mississippi, Alabama, South Carolina, North Carolina, Tennessee, DC, Maryland and Virginia should attend.

If you have any questions as to how to file a compliant (a cease-and-desist order) or request a formal interpretation (an advisory opinion) from the FTA, please contact a member of the ABA Government Affairs staff at (800) 283-2877 or FTA's Ombudsman at (202) 366-4063.