Hispanic Motorcoach Council Regional Meeting Agenda

Wednesday, October 9, 2013

9 a.m. – 11 a.m.  Hispanic Motorcoach Council Meeting
11 a.m. – 11:15 a.m.  15-minute Break
11:15 a.m. – 12:15 p.m.  Hispanic Motorcoach Council Meeting
12:15 p.m. – 1:30 p.m.  Lunch
1:30 p.m. – 3:00 p.m.  Hispanic Motorcoach Council Meeting
3 p.m. – 3:15 p.m.  15-minute Break
3:15 p.m. – 4:30 p.m.  Hispanic Motorcoach Council Meeting
4:30 p.m.  Adjourn

Welcome/Introductions

FMCSA Presentation
- Upcoming Regulatory Changes
- Strike Force Activity in 2012 and 2013
- Trends to Note for Common Violations Found During Compliance Reviews
- CSA/SMS Monitoring
- Communicating on Observed Illegal Operators

TX DOT/DPS Presentation
- Inspections at Attractions, Weigh Stations, and on the Roadside
- How to Request Additional Inspections
- Operational Changes in 2013/2014
- Statewide Safety Goals

DHS/CBP Presentation
- Border Crossing Operational Updates
- Border Crossing Best Practices
- Feasibility of APIS on Southern Border
- How to Interact with the Agency

ADA Presentation
- Overview of the ADA requirements
- Compliance Examples
- Compliance Solutions
- Training Resources

Operator Panel
- Safety Tips: Tire Pressure, Driver Monitoring, Data Q’s, Hours of Service
- What it Means to be a Minority Small Business Leader?
- Company Structure – Organization, Staffing, Hiring, Development, and Driver Training
- Cracker Barrel/Other Topics

Manufacturer's Presentation
- Maintenance Issues
- CARB Compliance
- Motorcoach Safety Improvements
- 2014 New Coaches, Special Features

Industry Resources
- ABA/HMC
- BISC
- Getting the Word Out

Next Meeting/Adjourn
# Membership Application

**Type of Company:**
- [ ] Bus Operator
- [ ] Tour Operator
- [ ] Travel Industry
  - [ ] Single Entity
  - [ ] 2-5 Entities
  - [ ] 6-24 Entities
  - [ ] 25+ Entities
- [ ] Associate
  - [ ] Service Supplier
  - [ ] Hardware Supplier
  - [ ] Manufacturer

**Definitions available on-line at [www.buses.org](http://www.buses.org/join) and on reverse.**

**Number of Buses:**

**Type of Buses:**

**U.S. MC Number:**

**Primary Category:**

---

**Company Name:**

**Contact Name:**
- [ ] Mr.
- [ ] Mrs.
- [ ] Ms.

**Contact Title:**

**Mailing Address:**

**City:**

**State/Province:**

**Zip Code:**

**Country:**

**Phone:**

**Fax:**

**Toll Free:**

**E-mail:**

**Website:**

**Referred By Person/Company (if applicable):**

**FaceBook Username:**

**Twitter Username:**

**How did you hear about us:**

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Once your application is received, you will be asked to complete a more detailed membership profile on-line.

**Payment Information (rates available on reverse):**

**Total Amount Due:** $________

All fees are in U.S. Dollars. There is no initiation fee for joining ABA. ABA's dues are not transferable. Annual renewal rates are available at [www.buses.org/join](http://www.buses.org/join). **Coupon Code (if applicable)**________.

- [ ] Check Enclosed
- [ ] Credit Card:
  - [ ] Visa
  - [ ] MasterCard
  - [ ] American Express

**Card Number**________

**Exp. Date**________

**Name on Card**________

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By signing this form, I am agreeing to the membership conditions and Code of Ethics available on the American Bus Association website.

**Signature**________

**Printed Name**________

**Date**________

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**Documentation Required:**
- [ ] Complete Application Form including signature.
- [ ] Initial Investment Payment.
- [ ] Past tour brochures that substantiate the outbound tours and two years in business requirements (Tour Operator Only).
- [ ] Current tour brochure on North American Tours (Tour Operator Only).
- [ ] Copy of current certificate of insurance (Tour Operator Only).

**Mail above information to:**

Member Services Department, American Bus Association

111 K St. NE, 9th Floor, Washington, DC 20002

**Fax information to:**

202.842.0850
AMERICAN BUS ASSOCIATION MEMBERSHIP DETAILS

<table>
<thead>
<tr>
<th>Type of Membership</th>
<th>Details</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bus Operators</td>
<td>Membership thru June 30, 2014</td>
<td>$100 USD</td>
</tr>
<tr>
<td>Tour Operators</td>
<td>Membership thru June 30, 2014</td>
<td>$100 USD</td>
</tr>
<tr>
<td>Travel Industry: Single Entity</td>
<td>Membership thru Dec. 31, 2013</td>
<td>$375 USD (value of $500)</td>
</tr>
<tr>
<td>Travel Industry: 2-5 Entities</td>
<td>Membership thru Dec. 31, 2013</td>
<td>$680 USD (value of $815)</td>
</tr>
<tr>
<td>Travel Industry: 6-24 Entities</td>
<td>Membership thru Dec. 31, 2013</td>
<td>$890 USD (value of $1150)</td>
</tr>
<tr>
<td>Travel Industry: 25+ Entities</td>
<td>Membership thru Dec. 31, 2013</td>
<td>$1050 USD (value of $1310)</td>
</tr>
<tr>
<td>Associate: Service/Hardware Supplier</td>
<td>Membership thru Dec. 31, 2013</td>
<td>$375 USD (value of $500)</td>
</tr>
<tr>
<td>Associate: Bus Manufacturer</td>
<td>Membership thru Dec. 31, 2013</td>
<td>Contact ABA</td>
</tr>
</tbody>
</table>

Types of Membership

- **Motorcoach/Bus Operator:** Motorcoach/bus operator membership is for private companies that own motorcoaches and perform a variety of transportation services such as charters, retail tours, scheduled service, sightseeing, local receptive operations, school bus, package express and special operations. Some also own travel agencies. Bus operator membership requests are in a pending status for 30 days, allowing for comment by ABA operators to ensure credibility of the pending operator. After that period, the membership becomes fully active.

- **Tour Operator:** Tour operator membership is for companies that organize tours but do not own buses. Tour operator members’ primary business is organizing and selling outbound (as opposed to local area) tours for groups and frequently booking motorcoaches for their groups. Some also act as receptive operators for their local area, and some own travel agencies. Tour companies wishing to join ABA must provide the Association with proof that the company has been in business for at least two years prior to the date of application and does outbound tours (current and past tour brochures/itineraries substantiating the requirements) and a copy of current certificates of insurance showing at least $1 million (U.S. dollars) coverage in both general and professional liability, errors & omissions insurance. Companies that do little or no outbound tours and provide only receptive services for their local area may join ABA in the travel industry category under Tour Planner/Local Receptive Operator. No tour operator affiliated with a bus operator is eligible for membership unless the affiliated carrier is a bus operator member of ABA.

- **Travel Industry:** Travel Industry membership is available to travel/tourism/destination marketing organizations, tourism service/transportation companies, accommodations, attractions, and food service companies. Select ONE category from below and enter category on appropriate line on member application. Choice of category affects coverage in ABA’s bimonthly magazine, Destinations:

  - **Destination Marketing Organizations**
  - Convention & Visitors Bureau
  - Federal
  - State/Provincial/Regional Promotion Agency (Government)
  - State/Provincial/Regional Promotion Agency (Private)

  - **Tourism/Transportation Organizations**
  - Marketing & Communications Receptive Operator
  - Ticket Company
  - Tour Planner

  - **Service Supplier**
  - Fleet Graphics & Vehicle Wraps
  - Fuel
  - Glass/Mirrors/Windows
  - Heating/Cooling
  - Oil & Gas Company
  - Paint
  - Power Train
  - Seating Manufacturer
  - Tires
  - Uniforms
  - ADA Compliance Equipment
  - Congressional

**Associate:** Associate/Service Provider membership is available to companies that supply goods and services to the motorcoach and tour operator industry. Select ONE category from below and enter category on appropriate line on member application. Choice of category affects coverage in ABA’s bimonthly magazine, Destinations:

  - **Bus Manufacturer**
  - Limousine Manufacturer
  - Hardware Supplier
  - Audio/Video Systems Brakes
  - Bus Dealer
  - Bus Parts Distributor
  - Chemicals
  - Computer Hardware
  - Computer Software
  - Electronics
  - Engines
  - Fabric

  - **Consultant**
  - Drug/Alcohol Screening
  - Educational/Training Facility
  - Financial Service
  - Fire Equipment
  - Government Agency
  - GPS/Nav/Video Streaming
  - Insurance
  - Legal Service
  - Maintenance & Repair
  - Marketing & Communications

  - **IMAX Theater**
  - Museum
  - Shopping
  - Sightseeing
  - Sports Activity/Event
  - Racetrack
  - Theater/Entertainer
  - Train
  - Travel Plaza/Truck Stop
  - Zoo/Animal Park
  - Dining/Food Service
  - Food Service
  - Dinner Theatre

**Note:** ABA rents its mailing list to members and includes company e-mail addresses. If you do not wish your address or e-mail address included, please notify ABA at abamembership@buses.org. Use of ABA logo by periodicals does not imply endorsement.

**Questions:** Contact the ABA Member Services Department at (202) 842-1645 or (800) 283-2877.
### MarketPlace 2014

**Hispanic Motorcoach Council Complimentary Registration**

**Registration Form**

**Hispanic Motorcoach Council Meeting Schedule**

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Saturday, January 11</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8 a.m. - 5 p.m.</td>
<td></td>
<td>Prevost Facility Tour</td>
</tr>
<tr>
<td>7 p.m.</td>
<td></td>
<td>Experience Nashville On Your Own</td>
</tr>
<tr>
<td><strong>Sunday, January 12</strong></td>
<td>8 - 9 a.m.</td>
<td>ABA Operator Breakfast</td>
</tr>
<tr>
<td>9:30 - 11 a.m.</td>
<td></td>
<td>Opening Ceremony and ABA Annual Meeting</td>
</tr>
<tr>
<td>2 - 4 p.m.</td>
<td></td>
<td><strong>Hispanic Motorcoach Council Meeting</strong></td>
</tr>
<tr>
<td>4 - 5:30 p.m.</td>
<td></td>
<td>Networking Floor Reception</td>
</tr>
<tr>
<td>7 - 10 p.m.</td>
<td></td>
<td>Evening Event</td>
</tr>
<tr>
<td><strong>Monday, January 13</strong></td>
<td>8 a.m. - 5 p.m.</td>
<td>Bus Industry Safety Council Breakfast, Meetings, Education and Lunch (separate registration required)</td>
</tr>
<tr>
<td>7 - 10 p.m.</td>
<td></td>
<td>Evening Event</td>
</tr>
<tr>
<td><strong>Tuesday, January 14</strong></td>
<td>8 a.m. - 5 p.m.</td>
<td>Bus Industry Safety Council Breakfast, Meetings, Education and Lunch (separate registration required)</td>
</tr>
</tbody>
</table>

Hispanic Motorcoach Council specific events are in **red**. Operators attending the Hispanic Motorcoach Council meeting are welcome to participate in ABA scheduled events. All events will be held at the Music City Center unless otherwise noted.

### Housing

Hispanic Motorcoach Council delegates will make housing reservations through the MarketPlace Housing System at [www.buses.org/marketplace](http://www.buses.org/marketplace). Housing deadline is December 20, 2013. See housing page for details and host hotel options.

### Registration

Operator Name:

Title: Email:

Company Name:

Company Address:

Phone: Fax:

☐ YES, I will be attending the Hispanic Motorcoach Council meeting at MarketPlace 2014.

☐ Contact me; I am interested in taking business appointments at MarketPlace 2014. Visit [www.buses.org/marketplace](http://www.buses.org/marketplace) for more information.

☐ NO, I will not be attending the Hispanic Motorcoach Council meeting at MarketPlace 2014.

**Deadline:** Please register no later than October 28, 2013. You may fax to 202-898-1575 or mail this form to: American Bus Association, 111 K Street NE, 9th Floor, Washington, DC 20002

**Notes:** If you need special assistance, or if you have a special meal request, please attach the necessary information regarding your needs. Every effort will be made to accommodate your request. Duplicate this form as necessary to register all persons attending from your company.

**Questions:** Please email bbuchanan@buses.org or call 800-283-2877.
Safety Checklist

Are you planning a bus trip?  
There is more to consider than just price and convenience!

If you are purchasing a personal ticket or hiring a bus company for your group’s travel, SAFETY should be a top priority. Don’t risk your life or the lives of others by making an uninformed decision. Select a bus company that complies with Federal requirements enforced by the U.S. Department of Transportation’s Federal Motor Carrier Safety Administration (FMCSA). Listed below are some important facts you should verify before you select a bus company to transport you or members of your group.

✓ Safety Performance History
   • Check the bus company’s safety performance results.

✓ Safety Rating
   • FMCSA rates bus companies’ safety performance. The top rating is satisfactory. Bus companies with a conditional safety rating may pose a higher risk, and companies with a final unsatisfactory safety rating should not be operating.

✓ Operating Authority and Insurance Requirements
   • Bus companies charging a fee to provide interstate transportation must obtain operating authority from FMCSA.
   • If the company operates a bus that is designed to transport 16 or more passengers, it must have a minimum of $5 million in insurance coverage.

✓ Consumer Complaints
   • If you want to make a safety violation complaint, call FMCSA’s toll free hotline 1-888-DOT-SAFT (1-888-368-7238) from 9:00 AM to 7:00 PM, Monday through Friday Eastern Time or visit FMCSA’s consumer complaint site (http://nccdb.fmcsa.dot.gov/HomePage.asp).
   • If you observe a safety emergency, please call 911.

You can check out the safety information and more at FMCSA’s Web site:

Make the choice to put safety first!  
Every trip, every time.
Federal Motor Carrier Safety Administration

SHARE THE ROAD SAFELY

BE READY. BE BUCKLED!

Important FMCSA Web sites

<table>
<thead>
<tr>
<th>Question</th>
<th>FMCSA Web Site Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. How can I locate the nearest field office?</td>
<td><a href="http://www.fmcsa.dot.gov/locations/office.htm">www.fmcsa.dot.gov/locations/office.htm</a></td>
</tr>
<tr>
<td>6. Where can I find statistics and analysis regarding the truck and bus industries?</td>
<td><a href="http://www.truckbusfacts.fmcsa.dot.gov/leadership/leadership.htm">www.truckbusfacts.fmcsa.dot.gov/leadership/leadership.htm</a></td>
</tr>
<tr>
<td>9. How can I change the name and address of my business?</td>
<td><a href="http://www.saferfmcsa.dot.gov">www.saferfmcsa.dot.gov</a></td>
</tr>
<tr>
<td>10. Where can I find the latest information about truck and bus safety?</td>
<td><a href="http://www.truckbusfacts.fmcsa.dot.gov/leadership/leadership.htm">www.truckbusfacts.fmcsa.dot.gov/leadership/leadership.htm</a></td>
</tr>
<tr>
<td>11. Where can I learn about the “Share the Road Safety” program?</td>
<td><a href="http://www.sharetheroadsafety.fmcsa.dot.gov">www.sharetheroadsafety.fmcsa.dot.gov</a></td>
</tr>
<tr>
<td>12. How can I obtain the latest research and analysis on truck and bus safety?</td>
<td><a href="http://www.truckbusfacts.fmcsa.dot.gov/leadership/leadership.htm">www.truckbusfacts.fmcsa.dot.gov/leadership/leadership.htm</a></td>
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This brochure is only intended to provide general regulatory information for passenger operations. It is not intended to be a substitute for the Federal Motor Carrier Safety Regulations.
Licensing and Insurance Requirements for For-Hire Motor Carriers of Passengers

PART 387 – FINANCIAL RESPONSIBILITY
APPLICABILITY:

For-hire motor carriers of passengers operating vehicles in interstate or foreign commerce must have at least the minimum amount of insurance required by law.

For-Hire Carriers
Schedule of Limits of Public Liability

VEHICLE THAT IS DESIGNED TO TRANSPORT
16 OR MORE PASSENGERS (including the driver)
$5,000,000 Insurance required

VEHICLE THAT IS DESIGNED TO TRANSPORT
15 OR LESS PASSENGERS (including the driver)
$1,500,000 Insurance required

Minimum levels of financial responsibility are determined by highest seating capacity of a vehicle within a fleet operated by an interstate for-hire motor carrier of passengers.

These insurance requirements DO NOT apply to:
• A motor vehicle transporting only school children and school personnel to and from school;
• A motor vehicle providing taxicab service and having a seating capacity of less than 7 passengers and not operated on a regular route or between specified points;
• A motor vehicle carrying less than 16 people in a single daily round trip commuting to and from work;
• A motor vehicle operated by a motor carrier under contract providing transportation of pre-primary, primary, and secondary students for extracurricular trips organized sponsored, and paid by a school district.

QUESTIONS THE CARRIERS SHOULD ASK THEMSELVES

1. Do I offer interstate transportation to passengers for a commercial purpose?
2. Am I compensated, either directly or indirectly, for the transportation service provided?
3. Is the transportation generally available to the public at large?

If you answered “Yes” to all of the above questions, you are for-hire.

PART 365 – INTERSTATE OPERATING AUTHORITY RULES

A for-hire passenger carrier is a person or company that provides transportation of passengers for compensation. You can be a for-hire passenger carrier regardless of whether: (1) you are compensated directly or indirectly for the transportation service provided; (2) the compensation is paid or not paid by the passengers; or (3) you have a non-profit status. If you are operating a vehicle in interstate commerce as a for-hire motor carrier of passengers, you must obtain interstate operating authority unless you operate within a commercial zone.

Information about commercial zone exemptions and other types of exemptions can be found at 49 CFR Part 372. If you are transporting only school children and teachers to or from school, you are not required to obtain interstate operating authority. Form OP-1(P), Application for Motor Passenger Carrier Authority, must be completed, filed, and approved before you can transport passengers in interstate commerce. Operating authority applicants are issued an MC number by the Federal Motor Carrier Safety Administration (FMCSA). You must (1) complete and file Form OP-1(P) along with the filing fee ($300 for each type of authority you are requesting); (2) have your insurance company file with FMCSA appropriate insurance forms for the type of authority you are requesting; and (3) submit or have a process agent service submit Form BOC-3, Designation of Process Agent. Passenger carriers that are Federal Transit Administration Grant Recipients (Transit Benefit Operators) under 49 U.S.C. 5307, 5310, or 5311 are permitted to maintain liability insurance at the highest level required for any of the States in which they operate in lieu of the required Federal insurance level. These passenger carriers must complete and file Form OP-1(P), but the $300 filing fee is waived.

PAASSENGER CARRIER OPERATING AUTHORITY APPLICATION VETTING

When FMCSA receives an application for Motor Passenger Carrier Operating Authority, the Agency conducts an in-depth investigation of the application to determine if the applicant is fit, willing, and able to perform the involved operations and to comply with all applicable statutory and regulatory provisions. An applicant is not granted for-hire motor passenger carrier operating authority until the entire investigative process is complete.
Parts 390 & 391 – Guidelines and Driver Qualifications for Motor Carriers of Passengers

PART 390 - GENERAL APPLICABILITY AND REGULATIONS

General Applicability: The rules in 49 CFR Parts 390 – 399 are applicable to all employers, employees, and commercial motor vehicles (CMVs) which transport passengers in interstate commerce.

Exceptions – Unless otherwise specifically provided, the operational safety regulations (physical qualification standards for drivers; driver's hours-of-service; vehicle inspection; repair, and maintenance; etc.) do not apply to:

1. All school bus operations as defined below.

2. The operation of CMVs designed or used to transport between 9 and 15 passengers (including the driver) not for compensation.

Refer to § 390.3(f) for a complete listing of motor carrier operations that are not subject to the operational safety regulations.

Definitions – § 390.5

Commercial motor vehicle means any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle —

1. Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or

2. Is designed or used to transport more than 8 passengers (including the driver) for compensation; or

3. Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or

4. Is used in transporting hazardous material and transported in a quantity requiring placarding.

Interstate commerce means trade, traffic, or transportation in the United States:

1. Between a place in a State and a place outside of such State;
2. Between two places in a State through another State or a place outside of the United States; or
3. Between two places in a State as part of trade, traffic or transportation originating or terminating outside the State or the United States.

School bus operation means the use of a school bus to transport only school children and/or school personnel from home to school and from school to home.

Accident Register – § 390.15

Motor carriers of passengers must maintain, for three years after the date an accident occurs, an accident register containing information required in § 390.15(b).

Marking of CMVs – § 390.21

Every CMV operated in interstate commerce is subject to the marking requirements as specified in § 390.21.

PART 391 – QUALIFICATIONS OF DRIVERS

Scope of the rules in this part – § 391.1

The rules in this part establish minimum qualifications for persons who drive CMVs.

General qualifications of drivers – § 391.11

A person must not drive a CMV unless he or she is qualified to drive a CMV. These qualifications are outlined in § 391.11.

Disqualification of drivers – § 391.15

A driver who is disqualified shall not drive a CMV. The types of disqualifications are:

- Disqualification for loss of driving privileges.
- Disqualification for certain criminal and other offenses.
- Disqualification for violation of out-of-service orders.

Driver Qualification Files

Every motor carrier must maintain a driver qualification file for each driver it employs. The file must include:

- Driver’s application for employment
- Inquiry to previous employers — driving record for last 3 years;
- Annual inquiry and review of driving record;
- Annual driver’s certification of violations and annual review;
- Driver’s road test and certificate, or the equivalent to the road test;
- Medical examiner’s certificate; and
- If granted, a waiver of physical disqualification for a person with a loss or impairment of limbs as specified in § 391.49.

Refer to § 391.51 for a complete list of required driver qualification file documents.

Multiple-Employer Drivers – § 391.63

If a motor carrier employs a driver, who in any period of 7 consecutive days, is employed or used as a driver by more than one motor carrier, the carrier need not:

1. Require an application for employment;
2. Make investigations and inquiries;
3. Perform the annual driving record inquiry;
4. Perform the annual review of the person's driving record; or
5. Require the person to furnish a record of violations or certificate.

A part-time driver who does not work for another motor carrier is considered a single-employer driver and cannot use the limited exemption in § 391.63.
Part 395 - Hours of Service for Motor Carriers of Passengers

General - Part 395

The hours-of-service rules for drivers of passenger-carrying commercial motor vehicles (CMVs) are different from the rules for property-carrying CMVs. Note that Non-business Private Motor Carriers of Passengers are not subject to the record keeping requirements of this part, such as maintaining a logbook or record of duty status.

Maximum Driving Time for Passenger - Carrying Vehicles - § 395.5

No motor carrier of passengers shall permit or require any passenger-carrying CMV driver to drive:

- More than 10 hours following 8 consecutive hours off duty, or
- For any period after having been on duty 15 hours following 8 consecutive hours off duty.

No motor carrier of passengers shall permit or require any passenger-carrying CMV driver to drive, regardless of number of motor carriers using the driver's services, for any period after the driver has been on duty:

- 60 hours in any 7 consecutive days if the carrier does not operate CMVs every day of the week; or
- 70 hours in any 8 consecutive days if the carrier operates CMVs every day of the week.

Off-Duty Time

"Off-duty time" is not specifically defined in the regulations. In effect, it is any time that is not "driving time," "on-duty time," or "sleeper berth" as defined in § 395.2.

The following guidelines must be met before a driver is considered off duty:

1. During a trip, the driver must be relieved of all duty and responsibility for the care and custody of the bus or passenger-carrying CMV, its accessories, and any passengers, baggage, and freight that it may be transporting.

2. During a trip, the driver must be at liberty to pursue activities of his/her own choosing and to leave the premises where the bus or passenger-carrying CMV is parked.

3. The driver must not be performing any work in the capacity, employ, or service of a bus company or motor carrier.

4. The driver must not be performing any compensated work for a person or company that is not a motor carrier.

On-Duty Time - § 395.2

On-duty time means all time from the time a driver begins work or is required to be in readiness for work until the time the driver is relieved from work and all responsibilities for performing work. Performing other compensated work for a person who is not a motor carrier is also on-duty time. The complete definition of on-duty time can be found in § 395.2.

Travel Time - § 395.1(j)

When a driver at the direction of a motor carrier is traveling, but not driving any vehicle or assuming any other responsibility to the carrier ("cushioning"), such time shall be counted as on-duty time unless the driver is afforded at least 8 consecutive hours off duty when arriving at destination, in which case he/she shall be considered off duty for the entire period.

Relief Drivers

On long-distance trips requiring straight-through driving, motorcoach companies may send a relief driver ahead.

1. In cases when the driver is driven or uses public transportation to get to a layover location, and the driver has 8 consecutive hours off duty after arriving, travel time may be recorded as off duty.

2. If the CMV driver drives him/herself in a non-CMV, time spent driving the non-CMV to a layover location must be recorded as on duty, not driving.

Exception - § 395.1(e)

A driver is exempt from the logbook or record of duty status requirements if he/she operates within a 100 air-mile radius of the normal work reporting location and is released from duty within 12 consecutive hours or less.

Sleeper Berth - § 395.1(g)(3)

A driver who is driving a passenger-carrying CMV that is equipped with a sleeper berth, as defined in § 393.76, may accumulate the equivalent of 8 consecutive hours off-duty time by taking two periods of rest in the sleeper berth, provided that the four requirements of § 395.1(g)(3)(i) - (iv) are met.

Multiple Employer Driver - § 395.8(j)

Some passenger carriers make frequent use of part-time and multiple-employer drivers. When using a driver intermittently, obtain a signed statement from the driver that indicates the total time on duty during the preceding 7 days and the time at which the driver was last relieved from duty prior to using such driver. All compensated work for a motor carrier or a non-motor carrier is on-duty time.
Part 396 - Inspection, Repair, and Maintenance for Motor Carriers of Passengers

General – § 396.3(a)
- Every motor carrier shall systematically inspect, repair, and maintain, or cause to be systematically inspected, repaired, and maintained, all motor vehicles subject to its control.
- Parts and accessories must be in safe and proper condition at all times.
- Pushout windows, emergency doors, and emergency door marking lights must be inspected at least every 90 days.

Required Records – § 396.3(b)
For vehicles controlled for 30 consecutive days or more, except for a non-business private motor carrier of passengers (PMCP), the motor carrier shall maintain, or cause to be maintained, the following record for each vehicle:
- An identification of the vehicle including company number (if so marked), make, serial number, year, and tire size.
- If the motor vehicle is not owned by the motor carrier of passengers, the record must identify the party providing or leasing the vehicle.
- A means to show the nature and due date of the various inspection and maintenance operations to be performed.
- A record of inspection, repairs, and maintenance showing their date and type.
- A record of tests conducted on pushout windows, emergency doors, and emergency door marking lights on buses.

Unsafe Operations – § 396.7
Commercial motor vehicles (CMVs) must not be operated in such a condition as to likely cause an accident or a breakdown of the vehicle.

Roadside Inspection Reports – § 396.9
Any driver who receives a roadside inspection report must deliver it to his/her employing motor carrier. The motor carrier official must examine the roadside inspection report.

Within 15 days after the inspection, the motor carrier must sign the report to certify that all violations have been corrected, and return it to the address indicated. A copy must be retained on file by the motor carrier for 12 months from the date of the inspection.

Driver Vehicle Inspection Reports – § 396.11
- Drivers are required to complete a daily written post-trip inspection report at the end of each driving day.
- The inspection report must identify the vehicle and list any defects or deficiencies discovered by or reported to the driver, which could affect the safety of operation of the vehicle or result in a mechanical breakdown.
- The motor carrier or its agent must certify that any listed defect or deficiency has been repaired or that immediate repair is unnecessary.
- The motor carrier must maintain the original copy for 3 months.
- Section 396.11 does not apply to a non-business PMCP or to a motor carrier operating only one vehicle.
- Prior to requiring or permitting a driver to operate a vehicle, every motor carrier or its agent shall repair any defect or deficiency listed on the driver vehicle inspection report which would be likely to affect the safe operation of the vehicle.

ANNUAL INSPECTION – § 396.17
Every commercial vehicle, including each segment of a combination vehicle requires periodic inspection that must be performed at least once every 12 months. At a minimum, inspections must include all items enumerated in the Minimum Periodic Inspection Standards, Appendix G to Subchapter B of the Federal Motor Carrier Safety Regulations. Motor carriers may perform required annual inspection themselves. The original or a copy of the periodic inspection report must be retained by the motor carrier for 14 months from the report date.

INSPECTOR QUALIFICATIONS
- Inspectors Must Understand Part 393 and Appendix G - Motor carriers must ensure that persons performing annual inspections are qualified. Inspectors must understand the inspection standards of Part 393 and Appendix G and be able to identify defective components, and have knowledge and proficiency in methods, procedures, and tools.

- Brake inspector qualification - The motor carrier is responsible for ensuring that all inspections, maintenance, repairs, and service to brakes of commercial motor vehicles comply with these regulations. The carrier must ensure that the employees responsible for brake inspection, maintenance, service, or repairs meet minimum brake inspector qualifications.

- Qualifying Brake Training or Experience - Qualifying brake training or experience includes successful completion of a State, Canadian province, Federal agency, or union training program, a State-approved training program, training that led to attainment of a State or Canadian Province qualifying certificate to perform assigned brake service or inspection tasks, including passage of CDL air brake test in the case of a brake inspection, or one year of brake-related training, experience, or combination of both.

- Maintaining Evidence of Brake Inspector Qualifications - Motor carriers must maintain evidence of brake inspector qualification at the principal place of business or the location where the inspector works. Evidence must be retained for the period during which the brake inspector is employed in that capacity, and for one year thereafter.

Federal Motor Carrier Safety Regulations for Private Motor Carriers of Passengers

ARE YOU A PRIVATE MOTOR CARRIER OF PASSENGERS (PMCP)?

YOU ARE A PRIVATE MOTOR CARRIER OF PASSENGERS IF YOU DO NOT OFFER TRANSPORTATION SERVICES FOR-HIRE, BUT YOU DO:

1. Provide interstate transportation of passengers and
2. Use a vehicle designed to transport more than 15 passengers (including the driver) or a vehicle that has a gross vehicle weight rating or a gross vehicle weight of more than 10,000 pounds.

Even if you do not operate in interstate commerce, you may still be subject to State regulations similar to the Federal Motor Carrier Safety Regulations (FMCSRs). Transportation provided directly by Federal, State or local governments, or agencies thereof, is generally exempt from these regulations.

As a private motor carrier of passengers, your operation will fall into one of two groups: business or non-business.

BUSINESS PMCPs

Business PMCPs provide interstate transportation of passengers in the furtherance of a commercial enterprise and the transportation is not available to the public at large.

Examples of business PMCPs include companies which use buses to transport their employees, and professional musicians who use buses for concert tours.

Commercial businesses that provide passenger transportation to the general public are not business PMCPs. They are considered for-hire and are subject to additional Federal regulations.

NON-BUSINESS PMCPs

Non-business PMCPs provide private, interstate transportation of passengers that is not in the furtherance of a commercial enterprise.

Examples of non-business PMCPs include churches, scout groups and other charitable organizations that may purchase or lease buses for the private transportation of their respective groups.

WHAT IS REQUIRED?

As a PMCP, you must meet certain requirements of the FMCSRs depending on whether your operation is classified as business or non-business. The following chart explains the applicability of the FMCSRs to business and non-business PMCPs.

<table>
<thead>
<tr>
<th>49 CFR PART</th>
<th>Topic</th>
<th>Business</th>
<th>Non-Business</th>
</tr>
</thead>
<tbody>
<tr>
<td>382</td>
<td>Drug &amp; Alcohol Testing</td>
<td>YES***</td>
<td>YES***</td>
</tr>
<tr>
<td>383</td>
<td>Commercial Driver’s License (CDL)</td>
<td>YES***</td>
<td>YES***</td>
</tr>
<tr>
<td>390</td>
<td>General</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>391</td>
<td>Qualifications of Drivers</td>
<td>YES**</td>
<td>YES**</td>
</tr>
<tr>
<td>392</td>
<td>Driving of Motor Vehicles</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>393</td>
<td>Parts and Accessories</td>
<td>YES**</td>
<td>YES**</td>
</tr>
<tr>
<td>395</td>
<td>Hours of Service</td>
<td>YES</td>
<td>YES**</td>
</tr>
<tr>
<td>396</td>
<td>Inspection, Repair, and Maintenance</td>
<td>YES</td>
<td>YES*</td>
</tr>
</tbody>
</table>

* Non-business PMCPs are exempt from all recordkeeping requirements of Part 391 [See Sections 391.68 and 391.69], Section 395.8(a), and Part 396 [See Sections 396.3(b) and 396.11(d)].

** PMCPs may continue to operate older buses manufactured before Federal Fuel System requirements were adopted, provided the fuel system is maintained to the original manufacturer's standards.

*** Part 382 and Part 383 only apply to buses with a capacity of 16 or more passengers (including the driver) or a gross vehicle weight rating of 26,001 pounds or more.

WHAT DO I NEED TO DO NOW?

A USDOT number is required if you are an interstate PMCP regardless of business or non-business status. No fee is assessed to obtain a USDOT number. You must complete Form MCS-150 (Motor Carrier Identification Report) to obtain a USDOT number. The form can be found on our web site at:

www.safer.fmcsa.dot.gov

Form MCS-150 can be completed online or you can print a copy of the form to complete and mail to the address indicated. If you do not have access to the Internet, you can call our toll-free number at 1-800-832-5660 to have the form mailed to you.

For assistance with FMCSRs compliance, an online guide can be found at:

Motorcoach Passenger Safety Messaging

To help operators comply with new Federal Motor Carrier Safety Administration (FMCSA) pre-trip passenger safety messaging guidelines, ABA’s “Motorcoach Passenger Safety Message” videos, seatback cards and audio CDs carrying key safety messages are now complete and ready for shipment.

DVDs now feature a seat belt segment and 7 languages!

ABA is offering the highest-quality products, in the greatest variety of options, at the lowest cost to operators. Order today!

Call 1-800-283-2877 or fax back the form below.

DVD: Shrink-wrapped video in durable sleeve. Multilingual with seat belt segment (new 2013)

Audio Compact Disc: In slimline case with same artwork as the DVD

Two-Sided Coated Seatback Cards with color photos and safety messages on the front, plus a choice on the back of Hours of Service regulations and “Save A Penguin” green messaging, or a Spanish language version of the safety message

<table>
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<tr>
<th>Members</th>
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<td>Spanish (Optional):</td>
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Payment Method
- Visa [ ]
- Master Card [ ]
- American Express [ ]

Card Number: ______
Exp. Date: ______
Card Holder: ______
Security Code (On Back): ______
Signature: ______

Please fax forms to (202) 842-0850 or email to abainfo@buses.org
Chris Crean, Chairman of the BISC, FMCSA Administrator Anne Ferro, ABA Senior Vice President Clyde Hart and Norm Littler, Executive Director of the BISC, at the Winter 2010 BISC meeting in National Harbor, MD.
DID YOU KNOW?
MOTORCOACH HOURS OF SERVICE

Drivers may not drive:

- More than 10 hours without at least 8 consecutive hours off for rest.

- After having been on duty for 15 hours (including driving) without at least 8 consecutive hours off for rest.

- After having been on duty:
  - 60 hours in 7 days; or
  - 70 hours in 8 days

- You may need to provide an extra driver or stage a relief driver along the anticipated route if the driver's total service time approaches the limits for driving time and/or on-duty time.

As of May 31, 2013, Drivers do not have to enter a location entry or a change of duty status into their log book for stops or non-driving periods of less than 10 minutes to pick up or drop off passengers, baggage or small (freight) express packages.

HISPANIC MOTORCOACH COUNCIL

JOIN THE CONVERSATION

October 9, 2013
Houston Marriott South
9100 Gulf Freeway
Houston, TX 77017

ASK SOMEONE ABOUT IT:
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Hispanic Motorcoach Council Chair
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wtorres@dctrails.com

Mike Castro
Corporate Coaches
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mcastro@corporatecoachesfla.com

Fernando Rodriguez
El Expreso Bus Company
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fernando.rodriguez@elexpreso.net

CONTACT US:
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- Sponsored by the American Bus Association
111 K Street NE, 9th Floor
Washington, DC 20002
(202) 218-7244 (Spanish)
(202) 218-7227 (English)
hmc@buses.org
www.buses.org/hmc

"We are only as strong as we are united, as weak as we are divided."
Be Sure Your Driver is Qualified:

Government can be a good thing.
- Safety inspection from the department of transportation
- What is your plan to accommodate
- Security measures for your vehicle
- Don't forget about the blind spot
- Keep the passenger for your vehicle
- Be aware of your vehicle's weight
- Know your seat belt and seat belt awareness
- File WMS-150 at least every 2 years

DOT#: Requirements in maintaining your license

What is HMC:

About the Hispanic Motorcoach Council (HMC)

WHAT IS IT?

ESSENTIAL

A CULTURE OF SAFETY IS WORKING FOR YOU