

# Testimony of Fred Ferguson

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**House Committee on Energy and Commerce**  
**Subcommittee on Environment**  
**“Rules of the Road: Examining Legislation to Modernize the Clean Air Act’s Mobile  
Source Requirements”**  
**Wednesday, June 3, 2026**

Chairman Palmer, Ranking Member Tonko, and Members of the Subcommittee:

Thank you for the opportunity to testify today on behalf of the American Bus Association (ABA) and the thousands of private motorcoach operators, tour companies, travel businesses, manufacturers, and tourism organizations our association represents across the United States. My name is Fred Ferguson, and I serve as President and Chief Executive Officer of the American Bus Association (ABA), the national trade association representing the North American motorcoach and group travel industry.

The U.S. motorcoach industry is an essential component of the nation’s transportation infrastructure, interstate commerce system, and tourism economy. According to the ABA Foundation, motorcoach travel generated approximately \$158 billion in total economic impact in 2024, supported nearly 890,000 jobs, and contributed approximately \$27.7 billion in federal, state, and local tax revenue. The industry moves more than 40 billion passenger miles annually and connects communities of every size across the country.<sup>1</sup>

Every day, motorcoaches move millions of Americans safely and efficiently for interstate travel, tourism and group travel, school and university transportation, military transportation, workforce mobility, convention and event transportation, airport and intercity connections, and emergency evacuations and disaster response.

In many communities — particularly rural communities and underserved regions — motorcoaches provide transportation access where rail or air service may not exist.

For millions of Americans, particularly seniors, students, working families, veterans, and individuals living in transportation deserts, motorcoaches remain one of the safest, most affordable, and most accessible forms of interstate transportation available.

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<sup>1</sup> American Bus Association Foundation, *Economic Impact of Motorcoach Group Travel in the United States (2024)* (2025).

Today's hearing appropriately examines how Congress can modernize mobile-source provisions under the Clean Air Act while balancing environmental goals with operational realities, technological feasibility, interstate commerce, and public safety obligations.

That conversation is urgently needed because interstate motorcoach operators across the country are increasingly being targeted by an expanding patchwork of local anti-idling enforcement regimes, aggressive fine structures, bounty-style citizen complaint programs, and litigation tied to local idling restrictions. What began as localized environmental enforcement has increasingly evolved into a broader operational and legal threat to interstate passenger transportation.

In New York City — currently the clearest example of this growing national problem — private motorcoach operators are facing escalating fines, challenging arbitration processes, predatory citizen-complaint programs<sup>2</sup>, and substantial legal exposure tied to routine operational activities necessary for passenger safety, accessibility, climate control, ADA compliance, and federally required vehicle inspections. Similar arbitrary anti-idling regimes and exploitation of Clean Air Act litigation are now beginning to emerge in other jurisdictions, including Washington, D.C., Massachusetts, and additional municipalities considering comparable enforcement frameworks.<sup>3</sup>

The bipartisan Bus Idling Act represents a practical and balanced example of the effort to modernize Clean Air Act mobile-source provisions. We thank Representatives Nick Langworthy and Josh Gottheimer for their leadership in introducing this bipartisan legislation and for their commitment to addressing this important issue in a balanced, practical, and commonsense manner. Their efforts recognize the need to support clean air goals while also protecting interstate transportation, passenger safety, accessibility, and the economic vitality of communities that depend on motorcoach service across the country.

The legislation does not eliminate anti-idling laws. It does not authorize unlimited engine operation. It does not weaken national air quality goals. Rather, it establishes reasonable federal guardrails recognizing that interstate motorcoaches require limited operational idling periods to comply with federal safety regulations, maintain accessibility systems, protect passenger health and comfort, and safely place vehicles into service.

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<sup>2</sup> New York City Department of Environmental Protection, [Citizens Air Complaint Program](#).

The legislation would establish a national standard preventing states and localities from enforcing engine idling restrictions on over-the-road buses for periods under fifteen minutes — a threshold that is consistent with EPA guidance for model state idling laws<sup>4</sup> — prohibit bounty-style enforcement mechanisms tied to bus idling violations, and prevent Clean Air Act citizen suits based on those restrictions. The proposal creates consistency while preserving the broader environmental framework Congress established under the Clean Air Act.

## The Operational Reality of Safely Operating a Motorcoach

To fully understand the need for this legislation, it is important to understand how modern motorcoaches operate.

Unlike passenger automobiles, motorcoaches are federally regulated commercial transportation systems that rely on engine operation to support numerous safety-critical functions before and during passenger service. Modern motorcoaches utilize compressed air systems that govern braking systems, suspension systems, passenger-entry doors, wheelchair lifts, kneeling systems, and baggage compartment operations.

Federal Motor Carrier Safety Regulations require commercial drivers to conduct pre-trip inspections and ensure vehicles are in safe operating condition prior to operation. Under 49 CFR § 396.13 and related FMCSA guidance, drivers must inspect service brakes, parking brakes, steering systems, lights, tires, emergency equipment, mirrors, windshield wipers, wheels, and related safety components.<sup>5</sup>

These inspections frequently require the engine to operate for periods longer than many local anti-idling ordinances currently permit.

As noted by motorcoach manufacturers and operators, air pressure systems cannot reliably reach operational levels within one to three minutes, particularly in colder weather or after extended layovers. Without sufficient air pressure, buses cannot safely operate doors, braking systems, suspension systems, or accessibility equipment.

Likewise, accessibility obligations under the Americans with Disabilities Act (ADA) require functioning wheelchair lifts and kneeling systems that depend upon powered pneumatic and hydraulic systems.<sup>6</sup> Boarding passengers with mobility impairments safely and with dignity often requires idling beyond arbitrary local limits.

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<sup>4</sup> Environmental Protection Agency, *Model State Idle Reduction Law for Heavy-Duty Diesel Vehicles and Engines*.

<sup>5</sup> Federal Motor Carrier Safety Administration, [49 C.F.R. §§ 392.7, 396.11, and 396.13](#)

<sup>6</sup> 49 C.F.R. §§ [37.161](#) and [38.23](#) (requiring transportation providers to maintain accessibility equipment, including wheelchair lifts and related systems, in operative condition).

Motorcoaches also carry unique passenger welfare obligations. Federal passenger carrier regulations require buses operating on regular routes to maintain a reasonable passenger compartment temperature. Occupational Safety and Health Administration (OSHA) guidance recommends indoor temperatures between 68 and 76 degrees for occupied environments.<sup>7</sup> These requirements are not theoretical. They directly affect the safety and wellbeing of seniors, school children, veterans, medically vulnerable passengers, and individuals with disabilities.

Unlike many older vehicles, modern over-the-road coaches frequently lack operable windows due to aerodynamic design, energy efficiency considerations, and passenger safety features. Once a coach reaches ambient temperature during extreme heat or cold, restoring safe cabin conditions can take considerably longer than three minutes.

This operational reality has already been acknowledged by local regulators themselves. In response to a variance request from Academy Bus, the New York City Department of Environmental Protection explicitly recognized that long-distance motorcoaches require engine operation to provide heating, ventilation, and cooling and acknowledged that restoring safe temperatures in extreme weather conditions can take significantly longer than local idling limits allow.<sup>8</sup>

The issue before Congress is therefore not whether unnecessary idling should be reduced. The industry strongly supports reducing unnecessary idling. The question is whether federal law should recognize the distinction between avoidable idling and limited operational idling necessary to satisfy federal safety obligations and safely transport passengers.

## Environmental Considerations and the Role of Motorcoaches in Sustainable Transportation

The Bus Idling Act should also be viewed within the broader context of transportation emissions policy and national environmental objectives.

Motorcoaches are already among the most environmentally efficient forms of passenger transportation in the United States. Research conducted by the ABA Foundation has consistently demonstrated that motorcoaches consume the least energy and produce the lowest carbon dioxide emissions per passenger mile among major passenger

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<sup>7</sup> U.S. Department of Labor, Occupational Safety and Health Administration (OSHA), *OSHA Technical Manual, Section III, Chapter 2, Indoor Air Quality Investigation* (recommending indoor workplace temperatures generally between 68°F and 76°F).

<sup>8</sup> New York City Department of Environmental Protection, *Variance Approval Letter to Academy Express LLC and Academy Lines LLC* (Dec. 19, 2025).

transportation modes analyzed, including personal vehicles, rail transportation, and commercial aviation.<sup>9</sup>

A single full motorcoach can remove as many as thirty-five passenger vehicles from congested roadways. By consolidating travelers into high-capacity vehicles, motorcoaches reduce overall vehicle miles traveled, roadway congestion, fuel consumption, and aggregate transportation emissions.

Over the past two decades, the industry has made substantial investments in cleaner technologies. Since 2000, nitrogen oxide emissions from motorcoaches have declined by approximately 98 percent, while particulate matter emissions have fallen roughly 50 percent due to advances in engine technology, ultra-low sulfur diesel fuel standards, after-treatment systems, and stringent federal emissions regulations.

Modern clean-diesel motorcoaches equipped with diesel particulate filters and selective catalytic reduction systems are dramatically cleaner than previous generations of commercial vehicles. Many operators have also invested in idle-reduction technologies, fleet modernization, route optimization, telematics systems, and alternative fuel pilots.

At the same time, Congress must recognize the technological limitations that currently exist for interstate over-the-road bus operations.

Battery-electric technology remains promising for certain transit and short-route applications, but significant barriers remain for interstate charter and intercity motorcoach service. Current electric motorcoach platforms often face limitations involving route range, charging infrastructure availability, charging duration, passenger luggage capacity, payload constraints, cold-weather performance, weight limits, evacuation reliability, and interoperability across interstate corridors.

Forcing premature adoption through punitive local enforcement mechanisms or de facto electric vehicle mandates<sup>10</sup> risks increasing transportation costs, reducing service availability, and undermining mobility access without producing proportional environmental benefits. This is not theoretical. New York City is pushing electric vehicle adoption as a response to idling complaints, directly contradicting the Executive Order.

Similarly, auxiliary power units are not universally viable solutions for occupied motorcoaches. Such systems can cost roughly \$30,000 per vehicle, may create maintenance complications, violates other transportation regulations, may not support all onboard systems simultaneously, and in some cases may generate emissions profiles less favorable than modern clean-diesel engines operating at idle.

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<sup>9</sup> American Bus Association Foundation, *Motorcoach Sustainability Research* (2025).

<sup>10</sup> Executive Order No. 14154, *Unleashing America's Energy* (Jan. 20, 2025).

The Bus Idling Act reflects a technologically neutral approach that allows environmental progress to continue through innovation, fleet turnover, and market-based modernization rather than through inconsistent local enforcement systems that fail to account for engineering realities.

## Economic Implications for Interstate Commerce and Tourism

The consequences of inconsistent local idling frameworks extend far beyond individual citations.

The motorcoach industry is deeply integrated into interstate commerce and local economies. Operators transport millions of tourists, students, convention attendees, military personnel, sports teams, and business travelers annually.

New York City provides a particularly important case study illustrating the broader national implications of fragmented idling enforcement.<sup>11</sup>

According to survey data collected by ABA from motorcoach operators serving New York City, approximately 35 percent of directly affected operators have already reduced trips into the city because of the current idling enforcement environment. Approximately 20 percent have declined specific charters or contracts, while roughly 10 percent report they have stopped or nearly stopped New York City operations entirely.<sup>12</sup>

Operators reported median annual business impacts exceeding \$50,000 per company due to fines, legal costs, administrative burdens, rerouting, lost contracts, and operational disruption. Importantly, more than 90 percent of the private motorcoach industry is composed of small and family-owned businesses, many operating modest fleets with limited ability to absorb escalating regulatory costs and litigation exposure. If proposed penalties increase to \$6,000 per violation, a majority of surveyed operators indicated they would significantly reduce or cease service to the city altogether. These costs do not remain confined to transportation companies.

Reduced motorcoach service directly affects:

- Hotels and hospitality businesses;
- Restaurants and entertainment venues;
- Broadway theaters and cultural institutions;
- Convention and trade show attendance;
- School and educational travel opportunities;
- Tourism employment;
- Small businesses dependent on group travel;

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<sup>12</sup> American Bus Association, *NYC Idling Enforcement Survey* (Apr.–May 2026).

- Rural and suburban communities relying on affordable transportation access.

The impact is particularly acute for student groups, seniors, churches, military families, and working-class travelers who depend upon motorcoach transportation as one of the nation's most affordable modes of long-distance travel.

Motorcoach transportation also plays an important role in reducing congestion in dense urban areas. Policies that discourage bus operations may unintentionally shift travelers toward less efficient transportation alternatives, including single-occupancy vehicles and rideshare services that increase congestion and aggregate emissions.

The Bus Idling Act therefore advances not only transportation efficiency, but also broader economic and environmental objectives tied to congestion mitigation and sustainable mobility.

## Problems with Patchwork Local Enforcement Regimes

One of the central policy concerns addressed by the Bus Idling Act is the growing emergence of fragmented and inconsistent local enforcement systems.

Interstate transportation depends upon predictable and uniform operating standards.

Today, motorcoach operators increasingly face a patchwork of local anti-idling rules varying dramatically by jurisdiction in terms of permissible idle duration, temperature exemptions, enforcement methods, fine structures, and procedural safeguards.

This problem is compounded by bounty-style citizen complaint systems that create financial incentives disconnected from environmental outcomes.

Under New York City's current framework, private citizens may submit idling complaints and receive a percentage of collected penalties. Participation in the program has grown dramatically in recent years, with complaint submissions reportedly increasing from approximately 49,000 in 2022 to approximately 124,000 in 2024. Recent statements from city officials say 2026 is on track to be the highest volume yet.

Operators report receiving citations months or even years after alleged incidents, often with limited ability to preserve evidence, review vehicle video systems, identify specific operational conditions, or meaningfully contest allegations.

The result is not collaborative environmental compliance. It is an adversarial enforcement environment that undermines due process, discourages interstate service, and creates uncertainty for transportation providers attempting to comply simultaneously with federal safety requirements and local anti-idling restrictions.

The issue also raises significant concerns regarding equal application of the law.

In many jurisdictions, government-operated transit fleets and school buses are exempt from restrictions that apply to federally regulated interstate motorcoaches operating on the same streets and under similar operational conditions.

A national transportation system cannot function efficiently when federally regulated interstate carriers are subjected to conflicting local requirements and inconsistent enforcement standards.

The Bus Idling Act addresses this challenge by establishing a narrowly tailored federal framework specifically applicable to over-the-road buses engaged in interstate transportation.

## Public Health and Societal Considerations

The Committee should also recognize the societal implications associated with unreasonable operational restrictions.

Passenger safety and public health are not abstract considerations.

Motorcoaches frequently transport:

- Senior citizens;
- School children;
- Veterans;
- Individuals with chronic illnesses;
- Passengers with mobility impairments;
- Medically vulnerable populations;
- Tourists unfamiliar with local conditions.

Maintaining climate-controlled passenger environments is essential during periods of extreme heat and extreme cold. Heat-related illnesses remain a serious concern nationwide. Temperatures inside sealed vehicles can rise rapidly beyond safe levels during summer conditions. Likewise, winter operations often require active heating systems to prevent dangerous cold exposure during loading, unloading, and staging operations.

Operators have also reported that restrictive anti-idling enforcement creates workforce challenges. Drivers increasingly decline assignments into jurisdictions with aggressive enforcement systems due to concerns regarding fines, operational uncertainty, parking limitations, and personal liability.

This compounds existing workforce shortages already affecting the broader commercial transportation sector. The Bus Idling Act appropriately recognizes that reasonable operational flexibility is necessary to preserve safety, accessibility, workforce stability, and passenger wellbeing.

## Federalism, Interstate Commerce, and Clean Air Act Modernization

The Clean Air Act has long served as one of the nation's foundational environmental statutes. ABA supports the Act's core objectives and recognizes the importance of reducing harmful emissions and improving air quality.

At the same time, Congress has historically balanced environmental objectives with interstate commerce, transportation efficiency, technological feasibility, and national uniformity.

Interstate motorcoach transportation is inherently national in scope. Buses routinely cross multiple state and local jurisdictions within a single day of operation. Drivers and operators cannot reasonably navigate dozens of conflicting local operational requirements while simultaneously complying with federal transportation safety regulations.

The Bus Idling Act represents a targeted modernization effort designed to preserve that balance.

The legislation:

1. Establishes a reasonable operational threshold for over-the-road bus idling;
2. Prevents conflicting local enforcement regimes from interfering with federally regulated interstate transportation;
3. Preserves environmental protections while recognizing safety realities;
4. Eliminates bounty-driven enforcement mechanisms that distort policy objectives;
5. Protects interstate commerce from inconsistent local regulation;
6. Supports passenger safety and accessibility obligations;
7. Encourages national regulatory consistency.

Importantly, the legislation remains narrow in scope. It does not preempt broader air quality regulation. It does not prohibit states or localities from addressing unnecessary idling beyond the federally protected operational window. It does not exempt operators from federal emissions standards or environmental compliance obligations.

Instead, it creates a commonsense operational standard reflecting the realities of interstate passenger transportation.

### A Balanced Path Forward

ABA supports practical environmental stewardship. The industry recognizes the importance of reducing unnecessary emissions and supports continued investment in cleaner technologies, fleet modernization, infrastructure improvements, and operational efficiency.

At the same time, policymakers must ensure environmental policy remains grounded in engineering realities, transportation safety obligations, passenger welfare, and economic practicality.

The bipartisan Bus Idling Act provides that balance.

The legislation acknowledges that limited operational idling may be necessary:

- To conduct federally required pre-trip inspections;
- To build and maintain air pressure for braking and accessibility systems;
- To operate wheelchair lifts and kneeling equipment;
- To safely board and unload passengers;
- To maintain safe cabin temperatures;
- To support emissions-control systems and manufacturer operational requirements.

These are not discretionary conveniences. They are integral components of safe interstate transportation.

Congress has an opportunity through this legislation to modernize mobile-source policy in a manner that advances environmental goals while preserving safety, accessibility, mobility, and interstate commerce.

## Conclusion

Chairman Palmer, Ranking Member Tonko, and Members of the subcommittee, the motorcoach industry stands ready to work collaboratively with Congress, federal agencies, environmental stakeholders, state governments, and local jurisdictions to reduce unnecessary emissions while preserving safe and reliable transportation service.

The Bus Idling Act is a measured, bipartisan solution that recognizes operational realities without compromising the nation's environmental objectives.

It protects passengers.

It supports interstate commerce.

It promotes regulatory consistency.

It preserves one of the nation's cleanest and most efficient forms of mass transportation.

And it ensures that environmental policy remains practical, balanced, and compatible with federal transportation safety requirements.

Thank you for the opportunity to testify today. I look forward to answering your questions.