

## Funds for Bus Inspections Urgently Needed

In the last several years there has been an increase in the number of accidents involving illegal or unsafe motorcoaches operating in interstate commerce. According to an analysis by the American Bus Association, the trade association for the private over-the-road bus industry, illegal and unsafe passenger motorcarrier operators flaunt the law by operating without authority to do so, using equipment that may not comply with United States motor carrier safety regulations and by continuing to operate after their authority has been revoked by the federal government. Indeed, over the last decade, almost 60% of the fatalities in bus crashes were caused by an illegal or unsafe bus operator.

The Motor Carrier Safety Program (MCSSAP) established by Section 210 of the Motor Carrier Safety Act of 1984 (49 U.S.C. 31142) was set up to provide funds for States to use to inspect commercial motor vehicles (CMVs) including motorcoaches. While the program prescribed federal standards for annual inspection of CMVs (49 CFR Part 396), the States are largely required to complete the inspection or use a State inspection program that is comparable to, or as effective as, the federal inspection requirements.

The rash of motorcoach accidents in the recent past is a problem caused in part by the lack of inspections of buses in many states. In 1998 the U.S. Department of Transportation could find that only half the States had any CMV inspection program comparable to, or as effective as, the federal inspection requirements (63 Fed. Reg. 8516-8517, February 19, 1998). That number of states has not changed. Moreover, between FY 2005 and FY 2008 there have been less than 150,000 roadside bus inspections annually and over three million truck inspections. That is, only one out of every twenty-four inspections involved a bus, the carrier of fifty-five passengers. Even worse, according to the American Bus Association, only half a dozen states have effective bus inspection programs. Most states have largely put their money on inspecting other CMVs, largely trucks.

While we do not quarrel with the need for truck inspections, we do believe that more funds should be allocated to motorcoach inspections. Indeed, we know of no metric that measures how much money goes to bus inspections in any state. For these reasons we conclude that the states must be required to use ten percent (10%) of the MCSSAP money to inspect motorcoaches and certify its use to the Department of Transportation. This is the most effective way to ensure that motorcoaches remain safe.