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Motorcoach bus safety bill wins U.S. Senate committee approval

Families of crash victims and safety groups praise major highway safety victory, urge Congress to swiftly send bill to President

WASHINGTON, DC (December 17, 2009) – Safety advocates and families of victims of motorcoach bus crashes today heralded a U.S. Senate committee’s approval of long-sought legislation to dramatically improve motorcoach safety for the millions of Americans who rely on this popular transportation mode.

The Motorcoach Enhanced Safety Act (S.554), introduced by Senators Sherrod Brown (D-OH) and Kay Bailey Hutchison (R-TX), was passed by the Senate Commerce, Science and Transportation Committee, chaired by Senator Jay Rockefeller (D-WV). The bill now moves to the Senate floor for consideration.

As passed by the committee, the legislation requires the U.S. Secretary of Transportation (DOT) to issue new regulations to improve the safety of motorcoaches and motorcoach operators. The safety measures required by the bill have been the subject of numerous safety recommendations issued by the National Transportation Safety Board (NTSB) over the past four decades.

The bipartisan bill comprehensively addresses the NTSB recommendations by including safety requirements for occupant protection (seat belts, roof strength and anti-ejection windows), protection against on-board fires (fire-fighting equipment and fire suppression), and crash avoidance (electronic stability control and tire pressure monitoring systems). The legislation also addresses the safe operation of motorcoach companies through new entrant safety reviews to be conducted within nine months of starting operations, and improved driver safety by requiring entry-level driver training and electronic on-board recorders to ensure compliance with federal rules on maximum driving time.

Annually, more than 700 million Americans take trips in motorcoaches – as many as U.S. commercial airlines carry. Today, nearly 3,700 interstate motorcoach companies operate more than 34,000 motorcoaches, and thousands of other motorcoaches operate in intrastate commerce. Each year, the number of new interstate-registered motorcoach companies increases by about 900. The number of motorcoach crashes and fires reported since the Motorcoach Enhanced Safety Act was first introduced in November 2007 now exceeds 50.

Safety advocates point out that for decades DOT has not required motorcoaches to have the same basic occupant protection safety features that are routinely designed into passenger motor vehicles to prevent death and injury. For example, in 1968 the NTSB first recommended that motorcoaches be equipped with seat belts. Today, there is still no federal requirement for this essential lifesaving protection in a crash.

“Every day millions of adults and children ride on motorcoaches without the basic safety protections routinely available in other modes of transportation. And every week, on average, there is a motorcoach crash or fire that often results in deaths and injuries that could have been prevented,” said Jackie Gillan, Vice President of Advocates for Highway and Auto Safety, which is spearheading passage of this legislation.

Over the years, NTSB has investigated more than 25 motorcoach crashes and fires that resulted in over 200 deaths and hundreds of injuries. NTSB recommendations for enhanced motorcoach safety have languished for many years, and congressional hearings have identified numerous oversight and

enforcement failings of previous administrations that have not yet been remedied. In September, 2008 Sen. Frank Lautenberg (D-NJ) held a subcommittee hearing on bus safety. These hearings identified numerous problems and deficiencies in the safety of motorcoaches and motorcoach operators.

"The Motorcoach Enhanced Safety Act ensures that action is taken to install critically important safety technologies that NTSB investigations have been found lacking and contributing to the death and injury toll in crash after crash," Gillan said. "This bill sets a reasonable timetable for U.S. DOT to implement NTSB recommendations to provide maximum safety benefits to motorcoach passengers for decades to come."

A recent General Accounting Office report ("Reincarnating Commercial Vehicle Companies Pose Safety Threat to Motoring Public") found that nearly 10 percent of interstate bus operators with their federal permits revoked for safety violations could quickly resume business by "reincarnating" themselves as new companies, and that 20 of the 220 motorcoach operators ordered to stop service by DOT in 2007 and 2008 remained on the road by re-registering under a different and sometimes same name.

"Enactment of this long-sought safety measure will save lives and prevent crashes of passenger coaches that carry up to 55 people per trip, and are often used by schools to transport students to academic activities and sporting events," Gillan said. "We are grateful to Chairman Rockefeller, Ranking Minority Member Hutchison, the committee members, and Senator Sherrod Brown for their dedication to public safety and leadership on this vital piece of safety legislation," Gillan added.

Motorcoach crash victims' families expressed their strong and enthusiastic support for today's committee approval of S.554. They called for the full Senate and House to swiftly adopt the Motorcoach Enhanced Safety Act to make long overdue safety upgrades to federal vehicle and driver safety standards. The bipartisan companion bill in the House of Representatives (HR 1396) was introduced this year by Congressman John Lewis (D-GA) along with 10 co-sponsors.

"Our family is extremely happy and relieved that after almost three years since the Bluffton University baseball team's devastating motorcoach crash, the Senate Commerce, Science and Transportation Committee today took this huge step to enact this long overdue safety legislation," said John Betts, of Bryan, Ohio, whose son David was one of seven occupants killed and 28 others injured when his Bluffton University baseball team's motorcoach crashed on I-75 in Atlanta on March 2, 2007. "We feel a tremendous sense of gratification that this major breakthrough occurred so close to what would have been David's 23rd birthday on December 10th. We urge the full Congress to quickly enact this legislation and send it to the President for his signature so other families will not have to experience the tragic absence of their loved one on their birthday."

"Today, my heart is warmed to know that the motorcoach safety bill is finally moving through Congress toward becoming law. The bus crash that took the lives of our loved ones last year put those of us left behind in a very dark place. But, today's long-awaited decisive action brought the important issue of motorcoach safety into the light and gives us hope that good will spring from the tragedy of our loss," said Yen-Chi Le, of Houston, Texas, whose mother, Catherine Tuong Lam, was killed in a motorcoach crash in Sherman, Texas, on August 8, 2008. Thirteen people were killed and 38 were seriously injured. "We thank the bill sponsors for their dedication and determination in pushing for adoption of this bill for the sake of our families' and the traveling public."

"As parents of children who have been killed and severely injured as a result of unsafe motorcoaches, we applaud Senator Brown and Senator Hutchison's steadfast work in bringing this bill out of Committee and Chairman Jay Rockefeller for bringing up this bill for a vote," said Steve Forman, whose daughter Allison Forman was injured in a motorcoach crash in Devers, Texas, on March 29, 2006. "This action represents a critical step toward the day when motorcoaches are required to provide passengers the occupant protections they deserve."

"I believe that my daughter, Ashley Brown, would be alive today had she had the protection of a lap/shoulder belt in the motorcoach in which she was riding. The lack of seatbelts, safety glass and other basic occupant protections in motorcoaches makes no sense. This legislation makes sense," said Brad Brown, whose daughter Ashley Brown, was killed in the Devers, Texas, crash. "We know that our campaign is not yet won. Yet, we are closer to the day when motorcoach passengers will be provided the same commonsense, lifesaving protections that we all have come to expect in our cars. We have the technology to save lives and now we have the action plan to move the motorcoach safety agenda forward."

Advocates for Highway and Auto Safety (www.saferoads.org) is an alliance of consumer, health and safety groups and insurance companies and agents working together to make America's roads safer. Advocates encourages the adoption of federal and state laws, policies and programs that save lives and reduce injuries. By joining its resources with others, Advocates helps build coalitions to increase participation of a wide array of groups in public policy initiatives which advance highway and auto safety.

For a summary of S.554 as passed today by the Senate Commerce, Science and Transportation Committee, go to www.saferoads.org.

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