

STATEMENT OF BRIAN L. SCOTT, PRESIDENT/CEO
ESCOT BUS LINES, LLC OF LARGO, FLORIDA
SUBCOMMITTEE ON THE HIGHWAYS AND TRANSITS
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
UNITED STATES HOUSE OF REPRESENTATIVES

MARCH 20, 2007

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Introduction

Chairman DeFazio, Mr. Duncan, Members of the Committee, I appreciate you calling this hearing today and the opportunity to represent the bus and motorcoach industry in my testimony. This Committee has a long and distinguished record of promoting safety on our roadways and lies at the center of our nation's public discourse on the best practices to achieve safe and efficient travel.

On behalf of the United Motorcoach Association, it is my goal to provide the Committee our perspective on the factors that have contributed to our industry's notable safety record and our goal of improving on that record.

We are all here with heavy hearts, Mr. Chairman, as this hearing comes on the heels of the tragic accident in Atlanta that killed seven and injured many more. On behalf of the UMA, our thoughts and prayers are with the families of those affected.

My name is Brian Scott and I am President of Escot Bus Lines, Inc. of Largo Florida. I also currently serve as the Chairman of the United Motorcoach Association, the leading national association for bus and motorcoach operators.

Our company was founded in 1983 by my parents, Lewis and Diane Scott. We are proud Escot Bus Lines remains a local, family owned and operated company; serving the Tampa Bay and Central Florida communities for nearly a quarter of a century. Our experience and objectives are simple – the safe and convenient transportation of the public. Our services range from long distance, cross-country type tours, to local charter and shuttle service to contract services for employee shuttle, and transit type services. In any every trip, the Escot family of employees takes pride to insure the safety and comfort of every customer served.

As a family-owned and operated company, all the principals of the company are "hands on" managers working with the various facets of the company to insure safe and efficient operations. Interaction with supervisors, operators and maintenance staff is a 24/7 effort to insure that customer expectations of safety, reliability, comfort and convenience are met.

Our beginnings were typically small. From 1983 to 1990, Escot operated daily scheduled service for the general public to local, popular destinations. As Escot grew throughout the 1990's, long distance and local charters from a regional clientele became an increasing part of our business model, including many professional sports organizations, international touring companies which involved extensive interstate and international operations and the military. As Escot's reputation for quality and modern coaches grew, new business opportunities presented themselves such as the discerning corporate customer where large volumes of passengers had to be moved during short periods. Operations in 1997 began to include employee shuttle solutions for many local Tampa Bay based businesses and local municipalities. Expanding our experiences and

expertise even further, cruise ship passenger operations became a regular business activity as well as the employee shuttle operations at Tampa International Airport moving on average 140,000 passengers per month including Department of Homeland Security Employees since 2002. In 2003, Escot further expanded with a satellite office in Orlando, Florida. Today in 2007, Escot serves all major infrastructures in Florida including, all seaports, airports, military bases, and many more across the country including many historic landmarks.

Throughout our nearly quarter of century history in business, our family's commitment to safety is responsible for our growth from a two-bus company in 1983, to a medium size business by our industry's standards. We enjoy the highest safety ratings available from the United States Department of Transportation and the United States Department of Defense.

The Escot story is not the exception in the bus industry but rather the norm. Of the nearly 3,600 bus companies in the United States representing nearly 40,000 buses, 90% of those companies meet the Small Business Administration definition of a "small business."

Today, we operate 45 buses and motorcoaches, conduct over one-half million charter passenger trips and 1.7 million employee-shuttle passenger trips annually. Along with my sister, Pamela Scott-Calixto, which serves as Vice President and Secretary, our Mother and Father remain active as advisors and Board members.

Our Industry

Much like Escot Bus Lines, the bus and motorcoach industry represents a true, small business success story. As with many small businesses, these companies are largely family owned and multi-generational. There are nearly 3,600 bus and motorcoach companies in our Nation operating nearly 39,000 motorcoaches providing 631 million passenger trips annually, ten times the number of airline passenger trips. The average company employs 46 individuals. Each bus and motorcoach represents an industry average 4.23 employees. Seventy-five (75%) of the industry consists of fleets of fewer than 100 units. Indeed, nearly one-half of the industry consists of fleets 24 units or fewer.

Our industry operates under the oversight of the U. S. Department of Transportation and authority granted by the Federal Motor Carrier Safety Administration (FMCSA). The FMCSA conducts periodic Compliance Reviews of our safety management program, random safety inspections of our vehicles and maintains information regarding our fiduciary responsibilities, such as insurance.

Our Regulatory Environment

A Compliance Review is an on-site examination of a motor carrier's records and operations to determine whether the carrier meets the FMCSA safety fitness standard, i.e., are adequate safety management controls in place to ensure acceptable compliance with applicable safety requirements to reduce the risk associated with:

- Alcohol and controlled substance testing violations
- Commercial driver's license standard violations
- Inadequate levels of financial responsibility
- The use of unqualified drivers

- Improper use and driving of motor vehicles
- Unsafe vehicles operating on the highways
- Failure to maintain crash registers and copies of crash reports
- The use of fatigued drivers
- Inadequate inspection, repair, and maintenance of vehicles
- Violation of hazardous materials regulations
- Motor vehicle crashes and incidents

Additionally, our buses and motorcoaches are routinely inspected primarily at popular destinations such as amusement parks, casinos, special events, etc. An example of a Level 1 inspection of a motorcoach would include:

- A review of a driver's documents including driver's license, medical examiner's certificate and waiver if applicable, record of duty status, driver's daily vehicle inspection report, documentation of periodic inspection and trip information such as tour itinerary, trip envelope and charter order.
- A brief interview of the driver about his/her trip. For example, where the trip started, the destination, how long they have been traveling, last stop, etc.
- Proper identification of the carrier performing the transportation is established and requires careful examination of the documents and questioning the driver.
- The inspector will check the driver's Commercial Driver's License including expiration date, birth date, proper class and/or endorsements and status, through usual channels.
- All drivers' for-hire motor carriers of passengers must possess a medical examiner's certificate. Certificate and waiver are valid for 24 months, unless otherwise specified.
- An inspection also includes a review of the drivers' record of duty status. Typically, a driver may not exceed ten hours of driving or fifteen hours on-duty. An inspector often compares fuel or toll receipts to determine if the logbook is accurate.
- Drivers daily vehicle inspection report are checked.
- The inspector will verify that the vehicle passed inspection within the last 12 months and possesses the required documentation.
- An inspection of the passenger area includes windows and each push-out window must be marked as an emergency exit and must be capable of being operated as such. There must be no obstructions blocking aisles or access to emergency exits.
- The driver's must be equipped with a seat belt.
- Proper air-pressure is established
- Proper Steering is established.
- Head Lamps, Turn Signals, Emergency Flashers are inspected for proper color and operation.
- Windshield Wipers are inspected for adequate number and operation.
- Suspension and Brakes are inspected for proper tolerances.
- Exhaust System is inspected
- Wheels and Rims are inspected for cracks, unseated locking rings, broken or missing lugs, studs or clamps, bent rims, "bleeding" rust stains, loose or damaged lug nuts and elongated stud holes.
The condition of tires are inspected for road worthiness. Motorcoaches cannot be operated with regrooved, recapped or retreaded tires on the steering axle. C

- Fuel Caps are checked for presence and tightness.
- The undercarriage including Steering System, Front Suspension, air bags. Front Brakes & Rear Brakes, Tag Axle

Our Safety Record

The bus and motorcoach industry has a remarkable safety record, as evidenced by our industry's low number of fatalities and injuries annually. During the past thirty years, our industry has experienced an average of fewer than ten fatalities annually, despite the fact our Nation saw over 41,000 fatalities on these same highways and roads.

This remarkable record of safety is a result of a combination of Federal regulatory oversight and an industry focused on safety as their lifeblood to an economic future. A bus and motorcoach operator realizes that years -- perhaps decades -- of goodwill can simply be wiped out should a tragic accident occur. Moreover, should a tragic accident occur, an operator must demonstrate to regulators and the traveling public that everything in their power was done to mitigate such an event.

To meet customer expectations of safety and comfort, the bus and motorcoach industry has been quick to adopt safety advancements. Commercial Anti-lock Brake Systems, Jacob Braking, and high-back seats have become standard due to the industry's rapid adoption. These safety advancements continued to be adopted while the purchase price of a motorcoach has increased rapidly. Where a motorcoach cost approximately \$175,000 twenty years ago, today's modern coach routinely tops \$425,000. With many construction similarities to airliners (semi-monocock construction), modern motorcoaches may anticipate a lifespan of twenty years or more.

Today, Global Positioning Satellite technology monitors driver behavior in ways unimaginable a decade ago, cameras monitor and record driver and passenger activity as well as the immediate environment. In route, electronic tire monitoring systems reduce the likelihood of tire failures and fires. Fire suppression systems are increasingly being utilized. Despite tremendous expense, some operators have begun to acquire simulators with obvious driver training benefits.

The United Motorcoach Association, our nation's leading representative of private bus and motorcoach companies, offers the public a detailed online "Consumer Guide to Purchasing Motorcoach Services" and a "Student's Guide" in an effort to aid the Nation's consumer in selecting a safe, reliable bus and motorcoach operator. The United Motorcoach Association, along with offering routine safety related assistance and seminars at our annual conventions, hosts an annual Safety Management Seminar held at the National Transportation Safety Board Academy in Ashburn, VA. The annual event has exceeded its capacity every year. Earlier this year, the United Motorcoach Association's Board of Directors announced the launch of the Bus and Motorcoach Academy. Disseminated in conjunction with the College of Southern Maryland, this online Academy will serve as the source of basic operational knowledge for owners and management along with courses that will enhance the knowledge and consequently skills of our industry's most valuable asset -- our drivers. Our association works with the Bus Industry Safety Council and the Commercial Vehicle Safety Alliance in continuing efforts to develop and propagate safe operating practices.

The bus and motorcoach industry has a long record of working with the National Highway Transportation Safety Administration and manufacturers to vet the best and

most reliable safety practices. Years of research and significant resources have been poured into this endeavor—all in the name of passenger safety.

In the case of seatbelts, the National Highway Transportation Safety Administration has repeatedly taken the position:

*“Through exhaustive research the National Highway Transportation Safety Administration (NHTSA) determined — and has repeatedly stated — that seat belts **would not constitute a safety benefit** any greater than the present compartmentalized seating configuration in all motorcoaches.”*

After years of research and significant resources devoted to the study of seatbelts in motorcoaches, NHTSA has never acknowledged evidence to change their position. This is a question of science, not a hope that one form of safety will work better than another.

The Federal government does not mandate seatbelts in any other surface transportation modes. And as with motorcoaches, NHTSA has refrained from mandating seatbelts on school buses for the same reasons – “seat belts would not constitute a safety benefit any greater than the present compartmentalized seating configuration. Additionally, transit buses, passenger rail, including Amtrak, and subways utilize methods similar to motorcoaches for passenger safety and do not contain seatbelts

The bus and motorcoach industry can stand proudly by their safety record, not because of low fatalities and injuries as compared to other venues of transportation, but rather these were achievements pursued by a diligent industry continuously pursuing best safety practices. Our very survival hinges on those pursuits.

Conclusion

The over-the-road intercity bus industry remains a vital component to our Nation’s economy. The essential service our industry affords provides access to jobs, education, and healthcare. Our industry is a critical component to our Nation’s travel and tourism industry.

The bus and motorcoach industry, as represented by the United Motorcoach Association, stands ready to assist Congress and the National Highway Transportation Safety Administration in the further development and implementation of safe practices and equipment -- grounded in sound science and testing -- that improves the safety for our Nation’s 690 million annual over-the-road intercity bus passengers

Thank you Mr. Chairman, Mr. Duncan and Members of the Committee for your indulgence. Again, I am honored to testify before this Committee and am confident this hearing will add significantly and positively to the discourse on motorcoach safety.

Respectfully submitted,

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