

STATEMENT OF VICTOR S. PARRA
PRESIDENT & CEO, UNITED MOTORCOACH ASSOCIATION
SUBCOMMITTEE ON COMMERCE, MANUFACTURING AND TRADE
HOUSE ENERGY AND COMMERCE COMMITTEE
UNITED STATES HOUSE OF REPRESENTATIVES
MARCH 22, 2012

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Chairman Bono-Mack, Ranking Member Butterfield, Members of the Committee. I appreciate you calling this hearing today and the opportunity to appear before the Committee and represent the bus and motorcoach industry in my testimony. This Committee has a long and distinguished record of promoting vehicle safety and lies at the center of our nation's discourse on the best practices to achieve risk acceptable and efficient travel.

On behalf of the United Motorcoach Association (UMA), it is my goal to provide the Committee our perspectives on the bus and motorcoach safety provisions included in the American Energy and Infrastructure Jobs Act of 2012 (HR 7) as reported from the House Transportation and Infrastructure Committee and those of S. 1813, the Moving Ahead for Progress in the 21st Century (MAP-21) as passed by the Senate last week.

Founded in 1971, the United Motorcoach Association (UMA) is the nation's largest association of bus and motorcoach companies and industry suppliers with over 1,200 members located across North America. Membership represents the full spectrum of bus and motorcoach operations; from small family charter and tour - to nationwide scheduled and commuter service operations. The United



States Small Business Administration estimates over 90% of all privately owned bus and motorcoach companies meet the definition of small business.

Motorcoaches have one of the strongest safety records amongst all modes of transportation with an average of only 20 fatalities a year. While even one fatality is one too many, the motorcoach industry operates in an environment that yields over 30,000 fatalities annually; representing less than one-tenth of one percent of those fatalities. UMA believe the best way to ensure improved safety is to enforce existing Federal Motor Carrier Safety Regulations for our vehicles and drivers and support initiatives that improve safety that are backed by science and testing. The traditional definition of safety is the absence of risk; and, while no form of modern transportation is absolutely free of risks, the risks associated with motorcoach travel are largely mitigated through appropriate operations, vehicle design and construction.

It should be noted that every motorcoach operating today on our Nation's highways is required to be built to the Federal Motor Vehicle Safety Standards, promulgated by the National Highway Traffic Safety Administration (NHTSA). Motorcoaches represent a significant investment by the companies that purchase them. With a life expectancy well over twenty years, a modern motorcoach represents a financial investment of over \$500,000 with many now approaching \$600,000. For the Nation's motorcoach operators, this substantial investment is always linked to its appropriate operations, vehicle design and construction.



The Nation's motorcoach companies demand vehicles that offer the best known design and construction that protects their passengers operationally and from unforeseen accidents. UMA has steadfastly welcomed changes in motorcoach occupant protection; however, those changes must be founded by sound science and testing by appropriate Federal agencies. Any mode of transportation that provides 720 million passengers trips annually, connecting people everyday to essential jobs, careers, education healthcare and tourism, commands the best science and regulations our Federal agencies can produce.

UMA believes the American Energy and Infrastructure Jobs Act of 2012,(HR 7), as reported by the House Transportation and Infrastructure Committee, provides for the most rational and reasonable approach to enhanced bus and motorcoach safety. HR 7's bus and motorcoach safety provisions have been the subject of hearings and discussions amongst the industry and interested parties for over four years. Most of its bus and motorcoach safety provisions were largely based on a bill authored by Congressman Bill Shuster, HR 1390, the Bus Uniform Standards and Enhanced Safety Act of 2011, which we strongly support. This bipartisan legislation recognizes the complexities of motorcoach engineering and operations; mandating that science must drive policy rather than unsubstantiated conclusions.

HR 7 contains language giving the Secretary discretion on retrofit requirements and mandates that if required the Secretary must find the equipment can be



certified by the original equipment manufacturer as meeting requisite performance requirements, and is readily attachable subsequent to initial manufacturer by the operator and enforced through readily visible inspection requiring no disassembly. This is important so that any retrofit requirement would not result in a complete restructure of the bus. While implementation is taking place, it is also vital that operators have in place liability protection for existing vehicles in their fleet as their fleets are replaced with new vehicles; another important feature of HR 7.

HR 7 incorporates the longstanding recommendations of the National Transportation Safety Board and is also consistent with the Secretary of Transportation's Motorcoach Safety Action Plan. Indeed, NHTSA is already well under way with crash, as well as other, tests. Some of these tests, initiated under the previous Administration, have resulted in proposed rulemaking that would revise the long-standing position that required passive occupant protection in the form of compartmentalization, in favor of requiring three-point seatbelts for every passenger. UMA supports the proposed rulemaking and NHTSA has indicated we will likely see final rulemaking regarding three-point seatbelts later this year, which they estimate could save as many as eight lives annually.

UMA also understands there may be additional proposed rulemaking later this year from NHTSA on other areas of motorcoach passenger occupant protection. HR 7 will not hinder NHTSA's current progress as it respects the need for science based outcomes rather than prescriptive mandates and will assure the



public of rational and obtainable timelines that incorporate scientific findings that have “real world” applications.

In anticipation of final rulemaking, scientific data such as crash pulses released by NHTSA, and advancements in technology, manufacturers are currently offering risk mitigating devices including seatbelts, electronic stability control, tire pressure monitoring and fire suppression systems. A recent survey coordinated by UMA of motorcoach manufacturers indicates the number of recently manufactured motorcoaches with seatbelts is approaching 100%; and other safety related devices are rapidly growing in numbers as well.

In contrast, UMA strongly opposes the bus and motorcoach safety provisions included in S. 1813, the Moving Ahead for Progress for the 21st Century (MAP-21) as passed by the Senate last week. While we commend the Senate for moving forward on a surface transportation reauthorization bill, the motorcoach safety provisions as reported by the Senate Commerce Committee and included in the final legislation, is an example of extreme government overreach and will not lead to increased motorcoach safety. Many of its mandates are overlapping, unnecessary and are currently undergoing research and testing by responsible Federal agencies. Many of the mandates are simply unworkable as the time frames in which the amendment would require each mandate to be accomplished are not consistent with proceeding in a prudent and logical fashion.

The Senate bill would require 18 separate mandates estimated to increase the cost of a new motorcoach by \$60,000 – \$70,000 per new vehicle. The potential structural and reengineering retrofit mandates for seatbelts alone is estimated by the National Highway Traffic Safety Administration (NHTSA) to cost as much as \$40,000 per bus (see 75 Fed. Reg. 50958, 50979.) According to NHTSA the potential retrofit requirement of seatbelts as envisioned by the amendment could cost the industry as much as \$1,173,000,000 (see 75 Fed. Reg. 50958, 50979).

The bus and motorcoach industry is an important economic engine for the country. Our members provide transportation for 720 million passengers trips a year. As previously stated, 90% of our industry consists of small businesses. The motorcoach tour and travel industry contributes nearly \$112.7 billion in total economic activity in the United States. At a time when the motorcoach industry is struggling to recover in this economy, this is not the time to impose unnecessary and excessive mandates on an industry with an outstanding safety record.

In conclusion, UMA believes the contrasts between the bus and motorcoach safety provisions in the House bill and the Senate bill could not be more striking and we appreciate this Committee's focus on them. UMA appreciates the opportunity to submit testimony regarding these matters and stands ready to contribute to on-going efforts to enhance the safety of bus and motorcoach operations.

