



The Honorable Harold Rogers
Chairman
House Committee on Appropriations
2406 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Tom Latham
Chairman
House Subcommittee on Transportation, Housing and Urban Development
Committee on Appropriations
2217 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Rogers and Subcommittee Chairman Latham:

The American Bus Association is the nation's premier association of private motorcoach, tour and travel industry. The ABA consists of 3500 member organizations, CVBs, hotels, restaurants and attractions. In addition the ABA is home to over 800 bus operator members which provide all manner of transportation services, including charter and tour, scheduled service, commuter operations and airport shuttle service to over 740 million passengers a year. The private bus industry is largely a small business industry. The average ABA bus operator member has eight motorcoaches.

We write to urge your strong opposition to a job-killing, anti-small business provision included in the FY 2012 Senate Department of Transportation, Housing and Urban Development Appropriations bill. Section 167 of S. 1596 prevents enforcement of the Federal Transit Administration's (FTA) Charter Service regulations in the service area of King County Metro (KCM) in Seattle, Washington. Senator Patty Murray has included this provision in the bill, exempting one transit agency in the country from enforcement of a federal rule designed to protect private motorcoach operators from unfair competition from publicly subsidized transit operators.

Since 1973, transit law has prohibited transit entities which receive federal funds from providing charter bus operations in competition with private bus operators. Congress' intent in enacting and continuing this provision was to prevent unfair competition between federally funded public transportation systems and private, tax-paying bus operators. Charter service is specialized service at the request of third parties that is outside of a transit agency's regular route service. Charter service is the lifeblood of our members which pay taxes and maintain employment and create jobs while filling the need of the public for charter service. We cannot compete with transit agencies whose vehicles and facilities are subsidized with federal tax dollars. For almost 40 years the charter rule has ensured that publicly funded transit agencies do not unfairly compete with the private bus industry.

Since 2009 Senator Murray's provision has allowed KCM to avoid the consequences of the federal charter bus rule. Senator Murray's actions have allowed KCM to receive substantial federal funds while providing specialized transportation service to several professional and college sports teams and while preventing private motorcoach operators from competing to provide that transportation. Senator Murray's actions have had a tremendously negative effect on the private motorcoach industry in the northwest.

In February of this year, the House passed a bill that would have nullified the KCM exemption (Section 2216 of HR 1 making continuous appropriations for FY 2011). This provision did not prevail in the final Omnibus Appropriations bill for FY 2011 passed in April. In your upcoming negotiations with the Senate on the FY 2012 DOT Appropriations bill, we urge you to maintain the House position and strongly oppose the continuation of the charter exemption for Seattle. ABA members provide safe, efficient and low cost transportation service to the nation but we cannot continue to provide any service while our own tax dollars are used to subsidize our competition.

Thank you for your support on this important issue.

Sincerely,

A handwritten signature in black ink that reads "Peter J. Pantuso". The signature is written in a cursive, slightly slanted style.

Peter J. Pantuso
President and CEO
American Bus Association
111 K Street, NE
9th floor
Washington, D.C. 20002

cc:
Speaker of the House, Congressman John Boehner
Majority Leader, Congressman Eric Cantor