



U. S. Department of Justice
U. S. Attorney's Office
Southern District of Texas
Chuck Rosenberg • United States Attorney

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GLOBAL LIMO, INC. AND OWNER INDICTED

(McALLEN, TX) United States Attorney Chuck Rosenberg announced today the unsealing of a three (3) count superseding indictment charging Global Limo, Inc., an operator of passenger-carrying buses in Pharr, Texas, and its owner, James H. Maples, 65, of conspiring with others to falsify driver time records, and with willfully failing to inspect their buses to ensure safe operation.

Maples and Global Limo were the operators of the passenger bus that caught fire and exploded on September 23, 2005, near Dallas, Texas, killing twenty-three residents of Brighton Gardens, a nursing home in Bellaire, Texas. In the wake of the fatal accident, the Federal Motor Carrier Safety Administration (FMCSA) ordered Global Limo and Maples to discontinue their bus operations.

"Rules governing the safe carriage of passengers are not made to be broken;" said United States Attorney Chuck Rosenberg. "They are made to be followed, and followed scrupulously, by transportation companies."

The indictment was returned under seal on Monday, January 30, 2006, by a Houston grand jury and was unsealed today following the arrest of Maples. Maples was arrested by agents of the Department of Transportation Office of Inspector General and Deputy U.S. Marshals at approximately 8:30 a.m. at his residence on the 600 block of Wisteria in McAllen, Texas. He is scheduled to appear today before U.S. Magistrate Judge Dorina Ramos at 2:00 p.m.

Kenneth M. Mead, Inspector General of the U.S. Department of Transportation stated: “This indictment reminds us of the serious potential risks posed to the traveling public by those who evade or ignore motor carrier safety laws, and underscores the importance of DOT’s work to enforce compliance with the safety regulations.”

The first count of the superseding indictment accuses Maples and Global Limo of conspiring with others to falsify driver time records to circumvent federal regulations mandating minimum 8-hour rest periods for bus drivers. The indictment alleges that beginning in May 2005, to on or about July 9, 2005, Maples and Global Limo routinely assigned two drivers to one bus with no sleeper berth for long cross-country trips. When not driving, the co-driver traveled in one of the passenger seats and falsely classified himself/herself as “off duty,” instead of the appropriate “on-duty not driving” classification required by FMCSA regulations. The false claims of “off duty” status created the appearance that the drivers were obtaining the minimum rest of eight (8) consecutive hours required by FMCSA after (15) hours of on-duty time. Instead, the drivers were driving long stretches of time without appropriate rest in an effort to comply with the travel schedules required by Maples and Global Limo. Maples and Global Limo would then allegedly obtain the false statements and maintain them in Global Limo records for, among other things, FMCSA inspection. If convicted, Maples faces a maximum punishment of five (5) years in federal prison without parole, and a \$250,000 fine. The corporation, Global Limo, Inc., faces a maximum \$500,000 fine if convicted.

Maples and Global Limo are charged in Count 2 with knowingly and willfully failing to inspect and maintain Global Limo Buses to ensure safe and proper operating conditions at all times, from as early as May 6, 2005, and continuing to at least August 24, 2005, in violation of 49 C.F.R. § 396.3(a)(1). If convicted of this offense, Maples faces a maximum penalty of one (1) year in federal prison, without parole, and a \$100,000 fine. If convicted, Global Limo faces a maximum \$200,000 fine.

Count 3 charges Maples and Global Limo with knowingly and willfully failing to require Global Limo bus drivers to complete driver vehicle inspection reports at the end of the work day, from no later than May 6, 2005, until at least August 24, 2005, in violation of 49 C.F.R. § 396.11(a). If convicted of this offense, Maples faces a maximum penalty of one (1) year in federal prison, without parole, and a \$100,000 fine. If convicted, Global Limo faces a maximum \$200,000 fine.

The indictment is the result of the joint investigative efforts of special agents of the Department of Transportation Office of Inspector General and the Federal Motor Carrier Safety Administration. The case is being prosecuted in the McAllen Division of the Southern District of Texas by Assistant United States Attorney John Kinchen.

An Indictment is a formal accusation of criminal conduct, not evidence. The public is reminded that defendants are presumed innocent unless and until convicted through due process of law.

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