

**Oral Statement of Anne S. Ferro
FMCSA Administrator
Committee on Transportation and Infrastructure
U.S. House of Representatives**

Improving Bus Safety on our Nation's Highways

June 13, 2011

Chairman Mica, Ranking Members Rahall and DeFazio, and members of the Committee, thank you for inviting me to speak today.

This year has been the worst period in recent history for motor coach safety, with 6 crashes causing 25 deaths and numerous injuries just since January.

My deepest condolences go to the families who lost loved ones in these crashes. FMCSA's employees along with our state enforcement partners take these losses to heart. We are frustrated that despite tighter safety standards and dramatic increases in the numbers of inspections and enforcement actions, the risks to passengers continue by a few bad actors.

FMCSA's safety mission is our NUMBER ONE priority, and we are fully engaged in an all-out crack down on dangerous and illegal passenger carriers. We have a comprehensive investigation underway in the case of the tragic Sky Express crash on May 31st, where 4 women were killed.

When we found out Sky Express was attempting to operate and sell tickets even AFTER we shut them down, we issued a Cease and Desist order. On the same day, we subpoenaed the records of three Internet web sites that sell tickets for Sky Express and other bus companies.

The informal leasing practices of some motor coach companies allows them to skirt safety rules, while unregulated web sites broker and sell tickets with no transparency to the public.

We are shutting down unsafe carriers as quickly as our authority permits. Since January, the agency has declared 18 bus companies UNSATISFACTORY and has proposed that rating for another 15. It means they must stop operating. And if a carrier or its drivers and vehicles present a severe risk, we do not wait for the 45 day appeal period. We will declare it an Imminent Hazard and shut it down immediately. This past week we used our Imminent Hazard authority to shut down 3 companies, including one in Michigan that put passengers in the cargo hold. This behavior by a few is outrageous and must be stopped.

Transportation Secretary Ray LaHood has had his eye on Motor Coach safety since 2009, when he charged FMCSA and NHTSA to develop and implement a comprehensive motor coach safety action plan. These actions address many NTSB bus safety recommendations, among them:

- Electronic Onboard Recorders for motor coach companies;
- Better use of inspection violation data;

- A ban on texting and cell phone use by bus operators; and
- Stronger oversight of drivers' medical qualifications and drug/alcohol testing.

FMCSA has proposed or is close-to-final on rules and programs in all of these areas. However, tightening the net around unsafe bus operators requires stronger authority. Thus we have provided technical assistance to Congress for authority to:

- Conduct en-route bus inspections; not just at points of origin and destination;
- Establish a "successor liability" standard to charge a new company when it reincarnates from an unsafe carrier;
- Require full safety audits BEFORE a company can receive passenger carrier authority;
- Raise the penalty to \$25,000 per violation for bus companies that attempt to operate illegally; and
- Regulate passenger ticket sellers, known as brokers, just like we do brokers of freight and household goods.

Mr. Chairman, thank you for holding this hearing today. On behalf of FMCSA, I welcome the spotlight you are shining on bus safety. Our commitment has never been higher but we need the tools to get the critical job of safety done. I would be happy to answer any questions you may have.

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