

The Honorable Nydia M. Velázquez  
Testimony before the House Committee on Transportation and Infrastructure  
April 5, 2011

Thank you Chairman Duncan, Ranking Member DeFazio, and members of the Subcommittee. I welcome today's opportunity to present policy proposals to reform the Federal highway safety programs as the Committee begins drafting a long-term reauthorization of the nation's surface transportation programs.

The economic downturn and rising gas prices have made intercity bus service the fastest growing mode of transportation in the country, outpacing air and rail travel combined. The popularity of bus travel is dominated by so-called "curbside" carriers. Instead of using bus terminals, these low-cost operators use city streets to drop off and pick up passengers. After 40 years of declining ridership, curbside operators have revived the bus industry and now originate more than 20 percent of all departures. However, this rapid growth has led to serious safety concerns.

As you know, bus operators must follow many safety requirements including screening drivers for controlled substances, limiting the number of hours drivers can operate, and properly maintaining buses and equipment. Unfortunately, curbside carriers operate in a gray area of the law and current safety measures have not prevented deadly accidents and near misses from occurring around the country.

The examples are numerous. Last September, four people were killed when a curbside bus hit a bridge in Salina, N.Y. On March 11, 2011 a bus driver in New Jersey was cited for a DUI, leaving passengers stranded on the side of the highway for hours. And, of course, there was the accident in the Bronx that killed 15 and injured dozens -- the majority of whom were my constituents.

In response to this tragedy, I requested a full NTSB investigation into the discount busing industry, looking at the condition of buses, driver fatigue, and safety rules enforcement. The NTSB recently agreed to my request and will begin a 6-month investigation, immediately.

Today, I would like to bring to the Committee's attention several concerns I have with the discount bus industry. Curbside bus operations present a unique challenge to inspectors from the Federal Motor Carrier Safety Administration. The lack of terminal facilities seriously hampers their ability to perform required equipment inspections on the nation's growing fleet. The result is poorly maintained buses skipping inspections and putting lives in jeopardy.

Driver behavior also place lives in peril. Easily falsified logbooks allow many drivers to violate the 10-hour driving limit. Such violations place both passengers and motorist in grave danger. Since the Bronx tragedy, numerous instances of overworked drivers have been reported.

Additionally, inconsistent state laws allow drivers to continue operating even after drug and alcohol violations. Many small trucking companies lack the resources to verify a driver's record in multiple states, forcing companies to rely heavily on falsified information supplied by drivers. Establishing a national clearinghouse for drug and alcohol violations would significantly reduce the number of dangerous drivers on the road and the costs of conducting required background checks.

Unfortunately, curbside buses may continue operating even after several failed inspections or citations for drivers being on the road, too long. The lack of authority to swiftly take operators, drivers, and buses off the road for safety violations has prevented the FMCSA from fulfilling its mission to reduce accidents on the nation's highways.

The growth of curbside busing has placed unsustainable pressure, not only on cities and towns, but on the nation's highways as well. The tragedy in the Bronx was the latest in a long line of accidents that highlight the need to improve oversight of the bus industry in order to protect passengers and motorists.

I come here today to ask the Committee to address these concerns when drafting a long-term reauthorization of the nation's surface transportation programs. Thank you for the opportunity to testify.