

November 10, 2011

The Honorable Tim Johnson  
Chair  
Senate Banking, Housing and Urban Affairs Committee  
534 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Richard Shelby  
Ranking Member  
Senate Banking, Housing and Urban Affairs Committee  
304 Russell Senate Office Building  
Washington, DC 20510

Dear Chairman Johnson and Ranking Member Shelby:

As you consider the reauthorization of the surface transportation reauthorization bill, we write to ask your support for continued statutory protections for private school bus companies from subsidized competition by transit agencies in the provision of school bus transportation as well as charter service.

The National School Transportation Association (NSTA) is a trade organization representing school bus contractors; that is, private companies that own and operate school buses and contract with school districts to provide pupil transportation. For 40 years, it has been dedicated to safe, secure and efficient transportation of children, and works to foster improvements in all areas of pupil transportation. Members range from small one or two-bus companies to larger corporate entities operating thousands of school buses in multiple states. With a total fleet of nearly 180,000 school buses, private school bus companies provide approximately one-third of the nation's school bus transportation, as well as activity trips and other charter service.

Since 1973, transit law has prohibited transit entities which receive federal funding from providing exclusive school bus transportation and charter bus operations in competition with private bus and school bus operators. Congress' intent in enacting and continuing these provisions was to prevent unfair competition between federally funded public transportation systems and private, tax-paying bus and school bus operators. The purpose of these almost 40 year old statutes and their implementing regulations is to ensure a level playing field between public and private sectors. It is vitally important that the reauthorization legislation continue these protections.

Public transit agencies should continue to be prohibited from providing exclusive school bus routes that are not open to the general public. Permitting this practice would divert federal transit resources from their intended purpose of providing public transportation to the general

public. This practice would also threaten student safety by forcing more students into vehicles that do not meet the Federally-prescribed minimum safety standards for transporting students, and would deprive students of specially trained and screened school bus drivers and protections provided through dedicated school bus transportation and enforcement of school traffic safety laws. USDOT statistics consistently show that yellow school buses are the safest mode of transportation compared to ALL other forms of transportation. We believe children are safest and best served with dedicated yellow school bus transportation. Any change in the protections would also threaten the existence of a vital industry, the nation's private school bus operators which not only provide safe and professional student transportation day in and day out, but pay taxes, create jobs and contribute to their communities.

Private school bus operators also provide charter service, including school activity trips and other specialized transportation service to other entities and special events. School buses are often idle outside of morning and afternoon home to school hours, so operators often utilize their vehicles and dedicated driver fleet for field trips, school sporting events, and other extra-curricular school events involving students. Any change in charter protections would expose students to less safe forms of transportation for these types of trips. In addition, private operators also contract with non-school entities for charter work for special events such as conventions and large sporting events. Any change in charter service protections would also threaten the existence of private school bus operators.

We urge you to continue the protections for private school bus operators that have been in transit law for over four decades. Thank you for your support of these important issues.

Sincerely,



David Hobson  
Executive Director

Cc:

Members of the Senate Banking, Housing and Urban Affairs Committee:  
Senator Bob Menendez, Chairman, Housing, Transportation and Community Development  
Subcommittee  
Senator Jim DeMint, Ranking Member, Housing, Transportation and Community Development  
Subcommittee  
Senator Jack Reed



Senator Chuck Schumer  
Senator Daniel Akaka  
Senator Sherrod Brown  
Senator Jon Tester  
Senator Herb Kohl  
Senator Mark Warner  
Senator Jeff Merkley  
Senator Michael Bennet  
Senator Kay Hagan  
Senator Michael Crapo  
Senator Bob Corker  
Senator David Vitter  
Senator Mike Johanns  
Senator Patrick Toomey  
Senator Mark Kirk  
Senator Jerry Moran  
Senator Roger Wicker