

# Wave of charter bus accidents sheds light on lack of safety regulation

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The bus accident that killed 22 mostly elderly passengers near New Orleans May 9 was the latest in a series of fatal highway crashes involving tour and charter buses in the United States. The Mother's Day tragedy, the deadliest bus accident in a decade, has shed light on the risks facing passengers and drivers alike in the poorly regulated industry, particularly as bus traffic increases due to the proliferation of gambling casinos in the US.

Last December 24, a bus bound from New York to Atlantic City, New Jersey skidded off the Garden State Parkway, killing 8 and injuring 16. In the two weeks that followed, three more casino-bound buses crashed, although no one else was killed.

The Custom Bus Charters coach was carrying 42 people on the 90-minute excursion from LaPlace, Louisiana to Casino Magic in Bay St. Louis, Mississippi. Witnesses said the bus suddenly veered into the right lane of Interstate 610, narrowly missing another car, and then slammed into a metal guardrail before plunging into a 20-foot-deep tunnel at a public park. Most of those killed were women in their 70s and 80s, residents of a nursing home that organized the monthly outing. Fifteen others were hospitalized, including the driver, Frank Bedell, 46, who was thrown through the bus windshield and suffered critical injuries to his pelvis and head.

Bedell and at least one motorist said a car cut the bus off, forcing it off the road. But accounts from other witnesses and the lack of skid marks on the highway have led to speculation that the bus's air brakes may have failed or that Bedell may have fallen asleep or was not fully alert, for one reason or another, at the time of the accident. An initial investigation by the National Transportation Safety Board (NTSB) indicated that the brakes were working on the four-year-old bus.

Bedell was reportedly rushed to West Jefferson Medical Center the night before the accident, suffering from extremely low blood pressure and dehydration. He was released at 11 p.m., and by 7 a.m. was picking up his passengers in LaPlace for the ill-fated trip. This raises the

possibility that he was either exhausted, reacting to medication he received, or was experiencing a medical emergency.

According to his medical records, Bedell was a diabetic who had begun kidney dialysis. It was not known whether Bedell was taking insulin shots, but insulin-dependent diabetics who get too much sugar can become incoherent, and similarly symptoms of kidney failure—one of the serious complications of diabetes—can include loss of alertness and fatigue. In addition, last August Bedell was diagnosed with congestive heart failure.

There are recent cases of a medical crisis causing a driver to lose control of a bus. Last year in New York City a pedestrian was killed and a bicyclist badly injured when a Fifth Avenue transit bus went out of control and careened wildly for several blocks after the driver had an epileptic seizure at the wheel.

While Bedell's physical handicaps have barely been reported, the news media has seized upon the results of a drug test administered immediately after the crash, which indicated he may have used marijuana some time in the last month. The fact that he lost two previous driving jobs after failing drug tests in the last decade has also been widely reported. Even though Bedell remains hospitalized in critical condition and has been unable to defend himself, and NTSB investigators confirmed that they had no idea whether Bedell's physical condition had anything to do with the crash, the media has presented Bedell's alleged "drug problem" as the explanation for the disaster.

This has conveniently allowed bus industry spokesmen to deflect scrutiny of their operations and to shift attention to so-called bad drivers. Stephen Sprague, chief operating officer of the United Motor Coach Association, which represents 800 bus companies, called for a national database to help keep dangerous drivers off the road. "There is a small core of drivers who are not very responsible and can move easily to another employer and find their way to the road," Sprague said. "Once the information is more accessible, we believe some of those who should not be driving commercial

vehicles will leave the profession.”

Victor Parra, the motor coach association's chief executive officer, complained that the bulk of state and federal money was being used to carry out roadside safety inspections of buses and trucks instead of monitoring drivers. “Human error,” he claimed, was responsible for 95 percent of all commercial vehicle accidents.

These remarks are self-serving, particularly since they ignore the poor working conditions that many drivers are subjected to, including long hours, management pressure to meet scheduling demands, and less than safe equipment. The news media has all but ignored these issues. Moreover, no one has raised a word about the economic pressures that force workers like Bedell to continue to work despite serious health problems, because of the impossibility of living on the meager disability benefits from the government.

Despite the complaints by the bus company executives, government regulation of transportation is far from stringent. The NTSB has acknowledged that accident reporting is so haphazard and inaccurate that there is no way to gauge just how safe America's buses are.

Across the country, there are up to 4,000 motor coach companies. The industry has expanded by 5 to 7 percent over the past six years, mainly because of the spread of casinos, a top destination for buses. Similar to the airline and trucking industries which were deregulated in the 1970s and '80s, the charter and tour bus business has seen a proliferation of hundreds of new companies, including fly-by-night operations that lack the resources to maintain safe equipment and properly train employees, and go in and out of business. Custom Bus Charters was the newest bus operator in the New Orleans area.

For the most part, these companies are nonunion operations where workers lack the slightest protection against work overloads and long, irregular hours, two factors that contribute to fatigue and accidents. According to a spokesman from the Amalgamated Transit Union in New Orleans, representing city transit workers, charter bus companies in Louisiana pay between \$6 and \$10 an hour. In comparison, city bus drivers earn \$14.25 an hour and Greyhound drivers are paid even more.

There are indications that Custom Bus Charters management was aware of Bedell's medical condition. Last August a physician sent a note to the company informing them that Bedell suffered from congestive heart failure, a condition that would automatically disqualify him from continuing to drive. Nevertheless the doctor—it is not known whether he was a company doctor or not—returned Bedell to work. Given the shortage of drivers willing to work for low wages, it is likely that management considered Bedell, a worker with nearly 20 years driving experience and a

Commercial Drivers License, too good a bargain to give up.

If this were an isolated case it might be written off as a problem of a “bad” driver, or even a single, negligent employer. But fatalities and injuries on buses, which have long been considered a safer form of transportation than cars and planes, is on the rise. Just four days after the Louisiana accident a tour bus returning to San Francisco from Yosemite National Park ran off the highway and plunged into a ravine, injuring 27 of the 30 people on board.

After studying two earlier fatal charter bus accidents—one in Indiana in 1995, the other in Virginia in 1997—NTSB safety inspectors last February made a series of proposals to the US Department of Transportation. These included a process making it easier to shut down a bus company for repeated safety violations. The NTSB also found that the most dangerous aspect of a crash is passenger ejection. In the past the NTSB has recommended that federal regulators make seat belts on tour buses mandatory.

Bus companies have strenuously opposed seat belts because they would have to refit buses with stronger—and more expensive—seats and floors. Bob Francis, NTSB vice chairman and leader of the investigation into the Louisiana crash, said government regulators have not forced bus companies to install seat belts on the grounds that it would be too expensive in the fiercely competitive tour bus industry. Federal regulators, he admitted, first subject all NTSB recommendations to a cost-benefit analysis.

There is one other factor that has not been mentioned in the press, and that is the culpability of the casino industry. Casinos establish joint ventures with bus companies to ship as many as people as possible into their gaming rooms, with little or no concern about safety. They particularly target the elderly who generally lack other forms of recreation and stimulation, because what little savings they have are a lucrative source of profit. While it follows logically that the elderly require even greater safety precautions than other passengers, neither the bus companies nor the casinos are willing to pay the cost.



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