



U.S. Department
of Transportation

Federal Motor Carrier
Safety Administration

1200 New Jersey Avenue, SE
Washington, DC 20590

SEP 16 2008

Refer to: MC-ECP

Dear Over-the-Road Bus Company:

The Federal Motor Carrier Safety Administration (FMCSA), an agency within the U.S. Department of Transportation (DOT), is contacting your company at this time to inform you about the enactment of a new law that has regulatory implications for your transportation operation. On July 30, 2008, the Over-the-Road Bus Transportation Accessibility Act of 2007 (the Act) became law. Under the Act, FMCSA may consider compliance with DOT's Americans with Disabilities Act (ADA) regulations concerning accessible over-the-road bus transportation (contained in 49 CFR part 37, subpart H) in determining whether an applicant for new interstate operating authority is willing and able to provide the proposed transportation service. Section V of the OP-1(P) Application for Motor Passenger Authority contains a Compliance Certification where an applicant must certify that it is willing and able to comply with all pertinent statutory and regulatory requirements. These requirements include the DOT ADA regulations mentioned above.

In addition to incorporating ADA compliance into the decision to grant new operating authority, the Act also authorizes FMCSA to revoke existing operating authority based on willful noncompliance with 49 CFR part 37, subpart H. Therefore, if your company is found to have willfully violated such regulations, its interstate operating authority could be revoked. Consequently, you should review the ADA regulations to ensure that your company is able to comply with them. The applicability of various regulatory requirements depends on your company's size (which is determined by gross annual transportation revenue) and the type of bus service provided (fixed route, demand responsive, or mixed). To help you understand the specific requirements applicable to your company, FMCSA has included information on its website at <http://www.fmcsa.dot.gov/rules-regulations/bus/company/ada-guidelines.htm>.

We urge your company to take all necessary actions to comply with DOT's ADA regulations. If you have any questions regarding your responsibilities, you may contact Peter Chandler at 202-366-5763, Jonathan Weiner at 202-366-0627, or e-mail them at mc-ecp@dot.gov.

Sincerely yours,

William A. Quade
Associate Administrator for
Enforcement and Program Delivery