



ABOUT CHARTERING A BUS . . .

The Michigan Department of Transportation (MDOT) wants to make sure your group, club, or organization rides in safety and comfort during your next charter bus trip or tour in Michigan.

Bus travel remains the safest mode of transportation. In addition to safety, charter bus travel can offer senior citizens, scout troops, fraternal clubs, and other groups the opportunity to travel together, to relax and enjoy the trip regardless of weather or traffic conditions, and to save gasoline.

The MDOT Passenger Transportation Division is responsible for the safety and economic regulation of all for-hire buses in Michigan. MDOT-regulated buses are required to comply with stringent safety rules. To make sure they do, Passenger Transportation Division inspectors continually conduct safety checks at company garages to protect the health, welfare, and safety of the Michigan traveling public. Random and occasional, unannounced safety checks are conducted at major tourism areas throughout the state. These types of inspections are endorsed by the National Tour Association and the American Bus Owners Association because they tend not to interrupt the passengers travel itinerary.

But accidents do happen. And buses owned by individuals or organizations tend to be the most hazardous. These buses are more attractive to charter and tour groups on a strict budget since they usually cost less to rent. But these buses lack the safety checks required of MDOT-regulated buses. Drivers of these buses may not be as skilled and experienced as commercial bus drivers. Most important, the operators of these buses in most cases do not carry adequate liability insurance to cover your group in the event of a serious mishap.

So the next time your group is shopping around for a charter or tour bus service, match the bus company with the following information to get the most from your trip and the most for your dollar.

If you are uncertain about the quality of your bus service, or have questions or complaints regarding service or safety, we want to hear about it.

Call the Passenger Transportation Division, Regulatory Unit, at (517) 335-2565 or 335-2574. We want to help your group return home with nothing more than pleasant memories of a pleasant journey.

WHAT YOU SHOULD KNOW BEFORE YOU CHARTER A BUS

The State of Michigan, MDOT, issues "certificates of authority to operate" to bus owners who wish to offer charter bus service. To get a charter bus service certificate, a bus owner must provide proof of liability insurance. Also, all buses are subjected to and must pass a safety inspection, annually. It does not matter who owns the bus, whether the bus owner is a church, individual, organization, or company, if charter bus service is offered to the general public for hire (remuneration of any kind), a certificate from MDOT is required.

There are many bus owners who do not have authority to offer charter bus service. Usually, the reason they do not get authority is because they don't have adequate liability insurance and do not wish to incur the cost, and/or the bus will not pass a safety inspection. To operate a bus for hire upon the streets and highways of the state without a certificate from MDOT or without proper liability insurance is against the law, a misdemeanor, and punishable by a fine and imprisonment.

Be sure that the bus owner has liability insurance plus Michigan no-fault and has authority to offer charter bus service. Many individuals, churches, organizations, and companies are illegally offering charter bus services without authority and without proper insurance. Some of these illegal unlicensed bus owners even advertise in the newspapers and the Yellow Pages, so beware!

Do not hesitate to call MDOT to find out if the bus you want is insured and authorized for charter service.

SOME OTHER HELPFUL INFORMATION

What about church buses?

Many churches own buses. Churches do not need a charter service certificate if they carry only their own members or if the passengers ride the bus free. However, if the church requires a donation for use of the bus, and if the passengers are not members, then the church is using their bus for charter service and must get the license.

Therefore, unless the church is letting you use the bus free, or unless all of the passengers are members of the church, you should call MDOT to see if the church has a certificate and liability insurance for their bus. Many churches illegally offer their buses for charter service.

What about private buses?

Many individuals own buses and illegally offer them for charter service. These people will tell you that it is a "private bus," and that they don't need a certificate. That is not true. If they charge you any money to ride the bus, then they are using the bus for charter service and must get a certificate. Again, the reason that these people do not get a certificate of authority is generally because they don't have liability insurance, and/or because the bus won't pass a safety inspection. You can find out if the bus owner has liability insurance and a certificate by calling MDOT.

What about bus rental?

If you drive the bus yourself, it is called a rental instead of a charter. If the bus owner does not provide the driver, then it is not considered a charter. Bus rentals are not regulated by MDOT. Since rental buses are exempt from regulation, the buses are not safety inspected. Rental buses are not required to have sufficient liability insurance.

How to protect yourself:

- 1. Always get a contract from the bus owner. The contract may be called a "Trip Billing," or a "Charter Order." The contract should specify the date, number of passengers, itinerary, and total charge for the trip. Every movement of the bus should be listed. The name of the bus owner and the name of your organization must be on the contract. If you don't get a contract, something is definitely wrong. Maybe the bus owner is going to "jack-up" the price later, or not going to perform all of the service. Bus owners without authority to offer charter service usually will not give you anything in writing.*
- 2. Always pay for the bus in advance and get a receipt. That way the bus owner is legally obligated to perform the service. If the bus doesn't show up, then you have legal recourse against the bus owner. But if you didn't pay in advance, then the bus owner has no legal obligation to perform the services and the chances of being "stood up" are much greater. Beware of bus owners who accept only cash. Bus owners without a certificate to offer charter service usually will require cash when they pick you up so that they don't have to give you anything in writing.*

How to spot an illegal charter bus:

Buses are required to have the name of the owner on both sides of the bus. If there is no name on the bus, then the bus owner probably does not have a certificate to offer charter service. Properly authorized buses have MDOT decals located on the drivers side window and are dated to indicate their expiration date.

What to do to report an illegal bus owner:

Help MDOT get the illegal and uninsured buses off the road! If you suspect that a bus owner is offering charter service without having a certificate of authority to operate, notify MDOT. Call (517) 335-2565 or 335-2574 or fax to 517-241-0127 to report a suspected violator. Remember, there are many churches, individuals, and companies that are offering buses for charter service without a certificate and without insurance.

A CHECKLIST FOR SAFETY AND COMFORT

1. Take Your Business to a Reputable Company

Never charter a bus from someone that does not have a certificate to offer charter bus service! It is easy to find out if they have this authority. All you have to do is call the MDOT Passenger Transportation Division. The direct telephone number is (517) 335-2574, 8am-4pm M-F.

A reputable bus company will stand behind its equipment, drivers, and advertised services. The MDOT Passenger Transportation Division can help your group find the company best suited to your transportation needs and provide you with the names of authorized companies in your area.

2. Put Safety Above Economy

Though an underinsured or unauthorized bus rental from a bus owner may be less costly, it is also the most risky. Many privately owned unauthorized bus owners do not undergo the periodic safety inspections of MDOT-regulated buses, may not carry insurance for passengers, nor require qualified persons to operate the buses. Most serious to the safety of your group is the driver of an unauthorized bus that does not limit the number of hours that are driven on a trip which is also a violation of state and federal laws.

3. Be Wary of Bargains

Bus companies able to offer drastically reduced rates to charter or tour groups may be forced to cut corners on bus maintenance work, safety compliance, or comfort features. An abnormally low price may mean that the bus owner does not have proper insurance coverage or is unlicensed.

4. Consider the Needs of Your Group

The size of your group and the distance to be traveled should be considered along with your group's budget when selecting a charter bus service. An economy bus may be more suitable than a deluxe highway coach for short trips.

5. Make Sure You Put Your Agreement in Writing

Make sure you have documented in writing the services to be provided by the bus company as well as the cost of the trip. Will passengers and belongings be insured? What happens if the bus breaks down along the highway? What special comfort features will you get for your money, such as air conditioning or video systems?

6. **Report Possible Mechanical Vehicle Safety Violations to MDOT**

Report possible mechanical vehicle safety violations to MDOT. Did the vehicle have a major mechanical problem? Were the emergency exits clearly labeled for easy use? MDOT wants to know. Call 517-335-2574, or e-mail MDOT-BusLimo@michigan.gov to file a report. All reports are confidential.

7. **Report Complaints to the Company First**

Should the passenger not receive satisfactory action from the company, complaints may be filed with the Attorney General, Consumer Complaint and Protection Division at (517) 373-1140.

8. **Be a Good Passenger**

Respect the company's property, the needs of the driver, and all safety regulations for the protection and comfort of all on board. Your group should understand in advance of your trip what rules must be followed regarding safety and the limitations on smoking privileges, the use of food and beverages, and video use requirements.