
From: FAB Events [mailto:fabeventsinc@yahoo.com]

Sent: Thursday, May 17, 2007 2:42 AM

To: Simpson, James <FTA>; Little, Sherry <FTA>; Horner, David <OST>; Lasley, Linda <FTA>

Cc: dtormohlen@ascendmedia.com; hkirkwood@ascendmedia.com; rob.carey@nielsen.com; valonzo@successfulmeetings.com; rkatz@meetingnews.com; news@iaee.com; info@publicshows.com; ifma@ifma.org; executive@ifma.org; lmcclroy@uamail.albany.edu; info@artspresenters.org; president@pcma.org; administration@pcma.org

Subject: Federal Register Docket # 22657 - Proposed rules prohibiting Event Organizers from obtaining Transit Coaches for Event Shuttle Operations from Transit Agencies with Multiple Door or Low Floor, ADA compliant equipment.

Dear Mr. Simpson,

I am sending you this e-mail in regard to the following docket published in the Federal Register and posted upon this website:

<http://a257.g.akamaitech.net/7/257/2422/01jan20071800/edocket.access.gpo.gov/2007/E7-2715.htm>

After reviewing this proposed rule change regarding the ability of Convention, Sporting, Exposition Concert or Festival event managers to obtain transportation from local transit agencies, I feel that I must completely protest the proposed rules of your agency as being completely damaging to the operation of our business.

It is completely unbelievable that your department would allow a group of special interest organizations to be grouped into an advisory committee that affects the operation of our venues, events and businesses overall; without even considering what the effects that these misguided actions will have nationwide to our industry.

We as event facilities, organizers and promoters operating here in The United States of America, should be the ones whom have the Freedom of Choice to spend OUR operational budgets as WE see fit for the successful operation of OUR events and our businesses.

If we so choose to contact a transit agency that has the capacity, equipment and ability to move our event attendees between event venues or from transit facilities to event venues, then that should be OUR choice. We should not be restricted or have oppressive time restraints that are solely geared for the benefit of the charter bus industry imposed upon us to cause difficulty and added expense in the operation of our business or to disadvantage and inconvenience our event attendees.

If I as an event promoter, wish to contact a transit agency in any locale that I choose to conduct an event at, to secure either a sufficient quantity of coaches or multiple door and/or low floor ADA compliant equipment, then that is my choice to do so. I should not be forced to obtain services from private charter operators who do not have the proper coach equipment, to spend more money for single door highway coaches, with high floors that take longer to load and unload, that are not geared for city street/shuttle

operations, thereby forcing me to obtain more equipment for frequency of service; and then be forced to pay for another wheelchair lift equipped vehicle (or multiple vehicles) to be in compliance with the Americans With Disabilities Act or risk violation of this law and a potential lawsuit.

If a charter operator can meet these requirements, with enough equipment for MY event operations needs in EVERY area of our country, and provide these services at the same hourly rate as the transit operator who has such equipment can in said locale, then these proposed rules would not be an issue. HOWEVER, in the majority of this country with the possible exclusion of certain major metropolitan areas, this is simply NOT the case as these charter operators CHOOSE to not obtain Transit Coach Equipment.

This has been explained to me by charter operators as not being cost effective for them due to the limited use of Transit equipment in comparison to highway coaches, the cost of maintenance and insurance for the coaches and their desire to force event promoters to have to use more coaches to do the same job resulting in higher profits for the charter operator at the expense of event promoter.

THEREFORE, I on behalf of every event promoter of any type in this country must object to these proposed rules as written because they are completely damaging to our business and will be forced to challenge them in federal court if your agency chooses to implement such burdensome and oppressive regulations upon the operation of our business and file a claim for damages thereof.

IT IS MY HOPE, that such will not be necessary as exceptions to the charter rules that you propose to implement here should be enough to remedy this situation.

The necessary modifications that must be made are:

1. If a charter operator within a 30 minute drive of the event venue does not have the required or sufficient equipment to meet the event promoters needs, then the charter rules DO NOT APPLY.
2. No time limit restrictions should be applied to any charter rules as this would or could cause and undue financial hardship upon event promoters in obtaining affordable transportation for event attendees.
3. If the purpose of the event transportation is to move event attendees from transit facilities to the event venue or as a shuttle operation at the venue, on the venue grounds, or for the purpose of private vehicle trip reduction, then the charter rules must not apply.

The charter industry has the right to protect their business, yet not at the financial or damage expense to our event operations or our event attendees. It is my sincere hope that it does not become necessary to be forced into dealing with this matter through the courts and that your proposed rule changes will be beneficial for all parties involved.

Sincerely,

Christopher Ragen
FAB Events

From: Martineau, Elizabeth <FTA>
Sent: Monday, July 02, 2007 3:56 PM
To: 'fabeventsinc@yahoo.com'
Cc: Martineau, Elizabeth <FTA>; Biehl, Scott <FTA>; Miller, Kerry <FTA>; Graves, Bonnie <FTA>
Subject: Charter Service Notice of Proposed Rulemaking

Dear Mr. Ragen:

Thank you for your e-mail of May 17, 2007, regarding your views of FTA's Charter Service Notice of Proposed Rulemaking (NPRM) published in the Federal Register on February 15, 2007.

The sixty-day comment period closed on April 16, 2007. While your comment arrived after the close of the comment period, we do consider late-filed comments to the extent practicable, and we will consider your comments as we draft the Final Rule.

I want to assure you that FTA reviews and considers every comment that is submitted to our rulemaking dockets. Because this is an open rulemaking, we are unable to respond directly to your comments at this time. We have posted your e-mail and our response to the docket.

Sincerely,

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