BOARD MINUTES
ABA Marketplace Board Meeting
January 26-27, 2018
Charlotte, NC

Members in Attendance

D. Anderson           T. Fischer           J. Percy, Jr.
C. Anzuoni            A. Glickman           P. Raygorodskaya
E. Berardi, Jr.       S. Haddad           K. Sanders
B. Blankenship        D. Johnson           C. Shepler
B. Blunt              J. Jalbert           M. Shepler
H. Blunt              T. JeBran           I. Smart
L. Burtwistle         S. Lee               A. Spence
M. Butts              C. Lentzsch          L. Spruill
B. Cole               J. Meier             F. Tedesco
J. Conway             J. Miller            B. Torres
D. DeVivo             R. Moore             F. Tremblay
W. Dickinson          TJ Morgan            S. Woelfel
D. Eaton              C. Morris            C. Young, Jr.
R. Eyre               D. Moser
E. Fickett            P. Pantuso
A. Fiorini            S. Parr-Brooks

Members Not in Attendance

H. Blunt               F. Henry           P. Picknelly
M. Colborne           S. Henry
D. Cornell            G. Mackay

Guests & Speakers

A. Berardi            J. Deman           R. Russell
R. Bast               M. Gilbert          T. Shalit
G. Berg               J. Mikrut          R. Singh
P. Borowski           R. Nicklin
R. Cornell
D. Ramoudt

Staff

E. Braendel           A. Newhart           R. Schweitzer
L. Brewer             P. Pantuso           B. Tucker
S. Coppe              S. Rohde
Opening Remarks

ABA General Counsel Rick Schweitzer reminded the attendees that the meeting would be conducted under the ABA antitrust guidelines and reviewed the prohibited topics therein.

ABA Chairman John Meier welcomed the board and its newest members to Charlotte, NC and recognized guests in attendance.

The last meeting in Belgium was productive, and it was great to see BusWorld along with all the technology, suppliers and buses. The meeting could not have happened without sponsors ABC/Van Hool and MCI and TEMSA. This was one of the lowest cost meetings ever.

The Board discussed ABA strategic plan and approved the plan in Belgium. One question that came out of the plan was that a large amount of our revenue from Marketplace rather than dues. Peter, Don and John held call with other members of the Board and Executive Committee to discuss this issue and it is the beginning of a conversation that will be continued. We need to continue doing a good job of running a successful Marketplace while also remaining focused on membership and government affairs.

There have been several discussions between ABA and UMA about working together and specifically ABA leadership met with UMA leadership to discuss policy issues last July and found both associations have more in common than not. A joint fly-in has been proposed, which would be held on April 10 and 11. While the prospect was positively received, the final decision is awaiting confirmation.

Welcome to Charlotte

Visit Charlotte Director Mike Butts welcomed ABA to Charlotte for a third time. Butts presented Marketplace Chairman Terry Fischer with a special award from Visit Charlotte for his work on making this event a success.

2018 Marketplace Update

Marketplace Chairman Terry Fischer provided the Marketplace Update.

- Registration numbers are record breaking this year. 934 operators, over 2,000 travel and tour and 300 associate members are registered for Marketplace.
- There are 17 coaches on the Marketplace floor, the most ever at Marketplace.
• IMG is meeting at the same time for their annual Maintenance and Safety Meeting.
• There has been significant buzz around the meeting. Many competitor shows are in a vulnerable position, but the ABA show is strong.
• The opening event will be held at the NASCAR Hall of Fame.
• The ABA Gives Back and charity for 2018 is the Isabella Santos Foundation. The Foundation is raising funds to build a special treatment center in Charlotte and hopes to raise money to build a similar center in other cities.

Approval of the Previous Meeting Minutes

A motion was passed to approve the minutes from the October 23, 2017 ABA Fall Board Meeting in Antwerp Belgium.

President’s Report

ABA President & CEO Peter Pantuso covered the following subjects during his report:

• ABA is at full capacity and stable. Several new staff members were included throughout 2017, including Seth Coppe and Zoe Deloglos with Executive Office, Izza Qureshi with Membership and Meeting Services and Brad Tucker with Government Affairs and Policy Department.

• ABA saw an $84,000 net profit in 2017. Several projects were not budgeted for, including the strategic planning project, the new member database Impexium as well as the transition to a new publisher.

• Marketplace locations have been secured for the new few years. Louisville in 2019, Omaha in 2020, Baltimore in 2021, Grapevine in 2022 and Downtown Nashville in 2024. There is currently a vacancy in 2023, but this location should be confirmed soon.

• ABA Membership up 350 new members, with a retention rate of 90% in every category. The new member focus is two-fold: (1) look at natural joiners who are members of other associations and (2) look at natural leaderships, groups and companies that people in the industry want to do business with and work together. There is a strong push for new members, with ABA staff at meetings and events each week.

• Government Affairs and Policy - The Trump Administration has been good to the commercial vehicle industry with the roll-back of many planned or enacted
regulations of the Obama Administration. The recent tax reform legislation signed into law has had a big impact on the industry, especially smaller companies. ABA is working with K&L Gates on appropriations, notably to increase financing for security grants. Changes to the Lease and Interchange regulation will be coming soon according to FMCSS sources, which are said to be favorable to ABA’s position. Tolling and HOV is still an issue, but the GAP team has been meeting with FHWA to discuss. ABA has been working on multiple local issues, including the Party Bus Ordinance in Chicago, San Francisco Airport bus access and bus safety after the Dahlia accident in New York City.

- ABA still maintains seats on several advisory committees in Washington.
- The Fly-In is scheduled this Spring and will be in conjunction with United Motorcoach Association.
- Communications – There have been issues with ABA’s old publisher, but the association is very happy with the new publishers. ABA’s social media followers are up across the board and communications continues to reach internal and external parties. ABA supported 13 companies with crisis communications in 2017.
- Foundation continues to do very well. The 2016 Motorcoach Census has been released and the 2017 will be released this summer. ABA plans to shorten the window of time between the release dates in the coming years. The group conducting the Census is working with the four manufacturers on data collection and is focused on sales in specific regions and states. Research projects are being discussed with Government Affairs. This will be the second year in a row that 100% of money raised at Foundation auctions and events will go towards scholarships.
- ABA continues its relationship with several outside groups, including Florida Motorcoach Association and Skál International USA.
- ABA’s Councils are strong and will be meeting during Marketplace. Hispanic Motorcoach Council and Entertainer Motorcoach Council will also be holding meetings in April in Miami and Nashville, respectively. As discussed at the Fall Board Meeting, ABA will be launching two new councils: The Asian Motorcoach Council and the School Bus Council. Both councils will hold planning meetings during Marketplace.
- ABA’s Executive Office continues other partnerships, and will be holding the Passenger Vehicle Summit, co-sponsored by the Passenger Vessel Association, in February.
Counsel’s Report

General Counsel Rick Schweitzer provided an update.

- Tolling Equity – ABA has been working with FWHA to receive information on which federally-funded tolling entities (highways, bridges and other facilities) have special deals with state and locally operated buses. Under the FAST Act, private buses should receive the same toll terms and conditions. ABA received a list of facilities affected, but it does not state what these entities pay. Comments were filed and now the Association is waiting for final works on tolls and fees for state and local operators.

- New York Thruway Litigation – the initial suit for this case was filed by the American Trucking Associations related to diversion of a portion of toll revenue to New York Canal System. The Counsel working on this case for ATA approached ABA since the suit did not include buses. ABA filed suit, and New York state argued that there was a special deal in the 1991 highway legislation that carved out an exception allowing diversion of funds. The judge threw out both cases, which are now in appeals court. A final decision should come in several months.

- Chicago Party Bus Ordinance – The city of Chicago has an ordinance for additional requirements for charter buses that serve alcohol. These requirements include: security guards, cameras and permitting requirements. These specific requirements may be preemptable under federal law.

- Airport Access in San Francisco – ABA sent letters to San Francisco Airport due to the airport requiring annual bus inspections, along with decals and fees. This is subject to preemption by FMCSA.

- ABA intends to meet with FMCSA to discuss San Francisco, the Chicago ordinance as well as the New York Article 19-A petition.

Mr. Schweitzer also proposed an antidiscrimination and anti-harassment policy for ABA adoption:

A motion was passed to adopt the anti-discrimination and anti-harassment policy, amending the term “obligated” to “encouraged”, and adding the term “sexual orientation” to the policy.

Guest Speakers – Betterez and JetBlue Technologies

ABA Chairman John Meier introduced Tal Shalit with Betterez and Raj Singh of JetBlue Technology Ventures to discuss partnerships between airlines and buses.
**Governance Committee Report**

Governance Committee Chairman Tom JeBran provided the Governance Committee report.

The Board of Directors approved the selection for new Board members and the Executive Committee during the Fall Board Meeting in Belgium.

There was one open at-large seat on the Executive Committee. The Governance Committee took a vote to fill this position with Steve Woelfel of Jefferson Lines for a three-year term.

*A motion was passed to include Steve Woelfel of Jefferson Lines as the At-Large Member of the ABA Executive Committee. The final vote will be held by full ABA membership during the ABA Annual Meeting at Marketplace.*

Mr. JeBran recognized departing Board Member Elaine Fickett for her many years of service and dedication to the ABA Board of Directors.

**Guest Speaker – Capitol Tax Partners**

Mr. Pantuso introduced Joe Mikrut of Capitol Tax Partners to provide an update on tax reform.

**BusPAC Committee Report**

ABA Vice President of Government Affairs and Policy Suzanne Rohde delivered the BusPAC report.

- 2017 was not as strong as 2016 in terms of fundraising and expenses, but this was an off-election year.
- 2018 will be a very important year as it is the first mid-term election year for the Trump Administration.
- BusPAC still maintains a fundraising goal of $100,000. ABA participated in 46 events that were held throughout 2017, and ABA was invited to many other political events.
- 78% of ABA’s Board contributed to BusPAC in 2017, and 5% were not permitted. This was a stronger support than last year. 20% of funds from Board members were either new or an increase from last year. There were 12 new contributions and the overall contribution increase was $800.
- ABA staff continue to regularly contribute to BusPAC.
• The initiative for the new BusPAC Administrative Fund continues, which was established to handle administrative costs of the PAC. These funds will not be used for political campaigns but things like PAC software and to enhance BusPAC events and receptions. There will be no forms, no citizenship requirements, no corporate restrictions, and it can be written off as business expense.

• BusPAC is sponsoring the 2018 Annual Meeting at Marketplace.

• Moving forward, BusPAC will continue more solicitations and will make a direct focus on support throughout Marketplace.

• BusPAC is considered mid-size in relation to other Association. The PAC provides ABA will the stature and respect it needs and keeping fundraising numbers up and health expands that stature.

**Environmental Committee Report**

TJ Morgan delivered the Environmental Committee report.

The ABA Environmental Committee held a conference call on January 12 and selected three winters for the Green Spirit Award.

- Large Operator: Badger Bus
- Small Operator: Premier Transportation
- Special Recognition: Idaho National Laboratory

Mr. Morgan also discussed plans for the Committee to adopt a more aggressive marketing campaign for future awards and will continue working with David Kestenbaum at the University of Vermont.

**Finance and Budget Report**

ABA CFO Eric Braendel provided a financial report.

The 2017 audit began January 8 and completed field work on January 23. An audit committee conference call is scheduled for the first week of April.

Revenue, excluding investment income, totaled $6,007,000 through 11 months ending November 30, 2017, up $48,000 from $5,959,000 through the same period in 2016.

Expenses through the 11 months of 2017 were $5,743,000, an increase of $66,000 compared to $5,677,000 in 2016. The year to year increase in expenses is due to higher costs at Marketplace in Cleveland for food, decorating and audio visual. In addition, Board of Directors’ expenses are higher than in the previous year due to a strategic planning meeting that was held in June. Finally, Membership Services expenses are higher than the prior year due to the investment and
ongoing subscription costs related to the new Association Management System. Net income before investment income, or excess of revenues over expenses, through the 11 months of 2017, is $264,000, or 6.5%, lower than the same period in 2016.

Current assets at November 30, 2017, consisting of cash, accounts receivable, prepaid expenses and investments total $7,311,000 compared to $6,852,000 last year at this time. In April 2017, prior to the Spring Board Meeting, ABA transferred $100,000 from its operating account to the reserve account at BNY Mellon per the decision to build up the investment reserves. This is the 6th consecutive year ABA has contributed $100,000 to the reserve fund in its effort to replenish the funds used to purchase its office condominium. ABA currently plans on contributing an additional $100,000 in April 2018, prior to the 2018 spring meeting.

**Strategic Safety Committee Report**

Alan Glickman delivered the Strategic Safety Committee report. Items covered include:

- The BISC winter meeting will be held in conjunction with the ABA Annual Meeting and Marketplace. BISC will also be co-locating with IMG. The current RSVP list is 230 attendees, which is a new record.
- FMCSA will hold a listening workshop after the BISC meeting.
- A TSA security workshop will also be held after the BISC meeting.
- BISC summer session will be held in Baltimore, Maryland.

**Time & Place Committee Report**

Gene Berardi provided the Time & Place Committee Report.

- 2018 Board Meetings
  - Spring Meeting and Fly-In – May 2-4 in Washington, DC
  - Fall Meeting – September 23-25 in Sonoma, CA
- 2019 ABA Annual Meeting & Marketplace – Louisville, KY
- 2020 ABA Annual Meeting and Marketplace – Omaha, NE
- 2021 ABA Annual Meeting and Marketplace – Baltimore, MD
- 2019 Board Meetings
  - Winter – Louisville, KY
  - Spring –Washington, DC
  - Fall –Palm Beach, FL
- BISC Summer Meeting – June 26-27 in Baltimore, MD
ABA Vice President of Government Affairs and Policy Suzanne Rohde provided an overview of 2017 government affairs activities and an outlook on prospective 2018 activities.

- Lease and Interchange – rule on book with FMCSA but able to get language in house and senate appropriations bill reports. Critical on keeping pressure on DOT. Spoke to appropriators since issue is not solved. Prepared to help ABA once again.
- Intercity Security Bus Grant – particularly touch challenge with no funding. Working with K&L gates on lobbying efforts. At least 2million identified under Senate appropriation. No money secured in House bill yet.
- Tax Reform – The legislation did not include any changes to transportation tax.
- ABA held a successful fly-in in the Spring of 2017.
- ABA continues to expand and build coalitions with other important partner groups.
- ABA has held successful meetings with Administration officials, including the TSA Administrator and DOT officials. The discussions with these officials have been related to regulatory reform and issues with transit competition.
- ABA submitted 27 comment filings on regulatory matters, compared to 20 comments in 2016.
- A brief shutdown occurred in January. The government will run out of funding on February 8.
- Looking ahead ABA is very interested in the FAA Reauthorization Bill, which was delayed for a vote until March 2018. This is important for ABA for advocating for airport access.
- ABA saw a state and local issues focus in the Fall of 2017, including Chicago party bus ordinance and San Francisco airport access.
- Infrastructure is a hot topic in Washington. The current discussion is that the legislation will rely on federal funding along with state funding as well as public-private partnerships, which is a challenging proposition. There is also discussion of the bill being a package for just infrastructure projects, but this is not the intent of the Administration.
- The 2018 mid-terms elections will be very important this year. Republicans currently have full control of the United States Government. There has been a long list of retirements, specifically in the U.S. House of Representatives, which could potentially give the Democrats a good chance of flipping party control in the House.
- Federal agency nominations have been held up, which is causing many issues that are of interest to ABA to be held up. The National Labor Relations Board is making some key flip decision, which is important to those paying attention to labor issues. A Republican has been nominated to a Democratic seat at the National Transportation Security Board, which is causing some partisan hold-up on confirmation. Homeland Security has a new Secretary, Kirstjen Nielsen, after John Kelly transitioned to White House Chief of Staff.
Several key positions are still on hold at the Department of Transportation. The Federal Motor Coach Security Administration Administrator nominee is caught up in a partisan issue related to the Gateway Project in New York and New Jersey. FMCSA also lost their Chief Counsel, and the lack of leadership could potentially cause more issues for ABA. The Federal Highways Administrator nominee stepped down and no replacement has been named.

- ELDs and Personal Conveyance rules continue to be of importance for all ABA members.
- The National Park Service issued a note to raise fees to parks as well as new structure to fund changes, which is of concern as NPS did not follow the general process of going through the Federal Register.
- There has been a great focus on New York City, working closely with Bus Association of New York
- ABA is planning a Fly-In in the Spring. There will be a BusPAC reception during the Spring Board Meeting in Washington, DC. Some ABA members may be called upon to meet with key Congressional officials in the near future.

**Guest Speaker – Isabella Santos Foundation**

Representatives from the Isabella Santos Foundation addressed the ABA Board of Directors about their charity.

**Bus Industry Safety Council (BISC) Report**

BISC Chairman Al Smith provided an update on BISC.

- BISC registration and attendance is record-breaking this year.
- The meeting is held in conjunction with Marketplace and will include attendees from IMG.
- Many important sessions and speakers are planned for the meeting.
- Louis Hotard will be the 2018 recipient of the Norm Littler Award.
- MCI will be sponsoring a new award in 2019, which will be presented at a BISC meeting in 2019.
- Next meeting will be held in Baltimore in Summer 2018.

**Guest Speaker – BusWorld**

Mr. Pantuso introduced Jan Deman and Didier Ramoudt of BusWorld to provide an overview of their work.

**Guest Speaker – Rev**
Mr. Meier introduced Greg Berg with Rev Group to provide an update on the company.

**Hispanic Motorcoach Council Report**

HMC Chairman Bill Torres, provided an update on the Hispanic Motorcoach Council and discussed the Marketplace meeting and other upcoming meetings in 2018. The spring HMC meeting will be held in Miami in April and the fall HMC meeting will be held in Laredo, Texas in September or October.

**ABA Foundation Report**

Mr. Meier introduced ABA Foundation Chairman Doug Anderson for a report on the Foundation.

- There is continued focus on collecting data for the Motorcoach Census, and Anderson called for members to provide information for the census as this influential for ABA’s advocacy efforts.
- There are many research projects to be unveiled through 2018, including the motorcoach driver payment structure, review, analysis and categorization of accidents over the past decade, economic impact of driver health and wellness, economic impact of motorcoach accidents, environmental benefits of bus travel and others.
- The Foundation Marketplace auction and other events increased revenue by 34% in 2017. Every dollar raised goes directly to the scholarship program. In 2018, all three major manufacturers (MCI, ABC, Prevost) are participating the Foundation auction.
- This is the 23rd year of the Foundation providing scholarships, donating over $100,000 in scholarships each year.

Mr. Ander announced the new 2018 Foundation Board of Governors:

- Scott Henry, Martz Transportation
- Brad Henton, Country Music Hall of Fame
- John Meier, Badger Bus
- John Meyer, Las Vegas CVB
- Patti Kenner, Campus Coach Lines
- Michelle Wiltgen, National Interstate Insurance Company

**Radar Issues**

- The following issues were discussed:
- Future partnership with BusWorld. This will be an ongoing discussion on how best to leverage them as a partner.
- Elimination of overnight driving.

The Board went into closed session.

The meeting was adjourned.