

MINUTES
ABA BOARD OF DIRECTORS MEETING
January 13, 2024
Music City Convention Center
Nashville, TN

I. INTRODUCTIONS/OVERVIEW – Gene Berardi

- Board/Staff/Guests

BOARD

Doug Anderson

Gene Berardi

Jonathan Berzas

Ben Blunt

Stephanie Brooks

Cindy Brown

Luke Busskohl

Mike Canine

Bryan Cole

Terry Cordell

Roman Cornell

Chad Cushman

Donald DeVivo

Mike Dickson

Terry Fischer

Greg Gallup

Jeff Greteman

Kim Grzywacz

Elizabeth Hall

Joey Hemphill

Scott Henry

Jim Jalbert

Thomas JeBran

Dary Johnson

A.J. Kinney

Craig Lentzsch

Brent Maitland

John Meier

Jodi Merritt

John Miller

Ronald Moore

TJ Morgan

Camilla Morris

John Percy

Karen Sanders

Chris Shepler

Albert Spence

Bill Torres

François Tremblay

Bill Trimarco

Steve Woelfel

Charles Young

STAFF

Jennifer Garry

Vicki Osman

Pete Pantuso

Suzanne Rohde

Ben Rome

Rick Schweitzer (General
Counsel)

GUESTS

Evan Anderson

Ryan Bane

John Baranowski

Ron Bast

Alex Berardi

Peter Borowsky

Ryhan Cornell

Clarence Cox

Kevin Dawson

Jeremy Maul

Christa McCusker

Matthew Moore

Emily Winters

DID NOT ATTEND

Polina Raygorodskaya

Francis Tedesco

I. INTRODUCTION OF GUESTS

II. APPROVAL OF MINUTES FROM PREVIOUS BOARD MEETING (September 19-20, 2023)

- The minutes from the Fall Board of Directors meeting were unanimously approved.

III. PRESIDENT'S UPDATE – PETER PANTUSO

- Pete Pantuso reviewed the activities at the Association and of the staff over the past four months. Most notable activities included: Getting ABA closer to financial stability following COVID; Hiring new the new membership director and the new communications director; Marketplace attendance and sponsorship are meeting expected targets; More ABAF research is continuing including the conclusion of the 2022 census, and the conclusion of the modal comparison study at the Texas Transportation Institute, as well as the zero emission buses overview at TTI; The beginning of the search process; Ongoing efforts to sell or lease the ABA office.

IV. COUNSEL'S REPORT

Reminder: This meeting is run under the ABA anti-trust guidelines which means there can be no discussion of rates or pricing, division of passenger services, product lines, geography, customers, or agreements not to deal with certain entities.

- Counsel's report was provided by Rick Schweitzer and included a review of the Safety and Fitness Determination requirements at FMCSA and safety management practices as well as a discussion of the Meal and Rest Break efforts underway in California.

V. BUSPAC - SUZANNE ROHDE

- Suzanne provided an overview of BUSPAC activities, provided final contribution and disbursement numbers for 2023, requested annual solicitation forms be completed and that she is prepared to accept any 2024 contributions.

VI. FINANCE OVERVIEW – PETE PANTUSO (prepared by ERIC BRAENDEL)

- The association's revenues for the year ended 2023 were \$5,522,000 while expenses were \$5,582,000, bringing the final net to a loss of \$60,000 for the year. This is much better than the budgeted 2024 net loss of \$619,000. The reason for the positive variance is due to the higher-than-expected revenue at Marketplace which more than offset the higher-than-expected expenses, also due to costs at Marketplace. In addition, the board decided to reduce lobbying costs from what was originally budgeted. The 2024 budget calls for a net loss of \$193,000.

VII. GOVERNANCE - DON DEVIVO

- Although the Board earlier approved the newly nominated Board members and Foundation Board of Governors, Don reminded everyone of the changes and the names that will be voted on the next day by the membership. He also reminded everyone that Terry Rischer will assume the role of chairman and Mike Canine will assume the role of Vice Chair.
- The Board still has a target of 35 Board members by the end of 2025 in order to meet the bylaws requirements.

VIII. MARKETPLACE AND TIME-PLACE - VICKI OSMAN

Vicki presented an overview of the Nashville Marketplace, and the successes ABA has had in getting sponsorships for the convention. She also provided a list of upcoming Board meetings, Foundation Board of Governors' meetings and sites for future Marketplaces including Philadelphia, Reno, Calgary, and Charlotte.

There was a presentation of the ABA Gives Back Event. This year's local charity is Strings for Hope, the Executive Director provided a video and gave an overview of the program as well as the merchandise that is available on the Marketplace floor.

IX. CEO SEARCH - FIRMS, COMMITTEE, UPDATES - TERRY FISCHER

- Terry provided a brief overview of the Search Committee's discussions and schedule for the CEO search and their work with Julian Ha at Heidrick & Struggles. He noted that the Search Committee will have an in-person meeting with Julian on Monday, during Marketplace

X. COUNCIL REPORTS

- The following Council reports were provide: Elizabeth Hall – next Era Leadership Council; Bill Torres – Hispanic Motorcoach Association; Clarence Cox – African American Motorcoach Council; Christa McCusker – Women in Buses Council; Jeff Shanker – Bus Industry Safety Council; Mike McDonal – Bus Maintenance and Repair Council

XI. GOVERNMENT AFFAIRS and POLICY REPORT - SUZANNE ROHDE

- End of year wrap up on federal matters, brief federal election preview for November 2024 elections, both Congressional and Presential
- Although two bills related to CERTS Tax – with successful efforts to build support a larger tax bill needs to move for our bill to ride with it. Although a tax package is starting to come together, CERTS effort does not look good.

- Provided update on FY 2024 appropriations and possible government shutdown.
- Federal Regulatory side - seeing things come out daily and weekly from agencies since it may take a year to solidify policy initiatives that the current administration wants to have out before the election. Examples: including climate change provisions, safety and fitness rule, rest break rule, speed limiters, overtime pay thresholds for white collar workers based on salary, EPA greenhouse gasses. Filing or preparing comments on these policies initiatives.
- Focused on new BOI requirements.
- Provided update on zero-emission vehicle efforts, including activities with CARB, CARB opt-in states, and the EPA with its anticipated Phase 3 rule. Also discussed participation with Clean Freights Coalition. .
- New York Central Business District Tolling Plan – update on recommendations from Traffic Mobility Review Board and MTA’s adoption, open comment period continued efforts to ensure that buses will be exempted (the same as transit).
- Regulatory - Eight Federal and State regulatory actions filed to date with probably another eight by the end of the year. Tracking 40 Federal regulatory proceedings.
- Congressional update - facing end of the fiscal year and a potential government shutdown. Supplemental funding is held up as well.
- NPS has a new online registration system - comments have been filed and ABA is working with the NPA on future fee issues.
- Clean Air Act - 2020 Memorandum with 15-18 states signed to get zero emission vehicles for heavy duty vehicles by 2050 and 30% by 2030. California is taking the lead. Even though the best technology is not clear, there is funding to go towards battery power. The infrastructure (chargers) is not in place.

XII. ABA FOUNDATION - TOM JEHRAN

- Purpose of the Foundation - scholarships (supporting members) and research (support industry and ABA).
- The Foundation Board agreed to add 2 additional scholarships totaling \$10,000 for vocation including drivers and mechanics for the 2024/2025 scholarship season.
- All the fundraising activities in Nashville are well underway including the silent auction, the purses and accessories raffle and an event at the Hard Rock on Monday.

XIII. INTRODUCTION OF BEN ROME AND JENNIFER GARRY

- ABA's newest hires, Ben Rome, communications director, and Jennifer Garry, membership director, addressed the Board and provided an overview of their respective backgrounds and their vision for the future.

XIV. RADAR ISSUES

- None

XV. EXECUTIVE SESSION – Gene Berardi