

**Los Angeles County  
Metropolitan Transportation Authority  
Office of the Inspector General**

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**Contract Bus Operator Safety and  
Compliance Checks  
July to September 2011**

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*Most contracted bus operators performed their duties in accordance with Metro Policies and Procedures. However, we did find violations in 18% of the observations performed.*



**Metro**

**Los Angeles County  
Metropolitan Transportation Authority**

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**DATE:** January 4, 2012

**TO:** Board of Directors  
Chief Executive Officer

**FROM:** *Jack Shigetomi*  
Jack Shigetomi  
Deputy Inspector General for Audits

**SUBJECT: Report on Contract Bus Operator Safety and Compliance Checks for the  
Period July to September 2011, Report No. 12-AUD-06**

The subject report is enclosed for your review and response.

The Office of Inspector General performed undercover observations on contracted bus lines to monitor contractor performance. Metro has contracts with three bus companies to provide additional service to Metro customers on local transit lines. The three bus companies are Southland Transit, Veolia Transit, and MV Transportation. During July to September 2011, we made a total of 105 observations on contracted bus lines.

We found that most contracted bus operators performed their duties in accordance with Metro policies and rules. However, we found rule violations in 19 of the 105 observations made. Based on the results of our review, contractors needs to emphasize compliance of rules concerning:

- calling out stops,
- wheel chair securement,
- wearing seat belts,
- obeying traffic signals, and
- bus operator uniforms.

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## **INTRODUCTION**

The Office of the Inspector General (OIG) has implemented an undercover “ride along” program to monitor bus operations, as part of our mandate to uncover fraud, waste, and abuse, as well as, to assist Metro in improving the efficiency and effectiveness of operations. This program is intended to supplement any action that Metro might undertake to monitor and confirm bus operator compliance with safety and customer service policies, such as the prohibition on use of cell phones while driving, calling out stops if the automated system is not in use, and various Americans with Disability Act (ADA) compliance matters.

Metro has contracts with three bus companies (Southland Transit, Veolia Transit, and MV Transportation) to provide additional service on various local bus lines. As part of their agreement with Metro, the contractors’ bus operators are required to follow policies and procedures consistent with those followed by Metro’s bus operators. This report summarizes our observations of contract bus operators during the period July to September 2011. The OIG Audit and Investigation Units jointly performed this review.

## **OBJECTIVES AND SCOPE OF REVIEW**

The objective of our review was to determine whether contracted bus operators were complying with safety and customer service policies as well as various ADA compliance laws and regulations.

We selected 10 bus lines (3 each from Southland and Veolia, and 4 from MV) to conduct operator performance checks. These lines had a high number of customer complaints during the period of June 1, 2010 to May 31, 2011. We completed 105 observations during the period of July to September 2011.

This review was not performed in accordance with Government Auditing Standards because of the nature of the observations, which included inspections conducted by OIG investigations staff.

## **BACKGROUND**

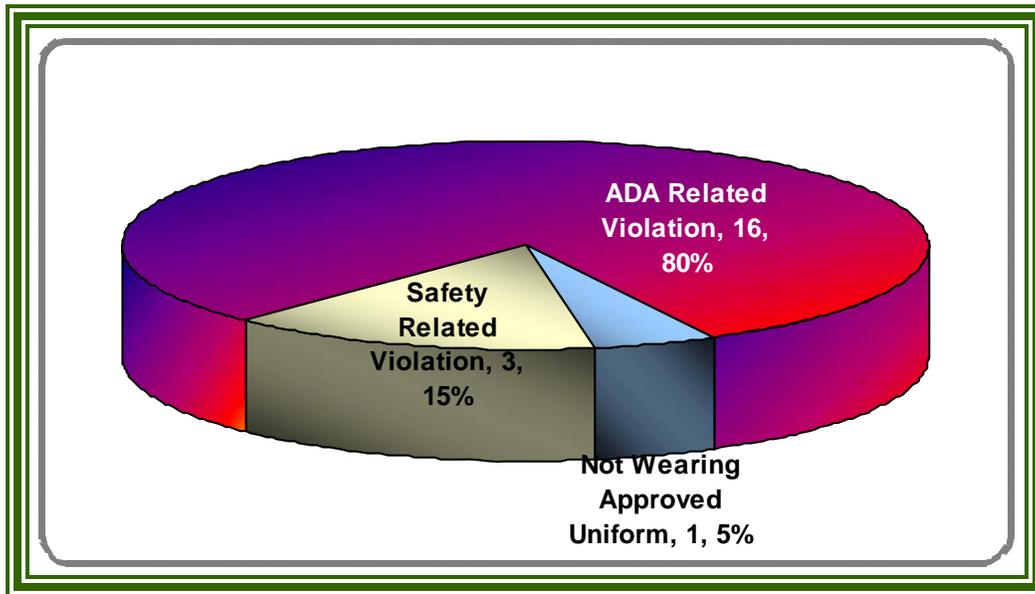
The agreements between Metro and the three contractors contain Operator Procedures and Vehicle Operation Requirements that contracted bus operators are to follow. The policies and procedures that are contained in these agreements are consistent with those followed by Metro’s bus operators and they are based on the principles of safety and customer service, and the premise that every individual who boards a bus deserves a high standard of care and

deserves to be treated with respect and dignity. The procedures cover areas such as vehicle operations, operator’s code of conduct, customer relations, and fares.

## **RESULTS OF REVIEW**

Our safety and compliance checks showed that in most instances contracted bus operators complied with Metro policies and rules. During 86 of the 105 observations, we found no violations. However, rule violations were found during 19 of the observations (see Attachment A for summary of violations observed). There were a total of 20 violations - one observation had 2 violations. Of the 20 violations observed, 16 related to ADA areas, 3 concerned safety areas, and 1 dealt with bus operator uniforms.

**Chart 1 – Violations Observed**



As indicated by the chart above, 80% of the violations related to ADA Violations, 15% related to Safety issues, and the remaining 5% of violations dealt with Bus Operator Uniforms.

### **1. Calling Out Stops**

We found that the Automatic Voice Annunciation (AVA) System was not operating on 50 of the buses we rode. When the AVA was not operating, operators called out stops on 36 buses and did not call out stops on 14 buses. Section F.3 of the Operator Procedures state: “In the event that the AVA system is not operational, operators must make announcements in a clear, distinct voice. If available, a public address (PA) system must be used. Federal

regulations (ADA) require the announcements of all transfer points, major intersections, destination points, points of interest and any stop or location upon request.”

The 50 buses where the AVA System was not operating were all assigned to MV Transportation (Division 97). According to a Contract Service – Vehicle Roster and Status Report as of October 5, 2011, total active fleet for contracted services is 160; MV Transportation operates 82 of these buses. Of the 82 buses that MV Transportation operates, 64 (78%) buses do not have full Advanced Transportation Management System (ATMS) capabilities, which include the AVA System and DVR. Currently, these buses only have the ATMS light.

Management advised us on December 14, 2011, that ATMS upgrades on MV Transportation (Division 97) buses should be completed by December 31, 2011.

## 2. Wheelchair Securement

During 16 of the 105 observations, a wheelchair patron boarded the bus. Except for one instance, the bus operator asked the patron if he/she needed help securing his/her wheelchair. Section F.2 of the Operator Procedures for contracted bus operators’ state: “Operators are required to ask customers who may appear to have special needs...if they need help with boarding, alighting, reaching the securement area or a seat, using the securement devices, etc...The offer of assistance must include, at minimum, the words, ‘Do you need help with...?’”

Nine of the sixteen wheelchair patrons declined securement. For the nine that declined to be secured, we noted only one instance where contractor’s dispatch was not notified. Section F.24 of the Operator Procedures state: “In the event a customer in a wheelchair refused to be secured, Operators may not refuse to transport the customer, however, notify Dispatch of the customer’s refusal to be secured at the time the wheelchair boarding is reported.”

Effective July 10, 2011, Metro changed its procedure regarding wheelchair securement. Operations General Notice (OPS) # 11-070 states the following:

“When boarding a customer using a wheel chair, the operator is required to:

- Rise from the Operator’s seat
- Move to the securement area
- Request that customers who may be seated in the designated wheelchair securement area move to another seat
- Lift the seat and prepare the area for wheelchair securement.

When the customer has boarded and is in the securement area, the Operator must announce in a clear, distinct voice, “***I am going to secure your wheelchair.***” If the customer indicates or clearly states that he/she does not desire assistance and/or does not wish to be secured, the

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Operator is to abide by the customer's wish. Unless the customer gives indication otherwise, the Operator is to proceed with securing the wheelchair in the prescribed manner.

If the customer is a regular rider who has previously made it known that he/she does not wish to be secured, the Operator is to continue to ask the customer each and every time they board the bus in a clear, distinct voice ***“Do you still want to ride unsecured?”*** Unless the customer gives indication otherwise, the operator is to proceed with securing the wheelchair in the prescribed manner.

If the customer refuses securement, Bus Operations Control must be notified immediately as required by rules and procedures.”

Effective October 14, 2011, Operations General Notice OPS # 11-070 was revised to address issues identified by operators and the disabled community concerning wheelchair securement. The revised Operations General Notice states:

“Requirements for rising from the seat and preparing the securement area remain the same. However, addressing the customer and offering use of the lap and shoulder belt require revision. The revisions are highlighted for implementation:

When the customer has boarded and is in the securement area, the operator must:

- Announce in a clear, distinct voice, **“With your permission,** I am going to secure your wheelchair”;
- **Wait approximately 2-3 seconds for a response;**
- If the customer indicates or clearly states that he/she does not desire assistance and/or does not wish to be secured, the operator **must permit the customer to ride unsecured;**
- Unless the customer gives indication otherwise, the Operator is to proceed with securing the wheelchair in the prescribed manner;
- **Operator is to offer the use of the lap and shoulder belt. If the customer indicates or clearly states that he/she does not desire the use of the lap and shoulder belt the operator is to abide by the customer's wishes.**

If the customer is a regular rider who has previously made it known that he/she does not wish to be secured, the Operator is to continue to ask the customer each and every time they board the bus in a clear, distinct voice ***‘Do you still want to ride unsecured?’*** Unless the customer gives indication otherwise, the operator is to proceed with securing the wheelchair **as noted in the bullets above.**”

Contract Services advised us that contract bus operators have been following the new procedure since its effective date. However, because our review period started July 1, 2011, this new procedure was not incorporated into our observations for this period. The new procedure will be incorporated into future reviews performed.

**3. Operator Not Wearing Seat Belt**

We observed two operators not wearing their seat belts while operating the bus. Using seat belts helps prevent serious injury to the operator in event of an accident or sudden stop. Section A.11 of the Operator Procedures states: “Operators must wear seat belts when operating any revenue or non-revenue vehicle.”

**4. Operator Running Red Light**

We observed one bus operator who was not driving safely and entered an intersection on a red light. Section C.21 of the Operator Procedures states: “When approaching a signal – controlled intersection, operators should be operating under control, with their foot over the brake pedal, prepared to stop if the light changed to red”.

**5. Operator Not Wearing Approved Uniform**

We observed an operator who was wearing a shirt that did not display his badge number on the right sleeve. Section 5.1.5 of the Vehicle Operation Requirements states: “Operators must be in MTA approved uniforms while in service. Contractor shall ensure all drivers wear uniforms and badges at all times while providing services for this contract.” Section 5.1.5 also provides a general guideline for bus operator uniforms, which includes that operator’s Driver Badge ID Number must be worn on the right sleeve of all shirts and jackets.

**CONCLUSION**

We found that most operators performed their duties in accordance with Metro policies and rules. Violations were found in 18% of observations, which is a significant decrease from the amount of violations identified in the first review that was conducted on contracted bus operators during the period of April to June 2010. During the quarter ending June 2010, there were 130 observations performed, and violations were found in 37% of these observations.

Based on the results of this review, Metro’s Transportation Services Department should ensure that contractors emphasize to operators the importance of rules concerning:

- calling out stops,
- wheelchair securement,
- wearing seat belts,
- obeying Traffic Signals, and
- wearing approved uniforms

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We provided supplemental information of the operators involved in the rule violations we observed to the Transportation Contract Services Manager so that the contractors can take corrective action.

On December 16, 2011, we provided Metro management with a draft report for their review. Management did not have any comments to this report.

## Summary of Violations Observed

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Observation Areas	Instances Observed
<b>ADA Related Areas</b>	
Bus Operator did not ask to secure wheelchair	1
Wheelchair not Secured, Contractor Dispatch not called	1
Wheelchair patron denied boarding	0
Wheel chair patron passed-up	0
Stops not announced when PA or AVA not on or working	14
<b>Safety Related Areas</b>	
Using personal cell phone while driving bus	0
Driving unsafely	0
Obeying Traffic Signals	1
Eating or drinking while driving	0
Not wearing seat belt	2
<b>Bus Uniforms</b>	
Bus Operator was not wearing approved uniform	<u>1</u>
<b>TOTAL</b>	
	<u><u>20</u></u>

## Final Report Distribution

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