

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

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**Bus Operator Safety and  
Compliance Checks for the Period  
April to June 2010**

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*Most contract bus operators performed their duties in accordance with Metro's Policies and Procedures. However, we found violations in 37% of the observations performed.*

**Bus Operator Safety and Compliance Checks, April to June 2010**  
**Report No. 11-AUD-06**

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**Metro**

**Los Angeles County  
Metropolitan Transportation Authority**

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**DATE:** October 29, 2010

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

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

**SUBJECT: Bus Operator Safety and Compliance Checks for the Period April to June 2010, Report No. 11-AUD-06**

## **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 (First Transit, Southland Transit, and Veolia 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 bus operators. This report summarizes our observations of contract bus operators during the period April through June 2010. The OIG Audit and Investigation Units jointly performed this review.

We have issued two previous quarterly bus observation reports. One report<sup>1</sup> focused on Metro bus lines with the greatest number of customer complaints and the other report<sup>2</sup> focused on Metro bus operators who had the greatest number of customer complaints.

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<sup>1</sup> Bus Operator Safety and Compliance Checks, October to December 2009 (Report No. 10-AUD-07, issued February 24, 2010)

<sup>2</sup> Bus Operator Safety and Compliance Checks, January to March 2010 (Report No. 11-AUD-02, issued August 20, 2010)

## **OBJECTIVES AND SCOPE OF REVIEW**

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

We selected 12 bus lines (4 lines from each of the three contractors) to conduct operator performance checks. These lines had higher than average numbers of customer complaints during FY 2009. We completed a total of 130 observations<sup>3</sup> during the period April through June 2010.

The audit portion of this review followed Government Auditing Standards. However, Government Auditing Standards were not always followed because of the nature of the observations, which included inspections conducted by OIG investigations staff.

## **BACKGROUND**

The Statement of Work sections of the contracts between Metro and the three bus service contractors contain Operator Procedures and Vehicle Operation Requirements, which contract bus operators are expected to follow. The policies and procedures that are contained in these contracts are consistent with those followed by Metro 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 code of conduct, customer relations, and fares.

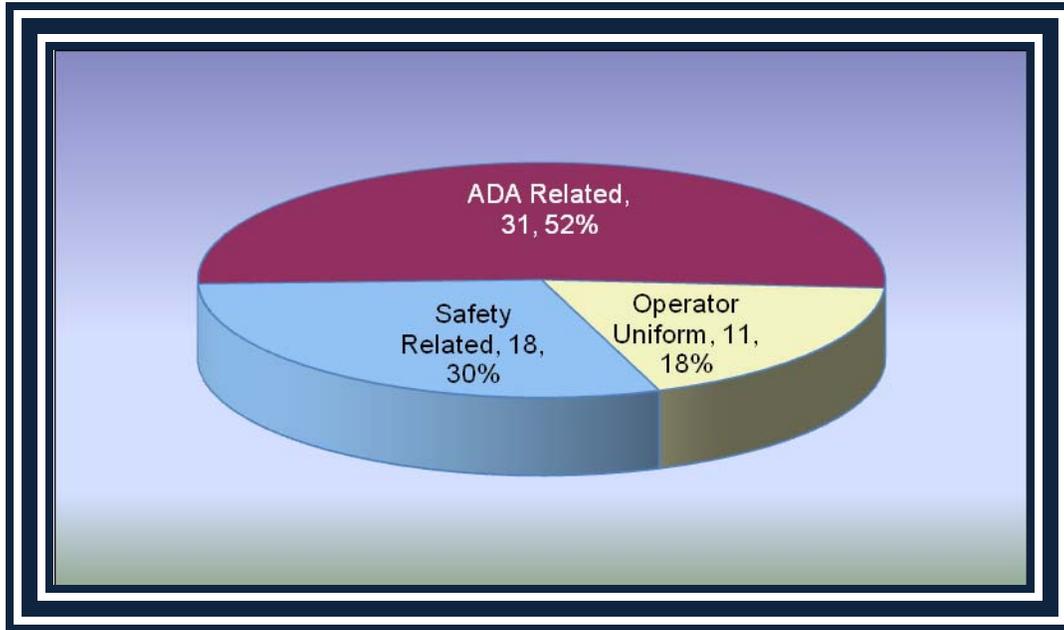
## **RESULTS OF REVIEW**

Our observations showed that in most instances contract bus operators complied with Metro policies and rules. During April to June 2010, we made 130 observations of bus operator performance; 82 (63%) observations found no violations and 48 (37%) observations found 60 violations (see Attachment A for summary of violations observed and Attachment B for list of violations by contractor). Of the 60 violations observed, 31 (52%) related to ADA areas, 18 (30%) related to safety areas, and 11 (18%) dealt with bus operator uniforms.

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<sup>3</sup> Of this total, First Transit had 56 observations, Southland Transit had 50 observations, and Veolia Transportation had 24 observations.

**Chart 1 – Violations Observed**

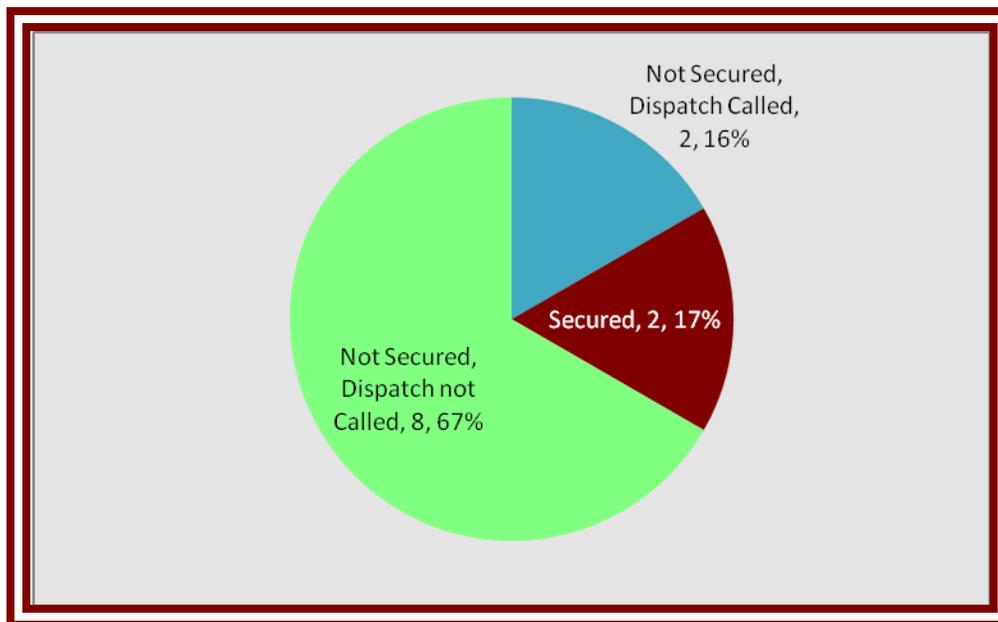


**1. Wheelchair Securement**

During our bus observations, 12 patrons in wheelchairs boarded the bus. For these instances, we observed that:

- 2 wheelchairs were secured.
- 1 wheelchair was not secured and the bus operator did not ask the patron if the patron needed help securing the wheelchair. The bus operator also did not notify Dispatch as required. Section F.24 (Wheelchair Securement) of the Operator Procedures for contract bus operators states: “Operators are required to ask every boarding customer who uses a wheelchair whether they need assistance reaching the securement area or using the securement devices. At minimum, this offer of assistance must include the words; “Do you need help...?”
- 9 patrons declined to have their wheelchairs secured. However, in seven instances, the bus operators did not notify Dispatch as required. Section F.24 of the Operator Procedures states: “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.

**Chart 2 – Observations Related to Wheelchair Securement**



**2. Eating or Drinking While Driving**

There were three instances where an operator was eating (sunflower seeds, nuts, etc.) while operating a bus. Section D.7 of the Operator Procedures for contract bus operators states: “Operators must not consume food and/or beverages at any time while operating any Metro vehicle or while riding as a passenger, whether the vehicle is in or out of service.”

**3. Not Wearing Seat Belt**

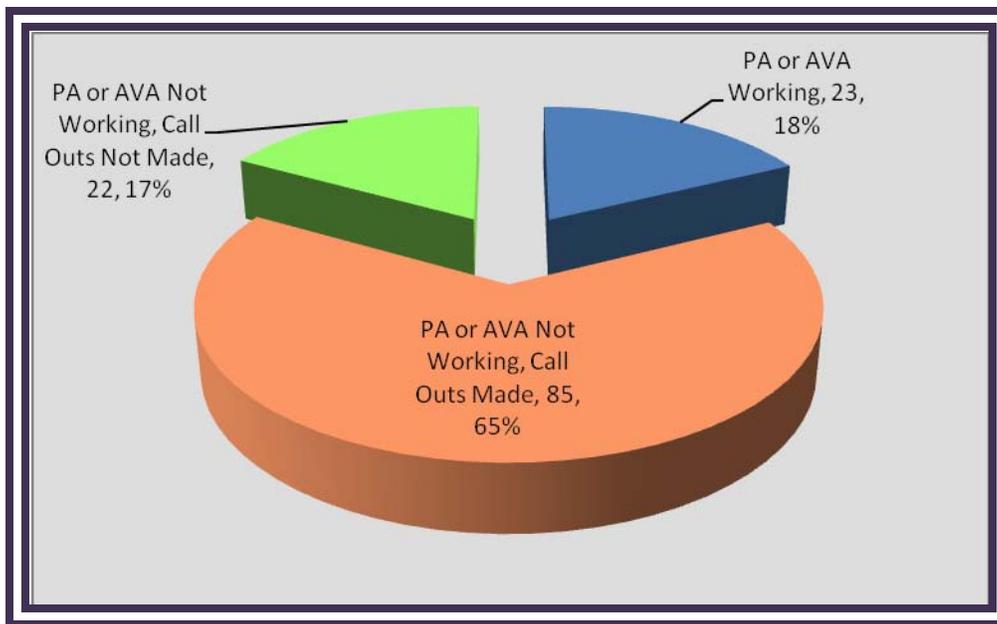
We observed 15 operators who were not wearing their seat belts while operating the bus. Using seat belts helps prevent serious injury to the operator in event of an accident or sudden stop. Section A.11 of the Operator Procedures for contract bus operators states: “Operators must wear seat belts when operating any revenue or non-revenue vehicle.” We believe that Metro Management and contractors should stress to contract bus operators the importance of wearing their seatbelts and further inform them that the wearing of a seatbelt is a mandatory requirement.

**4. Calling Out Stops**

During 23 of the 130 observations, the Public Address (PA) or the Automatic Voice Annunciation (AVA) system on the buses was working. In 107 instances the PA or the Automatic Voice Annunciation system was not working or not being used. If operational, operators should use the PA or AVA system; and if not the systems should be repaired. In 22 of the 107 instances, the bus operator did not call out stops as required. Section F.3 of the

Operator Procedures states: “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 ADA regulations require the announcements of all transfer points, major intersections, destination points, points of interest and any stop or location upon request.”

**Chart 3 - Observations Related to PA/AVA Operation and Calling Out Stops**



**5. Bus Operator Uniforms**

During our bus observations, we found 11 contract bus operators<sup>4</sup> who were not wearing Metro approved uniforms. The operators were wearing unauthorized shirts that did not display their badge number on the right sleeve.

Section E.2 of the Operator Procedures states: “When reporting for duty, an Operator must appear neat, clean, orderly and dressed in a regulation Operator’s uniform.” In addition, 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

<sup>4</sup> We excluded operator trainees who do not wear uniforms.

## **CONCLUSION**

We found that most operators performed their duties in accordance with Metro policies and rules. However, we found rule violations in approximately 37% of the observations made. This deficiency rate is higher than the 20% to 25% deficiency rates we observed in two prior reviews of Metro bus operators made during October 2009 through March 2010. Based on the results of our review, Metro's Transportation Contract Services department should ensure that contractors emphasize to operators compliance of rules concerning:

- wheelchairs securement,
- notifying Dispatch when wheelchairs are not secured,
- calling out stops,
- wearing authorized uniforms,
- wearing seat belts, and
- not eating or drinking while driving.

Also, the contractors should ensure that the PA/AVA systems on buses are working and operators use them.

## **MANAGEMENT RESPONSE TO REPORT FINDINGS**

On October 19, 2010, we provided a draft report to Metro management for their review. On October 28, the Interim Director, Service Operations provide us with a response that concurred to the findings in the report (see Attachment C for a copy of the response). The response stated that:

- Metro must proceed with upgrades to the contract bus fleet to ensure that the automated bus stop annunciation systems are installed and working on all contract fleet buses. We will work with the appropriate Metro departments to complete installation of Automated Voice Annunciation systems on contract fleet buses.
- We will continue to use a "Mystery Rider" program involving a third party consultant to provide ongoing assessment of operators for purposes of identifying operators who are not in compliance with Metro's safety and customer service policies, and ensuring that appropriate training and/or counseling/disciplinary actions are being taken.

## 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	8
Wheelchair patron denied boarding	0
Wheel chair patron passed-up	0
Stops not announced when PA or AVA not on or working	22
<b>Operator Safety Areas</b>	
Using personal cell phone while driving bus	0
Driving unsafely	0
Eating or drinking while driving	3
Not wearing seat belt	15
<b>Bus Uniforms</b>	
Bus Operator was not wearing proper uniform	<u>11</u>
<b>TOTAL</b>	<u><u>60</u></u>

## List of Observations by Individual Contractor

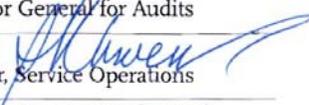
	First Transit	Southland Transit	Veolia Transportation	Total
<b>Violations Observed</b>				
Operator did not ask to secure wheelchair	1			1
Wheel chair not secured, Dispatch not called	4	3	1	8
Stops not called out	6	10	6	22
Eating while driving	2	1		3
Not wearing seat belt	1	14		15
Uniform not worn	<u>6</u>	<u>5</u>		<u>11</u>
TOTALS	<u>20</u>	<u>33</u>	<u>7</u>	<u>60</u>
<b>Other Observations</b>				
PA/AVA system working	11	7	5	23
PA/AVA system not working	<u>45</u>	<u>43</u>	<u>19</u>	<u>107</u>
TOTAL	<u>56</u>	<u>50</u>	<u>24</u>	<u>130</u>

## Management Response to Report Findings



**Metro**

### Interoffice Memo

Date	October 28, 2010
To	Jack Shigetomi Deputy Inspector General for Audits
From	Sonja R. Owens  Interim Director, Service Operations
Subject	Draft Report: Bus Operator Safety and Compliance Checks for the Period April to June 2010

I have reviewed the results of the subject draft report, and I concur with the findings in the report.

I recognize that follow-up actions are necessary to ensure that Metro's contractors emphasize compliance with Metro's safety and customer service policies. I also understand that Metro must proceed with upgrades to the contract bus fleet to ensure that the automated bus stop annunciators are installed and working on all contract fleet buses.

We will work with the appropriate Metro departments to complete installations of Automated Voice Annunciators (AVA) on the contract fleet buses that do not have these at this time. The contracts recently awarded for the South and East Regions contain requirements for the upgrading of 82 buses. Approximately 30 buses without this capability will be retired following the December service change. For the remaining 5 to 10 buses that would otherwise still be lacking in this equipment, these upgrades will be coordinated with the appropriate Metro departments and completed within the next twelve months.

Additionally, we will continue to use a 'Mystery Rider' program involving a third party consultant to provide ongoing assessment of operators for purposes of identifying operators who are not in compliance with Metro's safety and customer service policies, and ensuring that appropriate training and/or counseling/disciplinary actions are being taken.

Thank you for the opportunity to review this report. The Transportation Contract Services Manager in the Transportation Contract Services Department will oversee the implementation of these follow-up actions.

Should you have any questions, please feel free to call me at 213-922-2806.

Thank you.

C: Lonnie Mitchell, Chief Operating Officer  
Roman Alarcon, Executive Director, Transportation  
Shannon Anderson, Transportation Contract Services Manager

## Final Report Distribution

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