

## **'Impossible,' MTA Tells District Judge Who Ordered 248 Buses Placed in Service**

(October 5) Although the MTA will buy additional buses to meet the U.S. District Court's most recent Consent Decree ruling, the agency asked the judge to delay his order, Monday, declaring that it "... requires achievement of an impossibility..." to obtain and place the necessary buses into service within 30 days.

On Sept. 23, Judge Terry Hatter ordered the MTA to purchase 297 new buses. In response, the MTA will immediately act to place orders for that number of buses at a projected cost of \$115.8 million.

Judge Hatter also ordered the MTA to obtain 248 temporary buses to provide additional service by Oct. 23. The MTA already has placed 96 additional buses into service and has had plans to add 64 more by December, 1999. Judge Hatter's order would require the MTA to accelerate the deployment of those 64 buses and add 88 more.

In a declaration included in the MTA's request to the court, Chief Operating Officer Allan Lipsky testified that "putting a temporary fleet into operation within 30 days...is beyond the physical means of the MTA."

It might be possible to find the necessary buses within the existing MTA fleet by renovating old buses and delaying the retirement of others, Lipsky said, but "locating, hiring and training qualified personnel to operate and maintain the new service buses simply is not possible within the 30 days allotted."

Lipsky noted that to operate the extra 88 buses, the agency would need to hire and train 102 bus operators, 32 mechanics and 18 service attendants. The MTA's hiring process is about seven weeks long. Six weeks of training are required for an operator, three weeks for a mechanic and one week for a service attendant.

Lipsky also said the MTA doesn't yet know where the \$97 million required to operate the additional 88 buses will come from. The agency has formed four committees tasked with looking at possible new sources for funds, sources of potential savings, possible service efficiencies and re-evaluating previously programmed funds.

In its submission to the court, the MTA argues it would breach statutory and contractual obligations, as well as violate the Consent Decree, if it takes funds from other programs without proper process to pay for the buses required in the court order. Such a move, the agency argues, could forfeit funding for future transportation projects, including bus programs.

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