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Board Approves 'Limited Appeal' of Consent Decree Order

EDITOR'S NOTE: (Feb. 3, 2004) On Jan. 12, 2004, Special Master Donald Bliss, who oversees implementation of the federal Consent Decree, issued an order requiring MTA to buy the equivalent of 145 new 40-seat buses no later than December 2005.

The agency also was ordered to provide at least 370,185 additional annual in-service hours to meet Consent Decree obligations. The Special Master later lowered that figure to 290,000 service hours.

MTA estimated the cost to buy and operate the buses over a ten-year period at about \$400 million.

During a special meeting, Monday, the MTA Board voted to implement 290,000 hours of new service, but approved a limited appeal of the order requiring the purchase of 145 new buses. Following the meeting, the Board issued this statement:

MTA Board Statement

February 2, 2004

Today, the Board of Directors authorized a limited appeal to U.S. District Judge Terry Hatter of the January 12, 2004 Order of Special Master Donald Bliss.

The MTA will not appeal and will fully implement the units of additional bus service contained in the Special Master's Order. However, the MTA believes that through more efficient scheduling of its buses it can provide all such units of service with fewer than the 145 buses identified by the Special Master.

The MTA will ask Judge Hatter to modify the Special Master's Order to allow a more efficient use of its resources. In addition, the MTA will ask Judge Hatter to strike the portion of Special Master's Order which requires the purchase of new buses in addition to those needed to provide the additional service.

The MTA believes that such buses, which would be used as replacement for existing buses, are not needed since the MTA already has one of the youngest bus fleet of its size in the nation.