



# NEWS

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**FOR IMMEDIATE RELEASE**

Concerns raised about impact on highway, rail, other county bus programs

**MTA BOARD VOTES TO SEEK JUDICIAL REVIEW OF ORDER TO EXPAND  
AGENCY'S \$1 BILLION PROGRAM TO IMPROVE METRO BUS SERVICE**

The MTA Board today voted to seek judicial review of a recent order by a federal court Special Master that the agency spend approximately \$463 million more to buy and operate hundreds of new buses on top of the more than \$1 billion MTA already is spending to overhaul bus service.

The request will be filed with U.S. federal judge Terry Hatter and, if necessary, the Ninth Circuit Court of Appeal. The MTA will seek review of the Special Master's orders regarding federal Consent Decree requirements to reduce overcrowding on Metro buses. MTA also will request that the court allow the agency to continue to implement its own remediation plan for a period of time sufficient to demonstrate that its plan will achieve full compliance with the Consent Decree goals.

"The Special Master's ruling is excessive and unreasonable when you consider that MTA already is buying more than 2,000 buses through June 30, 2004 -- with new buses arriving weekly -- and has significantly expanded Metro Bus service in the past two years," said MTA CEO Julian Burke.

Burke noted that MTA is now in compliance 98 percent of the time with passenger load factor targets spelled out in the Consent Decree.

"Metro Bus service improves each week and will continue to do so as new equipment is pressed into service and we beef up on street supervision," Burke added. "We have a remediation plan in place that continues to solve the remaining instances of overcrowding."

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## 1<sup>st</sup> Add/MTA Seeks Judicial Review

“The MTA is convinced we don’t need to operate extra buses on top of the 2,067 peak buses in the FY 2000 budget,” Burke said. “This would be a wasteful expenditure. Even if we could buy the additional buses, we don’t have the money to operate them without severely impacting other bus, rail and highway programs in Los Angeles County that benefit millions of people including the poor, minorities and transit dependent,” he added.

Bliss originally ruled March 6, 1999 that MTA must proceed with all its service plans – which include adding 160 peak hour buses this year – but also buy and deploy 532 new additional compressed natural gas buses by June 30, 2002 and lease or buy 277 buses this calendar year for additional service until the new buses arrive.

MTA challenged that decision and Bliss modified his order after acknowledging he went too far. He pared the new bus purchase requirements by 51 buses and reduced the “temporary” bus requirement by 29 buses. He also admitted he erred in dictating what type of buses MTA had to buy.

It is estimated that the MTA’s decision to challenge the Special Master is already projected to save Los Angeles County taxpayers more than \$40 million because he modified his original order.

“His latest order is still unreasonable,” said Burke. “He ignores fiscal reality including the reality that both the state and federal governments during the past decade have steadily reduced the amount of operating dollars available to public transportation agencies.”

Burke said that implementing Bliss’ decision could drain funds from street and highway improvements, funded by MTA, that serve 6 million motorists as well as the 16 sub-regional bus operators in the county, operation of the Metro Rail system which serves the transit dependent, and could even delay or scuttle other planned Metro Bus improvements such as the Rapid Bus pilot program and paratransit services for the disabled.

Moreover, Burke noted that MTA cannot unilaterally shift monies already programmed for these other transportation projects without first obtaining approvals from local, state and federal agencies.

Burke stressed that the MTA Board and staff is committed to overhauling the Metro Bus system.

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## 2nd Add/MTA Seeks Judicial Review

“Since I was hired as CEO 20 months ago, the MTA Board has stopped new rail construction to concentrate on bus improvements, accelerated the purchase of new buses, approved the conversion of 333 problem-plagued ethanol-fueled buses to more reliable clean diesel engines, and significantly expanded Metro Bus service.”

The MTA Board is considering a proposed FY 2000 budget proposal which earmarks by far the biggest slice -- more than \$1 billion out of a \$2.536 billion total spending program -- just to operate Metro Buses next year, take delivery of 437 new buses, improve bus facilities, and subsidize 16 sub-regional bus operators in the county.

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*Resolution Approved by the MTA Board of Directors  
May 24, 1999*

WHEREAS, the MTA has substantial responsibilities as a multi-modal regional transportation service provider; and

WHEREAS, the MTA remains committed to the service improvements it agreed to when it approved the Consent Decree; and

WHEREAS, the MTA is already in substantial compliance with the Consent Decree and is implementing a load factor remediation plan to fully meet the Consent Decree requirements; and

WHEREAS, it is the view of the MTA that the Special Master is now interpreting the Consent Decree to require far more new bus service than is required by a reasonable reading of the Consent Decree and far more than was ever contemplated when the Consent Decree was approved; and

WHEREAS, to fully implement the most recent directives of the Special Master would force the MTA to reprogram funds in a manner inconsistent with the MTA's other statutory responsibilities and obligations to all users of public transportation.

NOW THEREFORE BE IT RESOLVED:

The CEO is directed to seek review by the United States District Court and, if necessary, the Ninth Circuit Court of Appeals of the most recent rulings of the Special Master regarding Consent Decree requirements, including a request that the Court allow the MTA to continue to implement its own remediation plan for a period of time sufficient to demonstrate that the plan will achieve complete compliance with the Consent Decree goals.

## Consent Decree Resolution

WHEREAS, the MTA remains committed to the service improvements it agreed to when it approved the Consent Decree; and

WHEREAS, the MTA is already implementing a load factor remediation plan to fully meet the Consent Decree requirements; and

WHEREAS, it is the view of the MTA that the Special Master is now interpreting the Consent Decree to require far more new bus service than is required by a reasonable reading of the Consent Decree and far more than was ever contemplated when the Consent Decree was approved; and

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