



U.S. Department
of Transportation
Federal Transit
Administration

REGION VIII
Colorado, Montana,
North Dakota,
South Dakota,
Utah Wyoming

Columbine Place
216 Sixteenth Street Suite 650
Denver, CO 80202-5120
303-844-3242
303-844-4217 (fax)

November 9, 2000

Mr. Todd A. Holland, President
Ramblin' Express, Inc.
4360 Buckingham Drive, Suite 100
Colorado Springs, Colorado 80907

RE: Alleged Charter Service, City of Colorado Springs

Dear Mr. Holland:


We are in receipt of your letter of October 24, 2000 in which you have essentially alleged that the City of Colorado Springs is providing charter service by running federally funded buses from Colorado Springs to/from Mile High Stadium in Denver for Denver Broncos football games.

Charter Service means transportation using buses or vans, or facilities funded under the Acts of a group of persons who, pursuant to a common purpose, under a single contract, at a fixed charge (in accordance with the carrier's tariff) for the vehicle or service, have acquired the exclusive use of the vehicle or service to travel together under an itinerary either specified in advance or modified after having left the place of origin. This definition includes the incidental use of FTA funded equipment for the exclusive transportation of school students, personnel, and equipment. (49 CFR §604.5(e).

What the City of Colorado Springs appears to be running is a route that goes to Mile High Stadium. This is similar to the Bronco Bus and Rockies Bus that RTD runs. The key is that this is not exclusive use under one contract. The service is available to anyone who wants to buy a ticket and ride the bus. Therefore, based on the information which you have provided it does not appear that the service which you have described falls within the definition of charter service.

Should you have further questions or comments, please feel free to contact us.

Yours truly,



Lee O. Waddleton

Regional Administrator