



**US Department
Of Transportation
Federal Motor Carrier
Safety Administration**

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Washington, DC 20590

In Reply, refer to
HQ Tracking No.:
FMCSA-MC2012-0001-NEW

ORDER TO SHOW CAUSE

NEW CENTURY TRAVEL, INC.
USDOT 911125

HQ Tracking No.:
FMCSA-MC2012-0001-NEW

FUJIAN TOURISM, INC.,
USDOT 1858916

BLACK LEOPARD TRAVEL, INC.
USDOT 2046152

EAGLE BUS, INC.,
USDOT 1889752

SUPER LUXURY TOURS, INC.,
USDOT 1669914

ANTAI TOURS, INC.,
USDOT 1922290

2003 COACH, INC.,
USDOT 1305152

NEW CENTURY TRAVEL, INC., USDOT 911125, FUJIAN TOURISM, INC., USDOT 1858916, BLACK LEOPARD TRAVEL, INC., USDOT 2046152, EAGLE BUS INC., USDOT 1889752, SUPER LUXURY TOURS, INC., USDOT 1669914, ANTAI TOURS, INC., USDOT 1922290, 2003 COACH, INC., USDOT 1305152, COLLECTIVELY ONE MOTOR CARRIER OPERATION (hereafter referred to as "NEW CENTURY"), IS HEREBY ORDERED TO SHOW CAUSE WHY THE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION ("FMCSA") SHOULD NOT REVOKE EACH OF NEW CENTURY'S OPERATING AUTHORITY REGISTRATIONS PURSUANT TO 49 U.S.C. § 13905 FOR ITS WILLFUL FAILURE TO COMPLY WITH APPLICABLE REGULATIONS, FMCSA ORDERS OR CONDITIONS OF ITS REGISTRATION.

This ORDER TO SHOW CAUSE, issued this 30th day of May, 2012 pursuant to 49 U.S.C. § 13905 and 49 U.S.C. § 14701, is based upon an investigation initiated on or about June 20, 2011 finding NEW CENTURY in violation of 49 C.F.R. § 385.5, 49 C.F.R. Part 395, 49 C.F.R. Parts 40 and 382, 49 C.F.R. Parts 383 and 391, 49 C.F.R. Part 390, and 49 C.F.R. Part 396.

By this Show Cause Order, FMCSA finds that:

1. On or about June 20, 2011, FMCSA initiated an investigation concerning the operations of New Century to determine the scope of the motor carrier's operations and safety management controls. During the course of the investigation, FMCSA discovered anomalies in the management structure of Fujian Tourism, Inc., USDOT 1858916, Black Leopard Travel, Inc., USDOT 2046152, Eagle Bus, Inc., USDOT 1889752, Super Luxury Tours, Inc., USDOT 1669914, Antai Tours, Inc., USDOT 1922290, 2003 Coach, USDOT 1305152 and New Century Travel, Inc., USDOT 911125. Upon closer inspection, FMCSA determined that the several entities are in fact collectively one motor carrier operation under common control and management. The investigation also revealed widespread violations of the Federal Motor Carrier Safety Regulations (FMCSRs) demonstrating a continuing and flagrant disregard for regulatory compliance and an organizational and safety management structure inconsistent with motor carrier safety.
2. At various times, FMCSA placed segments of the collective New Century motor carrier operation out of service. FMCSA issued these orders to individual components of the collective New Century motor carrier operation because New Century used its organizational and management structure, including obtaining multiple motor carrier

registrations, to mask the true nature of its identity and operational scope. New Century was able to continue motor carrier operations in flagrant violation of these orders until FMCSA discovered the motor carrier's true identity, organizational structure and operational scope through the Agency's investigation.

3. On March 31, 2011, FMCSA served Super Luxury Tours with an Imminent Hazard Out-of-Service Order and revoked its operating authority registration. The order was based on FMCSA's determination that Super Luxury Tours' operations pose an imminent hazard to the public because Super Luxury Tours fails, among other things, to ensure it is complying with Federal controlled substances and alcohol testing requirements, drivers' qualification requirements, drivers' hours of service requirements, and vehicle inspection, repair and maintenance requirements. This determination was based on findings made during an investigation and Compliance Review of Super Luxury Tours' operations initiated after Super Luxury Tours was involved in a crash on the New Jersey Turnpike in which the driver and a passenger were killed. The investigation and Compliance Review revealed numerous critical and other violations of the FMCSRs. The order remains in effect.
4. On April 5, 2011, FMCSA served Super Luxury Tours with notice of a proposed Unsatisfactory safety rating based on a Compliance Review completed on March 30, 2011. The Compliance Review resulted in FMCSA finding that Super Luxury Tours failed to comply with 49 C.F.R. Part 391, driver qualification requirements; 49 C.F.R. Part 396, vehicle inspection, repair and maintenance requirements; 49 C.F.R. Part 382, controlled substance and alcohol use testing requirements; and 49 C.F.R. Part 395, driver hours of service requirements. The proposed rating became final on May 21, 2011, and FMCSA

revoked Super Luxury Tours' registration pursuant to 49 U.S.C. 13905(f)(1)(B). The final Unsatisfactory safety rating remains in effect.

5. On April 5, 2011, FMCSA served Super Luxury Tours with a notice of claim seeking a civil penalty in the amount of \$17,610.00 for the violations FMCSA identified during the March 30, 2011 compliance review. Super Luxury Tours did not respond to the notice of claim or pay the civil penalty. Accordingly, FMCSA entered a Notice of Default and Final Agency Order on June 10, 2011. The civil penalty remains unpaid.
6. At all times material to this Order, Mei Ying Gao, Qi Sheng Zhang a/k/a Sammy, Qiao Zhen Liu a/k/a Jenny, and Amy Li a/k/a Amy Mei Fang, Amy Chenli, Amy Chen Li and Amy Peterson, served as Super Luxury Tours' owners, officers, or managers and maintained controlling influence over Super Luxury Tours' operations and safety management practices.
7. On April 14, 2011, FMCSA served 2003 Coach with notice of a proposed Unsatisfactory safety rating based on a Compliance Review completed on April 11, 2011. The Compliance Review resulted in FMCSA finding that 2003 Coach failed to comply with 49 C.F.R. Part 391, driver qualification requirements; 49 C.F.R. Part 392, motor vehicle driving requirements; 49 C.F.R. Part 396, vehicle inspection, repair and maintenance requirements; 49 C.F.R. Part 382, controlled substance and alcohol use testing requirements; and 49 C.F.R. Part 395, driver hours of service requirements. The proposed rating became final on May 30, 2011, and FMCSA revoked 2003 Coach's registration pursuant to 49 U.S.C. 13905(f)(1)(B). The final Unsatisfactory safety rating remains in effect.

8. On April 25, 2011, FMCSA served 2003 Coach with a Notice of Claim seeking a civil penalty in the amount of \$ 10,090.00 for the violations FMCSA identified during the April 11, 2011 Compliance Review. 2003 Coach did not respond to the notice of claim or pay the civil penalty. Accordingly, FMCSA entered a Notice of Default and Final Agency Order on May 31, 2011. The civil penalty was not paid within 90 days and remains unpaid today. On August 15, 2011, FMCSA issued 2003 Coach an Order to Cease Interstate Operations and Suspension of Operating Authority pursuant to 49 U.S.C. 521(b)(8), 49 C.F.R. 386.83(a)(1) and 49 C.F.R. 386.84(a)(1). The Order to Cease and Suspension of Operating Authority became effective on September 6, 2011, and remains in effect today.
9. At all times material to this Order, Mei Ying Gao, Qi Sheng Zhang and Amy Li served as 2003 Coach's owners, officers, or managers and maintained controlling influence over 2003 Coach's operations and safety management practices.
10. On May 5, 2011, FMCSA served Antai Tours with notice of a proposed Unsatisfactory safety rating based on a Compliance Review completed on April 29, 2011. The Compliance Review resulted in FMCSA finding that Antai Tours failed to comply with 49 C.F.R. Part 391, driver qualification requirements; 49 C.F.R. Part 396, vehicle inspection, repair and maintenance requirements; 49 C.F.R. Part 382, controlled substance and alcohol use testing requirements; and 49 C.F.R. Part 395, driver hours of service requirements. The proposed rating became final on June 20, 2011, and FMCSA consequently ordered Antai Tours to cease operations and revoked the carrier's registration. The order remains in effect.
11. As of May 29, 2012, Antai Tours continued to sell tickets online at <http://www.ntbus.com/> under the name "New Century Travel Bus (Antai Tours, Inc.)." On this website, Antai

Tours identifies its place of business as 55 N. 11th Street, Philadelphia, PA 19107. These continued operations are in violation of FMCSA's orders.

12. At all times material to this Order, Mei Ying Gao, Qi Sheng Zhang, Qiao Zhen Liu, and Amy Li served as Antai Tours' owners, officers, or managers and maintained controlling influence over Antai Tours' operations and safety management practices.
13. Between about April 2004 and about July 12, 2010, New Century maintained operating authority registration and operated as a for-hire passenger motor carrier. On July 12, 2010, FMCSA revoked New Century's operating authority registration for failure to maintain evidence of adequate financial responsibility. Between July 2010 and December 2011, New Century represented itself to FMCSA as an inactive motor carrier. Then, in December 2011, after FMCSA ordered Super Luxury, 2003 Coach and Antai Tours to cease operations, Mei Ying Gao filed an application (Form MCS-150) to reactivate New Century's USDOT number and resume operations as a for-hire passenger motor carrier. New Century's operating authority registration, however, was not reinstated. Nevertheless, New Century engaged in motor carrier operations subject to FMCSA jurisdiction. In fact, FMCSA's investigation revealed that New Century engaged in commercial motor vehicle transportation during the entire time it represented itself as an inactive motor carrier and did not have operating authority registration.
14. Between about April 2004 and the date of this Order, New Century's operations included a ticket sales function which sold tickets for New Century and other carriers. New Century's ticket sales operation and motor carrier operation are indistinguishable. At all times material to this Order, New Century, whether as a motor carrier or ticket seller, has engaged in commercial motor vehicle operations subject to FMCSA jurisdiction. Additionally, New

Century's operations were primarily conducted from one location: 55 N 11th Street, Philadelphia, PA 19107.

15. At all times material to this Order, Mei Ying Gao, Qi Sheng Zhang, Qiao Zhen Liu, and Amy Li served as the owners, officers, or managers and maintained controlling influence over the operations and safety management practices of New Century.
16. As of the date of this Order, Fujian Tourism and Black Leopard Travel have active operating authority registrations.
17. At all times material to this Order, Mei Ying Gao, Qi Sheng Zhang, Qiao Zhen Liu, and Amy Li served as the owners, officers, or managers and maintained controlling influence over the operations and safety management practices of Fujian Tourism and Black and Leopard Travel.
18. At all times material to this Order, New Century, Fujian Tourism, Black Leopard Travel, Super Luxury Tours, Inc., Antai Tours, Inc., and 2003 Coach, Inc., had substantial commonality of ownership, officers or management.
19. At various times material to this Order, the carriers subject to this Order shared financial responsibilities by paying the employee salaries, fuel expenses, maintenance expenses, and/or toll receipts of other carriers. Additionally, the carriers subject to this Order frequently shared drivers and vehicles.
20. At various times material to this Order, one carrier in the affiliated network would maintain responsibility for dispatching other carriers' drivers. That carrier directed the passenger routes and controlled passenger transportation.
21. On June 14, 2011, after FMCSA ordered Super Luxury, 2003 Coach and Antai Tours to cease operations, Ami Li, as president, filed a Form MCS-150, Motor Carrier Identification

Report (Application for U.S. DOT Number) and Form OP-1(P), Application for Motor Passenger Carrier Authority, on behalf of Wahoo Tour and Charter, Inc., USDOT 2163686.

22. Section VIII of the Form OP-1(P) requires applicants to identify any relationship with other FMCSA licensed entities that existed within the 3 years prior to their application. The application describes reportable relationships as including, but not limited to, those formed by “percentage of stock ownership, a loan, or a management position.” Amy Li denied having any relationship with any other FMCSA licensed entity within the past 3 years. The investigation initiated on June 20, 2011, however, has revealed that Amy Li has had an ownership interest and/or management position in the affiliated carriers subject to this Order.

23. FMCSA subsequently granted Wahoo Tour and Charter USDOT registration as a New Entrant. Between June 2011 and February 2012, FMCSA contacted Wahoo Tour three times to schedule a required New Entrant safety audit, but Wahoo Tour did not respond to FMCSA’s attempted contacts. Accordingly, on February 17, 2012, FMCSA revoked Wahoo Tour’s New Entrant registration. Additionally, on October 28, 2011, FMCSA rejected Wahoo Tour and Charter’s application for operating authority registration. These orders remain in effect.

24. On June 14, 2011, Qi Sheng Zhang, as president, filed a Form MCS-150, Motor Carrier Identification Report (Application for U.S. DOT Number) and Form OP-1(P), Application for Motor Passenger Carrier Authority, on behalf of Red Eagle Tours, Inc. Over the course of FMCSA’s investigation initiated on June 20, 2011, FMCSA determined that Red Eagle Tours is likely an attempted reincarnation of Super Luxury Tours, Antai Tours and 2003 Coach and/or affiliate of all the carriers subject to this Order, and created to avoid an

FMCSA order, a statutory or regulatory requirement, a civil penalty, an enforcement action, and/or a negative compliance history.

25. In addition to the violations noted above, the investigation initiated on or about June 20, 2011, revealed that New Century does not monitor its drivers' hours of service (HOS) to ensure compliance with the hours-of-service regulations in 49 C.F.R. Part 395. New Century does not require its drivers to prepare and submit records of duty status. New Century's negligent oversight of its drivers results in violations of the HOS regulations. For example, New Century's practice of permitting drivers to operate more than one bus in a given duty period, and its failure to adequately document which buses the drivers operate, results in drivers transporting passengers at a time when they may be driving in excess of the maximum driving time, driving after the maximum on-duty time, and/or failing to comply with other HOS regulatory requirements.
26. The results of the investigation also disclosed that New Century has not properly implemented an alcohol or controlled substances testing program. New Century fails to consistently require pre-employment or random testing of employees to ensure that its drivers are able to safely operate commercial motor vehicles. New Century fails to adequately maintain records of its alcohol misuse and controlled substances use prevention programs, thereby thwarting FMCSA's ability to determine New Century's compliance.
27. In addition, New Century fails to follow FMCSA driver qualification requirements. New Century fails to consistently maintain driver qualification files for all drivers operating commercial motor vehicles in New Century's operation. New Century fails to consistently require that employees operating commercial motor vehicles possess a valid commercial

driver's license. As a consequence, New Century is unable to ensure that its drivers are qualified to transport passengers in commercial motor vehicles.

28. New Century does not have an adequate vehicle maintenance monitoring program. In fact, New Century does not routinely require its drivers to complete driver vehicle inspection reports on its commercial motor vehicles. This lack of oversight permits operation of unsafe commercial motor vehicles in violation of applicable safety regulations in 49 C.F.R. Part 396.

29. New Century has attempted to shield the true nature of its operations by failing to designate a qualifying principal place of business. Indeed, New Century has designated multiple locations as its principal place of business where in fact no motor carrier operations are conducted. Further, New Century does not maintain records required by the FMCSRs at a properly designated principal place of business. New Century's failure to designate a qualifying principal place of business has resulted in FCMSA being unable to monitor New Century's commercial motor vehicle operations and to ensure compliance with the FMCSRs.

30. New Century's operational structure and inadequate safety management controls do not function to effectively ensure acceptable compliance with applicable safety requirements to reduce the risk associated with violations of the FMCSRs. Moreover, New Century's operational structure and inadequate safety management control demonstrate flagrant disregard of the FMCSRs and that New Century is unwilling or unable to comply with applicable requirements.

COMPLIANCE WITH ORDER TO SHOW CAUSE

WITHIN 30 DAYS OF SERVICE OF THIS ORDER NEW CENTURY MUST PRESENT EVIDENCE DEMONSTRATING IT HAS CORRECTED THE COMPLIANCE DEFICIENCIES IDENTIFIED IN THIS ORDER AND ALL PREVIOUS FMCSA ORDERS AND MUST SHOW GOOD CAUSE WHY FMCSA SHOULD NOT SUSPEND OR REVOKE EACH OF ITS DISCRETE REGISTRATIONS, PURSUANT TO 49 U.S.C. 13905. TO DEMONSTRATE CORRECTIVE ACTION, NEW CENTURY MUST, AT A MINIMUM:

1. Comply with all orders FMCSA issued to any segment of the NEW CENTURY motor carrier operation;
2. Consent in writing to FMCSA permanently revoking all certificates of registration previously issued to NEW CENTURY pursuant to 49 U.S.C. § 13902.
3. Consent to operate under one certificate of registration and one USDOT number;
4. Consent to FMCSA consolidating the records of all USDOT numbers currently held by NEW CENTURY;
5. Identify by name and title management officials responsible for safety oversight and compliance with the Federal Motor Carrier Safety Regulations;
6. Require its drivers to prepare Driver Vehicle Inspection Reports at the end of each day, implement a procedure so that its drivers can report safety defects and/or deficiencies, and establish procedures to ensure that reported safety defects and/or deficiencies are repaired before the commercial motor vehicle is operated again;
6. Ensure its drivers accurately and fully complete their daily records of duty status and submit them to the carrier within 13 days of their completion. NEW CENTURY must maintain drivers' records of duty status and all supporting documents for a minimum period of 6 months. Further, NEW CENTURY must ensure that all records of duty status are accurate by using all means available to it and by comparing each with all supporting documentation;

7. Submit to the Field Administrator a plan detailing how NEW CENTURY will (i) train all drivers used by NEW CENTURY or its successors or assigns, on compliance with the HOS regulations, (ii) monitor the compliance of all drivers used by NEW CENTURY or its successors or assigns with the HOS regulations, and (iii) ensure that all drivers used by NEW CENTURY or its successors or assigns are dispatched in such a way that scheduled routes may be completed within the maximum driving and on-duty hours, as provided in 49 CFR § 395.5;
8. Establish a DOT controlled substance and alcohol testing program in compliance with 49 C.F.R. Parts 40 (Procedures for Transportation Workplace Drug and Alcohol Testing Programs) and 382 (Controlled Substances and Alcohol Use and Testing) and provide evidence of this program to the Eastern Service Center Field Administrator;
9. Ensure that it maintains driver qualification files, as required by 49 C.F.R. Part 391;
10. Ensure that a three-year previous employment check is performed on all its drivers prior to their operating a commercial motor vehicle, in accordance with 49 C.F.R. § 391.23;
11. Ensure that all its drivers are adequately trained in the requirements of the FMCSRs and that they are able to conduct motor carrier operations consistent with those regulations;
12. Ensure that an annual list of traffic violations is obtained from each driver, an annual Motor Vehicle Record is obtained, and that an annual review is performed on each driver's driving record;
13. Mark, in accordance with 49 CFR § 390.21, any vans or other commercial motor vehicles owned by NEW CENTURY or transporting passengers as part of a transportation initiated or continued by NEW CENTURY. This requirement applies to vehicles designed to carry 9 or more passengers, including passenger vans, owned, operated, or affiliated with NEW CENTURY. NEW CENTURY must ensure that drivers operating such vans or other

commercial motor vehicles comply with the FMCSRs, including the HOS regulations;

14. Identify a qualifying principal place of business;

NEW CENTURY must send evidence of its performance of the foregoing, via certified mail, to:

Joseph P. DeLorenzo
Director of Enforcement and Compliance
Federal Motor Carrier Safety Administration
1200 New Jersey Ave, SE
Washington, DC 20590

with a copy to:

Robert W. Miller, Field Administrator
FMCSA Eastern Service Center
801 Cromwell Park Drive, Ste. N
Glen Burnie, MD 21061

FAILURE TO PRESENT EVIDENCE AS DESCRIBED ABOVE WITHIN THIRTY (30) DAYS OF SERVICE OF THIS ORDER WILL RESULT IN A DETERMINATION ADOPTING AS FINAL THE FINDINGS IN THIS ORDER, SPECIFICALLY, THAT NEW CENTURY DID WILLFULLY FAIL TO COMPLY WITH APPLICABLE REGULATIONS, FMCSA ORDERS OR CONDITIONS OF ITS REGISTRATION.

IN THE EVENT OF SUCH A DETERMINATION, EACH OF NEW CENTURY'S FEDERAL OPERATING AUTHORITY REGISTRATION(S) WILL BE REVOKED PURSUANT TO 49 U.S.C. § 13905(e), AND NEW CENTURY, AND EACH OF ITS COMPONENTS, WILL BE PROHIBITED FROM TRANSPORTING PASSENGERS FOR COMPENSATION IN INTERSTATE COMMERCE, OR OTHERWISE ENGAGING IN TRANSPORTATION SUBJECT TO THE REGISTRATION REQUIREMENTS OF 49 U.S.C. SUBTITLE IV, CHAPTER 139.

Joseph P. DeLorenzo
Director of Enforcement and Compliance
Department of Transportation
Federal Motor Carrier Safety Administration

HQ Tracking No.:

FMCSA-MC2012-0001-NEW

CERTIFICATE OF SERVICE

This is to certify that on the ____ day of May, 2012, the undersigned mailed or delivered,
as specified, the designated number of copies of the Order to Show Cause to _____

By: _____