

SERVICE DATE – JULY 17, 2025

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. MCF 21136

AMERICAN SAFETY HOLDINGS, LLC, A LOUISIANA LIMITED LIABILITY COMPANY
—ACQUISITION OF PROPERTY—AMERICAN-INTERNATIONAL TRAVEL, INC.
D/B/A DIXIELAND TOURS & CRUISES, A LOUISIANA CORPORATION

Decided: July 17, 2025

On June 17, 2025, American Safety Holdings, LLC (Holdings), a noncarrier, and American Safety Transit, LLC (Transit), a motor passenger carrier (collectively, Applicants), filed an application under 49 U.S.C. § 14303 for approval to acquire American-International Travel, Inc., d/b/a Dixieland Tours and Cruises (Dixieland), a motor passenger carrier. Applicants state that they are affiliated entities under common control. According to the application, Holdings has entered into an asset purchase agreement (Agreement) with Dixieland and its shareholders, under which Holdings will acquire substantially all the assets of Dixieland. (Appl. 2.) The application states that, following completion of the proposed transaction, Holdings will lease Dixieland's motor coach assets to Transit, which will operate those assets as an interstate carrier. (*Id.* at 3.)

Pursuant to 49 U.S.C. § 14303 and the corresponding regulations at 49 C.F.R. part 1182, applications must include, among other things: a description of the proposed transaction; identification of any motor passenger carriers affiliated with the parties, a brief description of their operations, and a summary of the intercorporate structure of the corporate family from top to bottom; and information to demonstrate that the proposed transaction is consistent with the public interest. *See* 49 C.F.R. § 1182.2(a).

In processing an application, the Board will review it for completeness. 49 C.F.R. § 1182.4(a). If the application is accepted as complete, a summary is published in the Federal Register within 30 days after the application is filed. 49 C.F.R. § 1182.4(b). Incomplete applications may be rejected. 49 C.F.R. § 1182.4(a). However, applicants are given an opportunity to correct minor errors or omissions, in which case the filing date of the application, for purposes of calculating the procedural schedule and statutory deadlines, is deemed to be the date on which the complete information is filed with the Board. *Id.*

Here, although the application contains some information required under 49 C.F.R. § 1182.2(a), the information is not sufficient to provide the Board and the public with the required notice of the nature and effect of the proposed transaction. Therefore, additional information is needed for the application to be considered complete.

First, Applicants are controlled by parties that have not joined the application. In determining issues of control, the Board focuses “on the ability to control as reflected in the power or authority to manage, direct, superintend, restrict, regulate, govern, administer, or oversee.” Morgan Stanley Grp.—Control Exemption—NCC L.P., MCF 20250 (ICC served Feb. 17, 1993); see 49 U.S.C. § 13102(5). The application states that Transit and Holdings are commonly controlled by Bricor Energy Group, LLC (Bricor), and American Safety, LLC (American Safety). (Appl., Ex. A.) According to the application, Bricor owns 51% of Transit and Holdings, and Bricor is wholly owned by Ana Begovich. (Appl. 6; id., Ex. A.) Therefore, the application appears to indicate that Bricor and Begovich are in positions of control over Applicants. Despite this, Bricor and Begovich did not join the application. (See Appl. 6 (“Bricor is not a party to the [Agreement] or this Application and is identified because it owns a majority of the Applicants’ respective membership interests.”).) Bricor and Begovich will be directed to submit a filing joining the application and providing all information required of an applicant under the Board’s rules at 49 C.F.R. part 1182. See, e.g., Bus Co. Holdings Topco LP—Acquis. of Control of Assets—Chenango Valley Bus Lines, Inc., MCF 21117, slip op. at 5-6 (STB served Aug. 23, 2024). Such filing may incorporate the existing application by reference, to the extent appropriate.

Second, it is unclear if the entities identified in the application accurately reflect the complete “top to bottom” summary of the intercorporate structure of the corporate family of motor passenger carriers affiliated with the parties, as required by 49 C.F.R. § 1182.2(a)(4). For example, the application contradicts itself as to whether American Safety, which owns 49% of Transit and Holdings, is a carrier. The application, on page 5, identifies American Safety as among the “certain motor carriers” owned and managed by Corey Rosales, Paul Hull, and Begovich, but later on the same page states that “American Safety is not a Carrier.” Applicants will be directed to clarify this inconsistency.

Relatedly, public reports indicate that American Safety recently acquired New Orleans Tours. A January 4, 2025 article published in Bus and Motorcoach News states that the acquisition of New Orleans Tours allowed American Safety to expand its charter fleet by 18 shuttles and buses, allowing it to “meet growing transportation demands.” American Safety Acquires New Orleans Tours, Expands Charter Fleet Ahead of Super Bowl LIX, Bus & Motorcoach News (Jan. 4, 2025), <https://www.busandmotorcoachnews.com/american-safety-acquires-new-orleans-tours-expands-charter-fleet-ahead-of-super-bowl-lix/>; see also American Safety Named Official Transportation Partner and Official Disaster Relief Partner for New Orleans Pelicans and Saints, Pelicans.com (Apr. 2, 2025), <https://www.nba.com/pelicans/news/american-safety-official-transportation-partner-official-disaster-relief-partner-new-orleans-pelicans-saints> (stating that New Orleans Tours is a subsidiary of American Safety). Applicants will be directed to address the potential inconsistency between the public information regarding American Safety’s apparent acquisition of New Orleans Tours and the information provided in the application. See TBL Grp., Inc.—Acquis. of Control—Reston Limousine & Travel Serv., Inc., MCF 21126, slip op. at 2 (STB served Dec. 20, 2024). If American Safety acquired New Orleans Tours, Applicants will be directed to explain whether the acquisition is subject to Board approval under 49 U.S.C. § 14303.

Additionally, Applicants must list and describe any undisclosed affiliates (including New Orleans Tours if it is an affiliate) and provide an updated organizational chart. Applicants shall explain the nature of any motor carrier operations that any affiliated carriers provide, list the states in which they operate, and explain the extent to which such operations are conducted in interstate commerce.

Third, the application offers limited information regarding the scope of the parties' motor passenger carrier operations. The application states that Transit operates in Louisiana, Dixieland provides motor carrier transportation "in and from the State of Louisiana," and the proposed transaction will allow Transit to continue operating Dixieland "in interstate commerce as demand requires." (Appl. 2, 4-5.) The application does not provide further information about the scope and nature of the motor carrier operations. Consistent with 49 C.F.R. § 1182.2(a)(4), Applicants will be directed to file supplemental information describing with more specificity the scope of operations by Dixieland and Transit, and to confirm the extent to which the parties' operations are conducted in interstate commerce.¹

Finally, the application does not describe the competitive conditions in the geographic area serviced by the carriers. Although the application states that Dixieland and Transit operate in Louisiana, it does not describe the extent to which the carriers currently compete for business. The application also does not discuss the extent to which the carriers compete with other motor passenger carriers in the Louisiana region, which makes it difficult for the Board to assess how the proposed acquisition would impact competitive conditions and market share in that region more generally. Consistent with the requirement under 49 C.F.R. § 1182.2(a)(7) that an applicant provide the Board with information to demonstrate that the transaction is consistent with the public interest, Applicants will be directed to file supplemental information describing how the proposed transaction would affect competitive conditions and impact market share for the regulated transportation the parties provide.

Applicants will be directed to supplement the application as discussed above.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. Bricor and Ana Begovich are directed to submit a filing in Docket No. MCF 21136 joining the application and providing all information required of an applicant under the Board's rules, as described above, incorporating the existing application by reference to the extent appropriate.

2. Applicants are directed to file supplemental information as described in this decision.

¹ Although the application provides U.S. Department of Transportation numbers and motor carrier numbers for Dixieland and Transit, (Appl. 2), the application does not describe any interstate operations.

3. This decision is effective on its service date.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.