

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9084

IN THE MATTER OF:

Served November 1, 2005

Investigation of Failure to Pay)
Annual Fee, Assessment of Civil)
Forfeiture, and Notice of Automatic)
Suspension and Revocation,)
Directed to:)

DAVID C. PEARSON, Trading as E&H)
TRANSPORTATION COMPANY,)
WMATC No. 53)

Case No. MP-2005-137

NIPPON TRAVEL, LTD., WMATC No. 77)

Case No. MP-2005-138

MCLEAN SCHOOL BUS SERVICE, INC.,)
WMATC No. 266)

Case No. MP-2005-139

VOCA CORPORATION OF WASHINGTON,)
WMATC No. 342)

Case No. MP-2005-140

ALEXANDER JONES, Trading as JONES)
TOURS, WMATC No. 546)

Case No. MP-2005-141

JIHAD PROPERTIES TRANSPORTATION)
SVC LLC, Trading as 4 ALL)
OCCASIONS TRANSPORTATION SERVICE,)
WMATC No. 597)

Case No. MP-2005-142

FRENCH ENTERPRISE, INC., Trading)
as RIDEMAN TRANSPORTATION,)
WMATC No. 720)

Case No. MP-2005-143

ELRASHAIED ALI IBRAHIM, Trading as)
ASHIA MAIDCAID TRANSPORTATION,)
WMATC No. 849)

Case No. MP-2005-144

DIP & SONS INCORPORATED, Trading)
as DIP & SONS TRANSPORTATION)
SERVICE, WMATC No. 866)

Case No. MP-2005-145

This investigation is being initiated to assess a civil forfeiture against each carrier that has failed to pay the \$100 annual fee for the current year.

Commission Order No. 3601¹ directs each WMATC carrier holding operating authority on the first day of the calendar year to pay an annual fee of \$100 on or before January 31 of that year. None of the carriers named in this order has paid the annual fee for the current year.

Under Article XIII, Section 6(f), of the Compact, the Commission may assess a civil forfeiture against a person who knowingly and willfully violates a Commission order. Each carrier named in this order either was served with a copy of Order No. 3601 or received it as part of the Commission's operating authority application package. Each was invoiced at the beginning of the year. When payment was not timely made, each was promptly notified that payment was overdue. At this late date, there can be no excuse for not having paid the current year's fee. The Commission, therefore, shall assess a civil forfeiture of \$100 against each carrier named in this order for knowingly and willfully violating Order No. 3601.

Each carrier named in this order shall have thirty days to pay the current year's annual fee and the forfeiture herein assessed. The operating authority of each carrier that fails to pay the fee and forfeiture within thirty days shall stand suspended and be subject to revocation without further proceeding pursuant to Article XI, Section 10(c), of the Compact.

THEREFORE, IT IS ORDERED:

1. That an investigation is hereby initiated pursuant to Article XIII, Section (1), of the Compact.

2. That each carrier named herein is hereby made a party respondent.

3. That the Commission hereby assesses a \$100 civil forfeiture against each respondent for knowingly and willfully violating Commission Order No. 3601.

4. That in compliance with Commission Order No. 3601 and in payment of the forfeiture assessed herein, each respondent shall pay to the Commission within thirty days from the date of this order, by money order, certified check, or cashier's check, the sum of two hundred dollars (\$200).

¹ In re Fee Schedule, No. MP-91-05, Order No. 3601 (Jan. 17, 1991).

5. That each respondent may file within 15 days from the date of this order a request for oral hearing, specifying the grounds for the request, describing the evidence to be adduced and explaining why such evidence cannot be adduced without an oral hearing.

6. That the certificate of authority of each respondent that fails to timely comply with this order shall stand suspended and be subject to revocation without further proceeding.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES, MILLER, AND SMITH:

A handwritten signature in black ink, appearing to read "W.S. Morrow, Jr.", written in a cursive style.

William S. Morrow, Jr.
Executive Director