

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 12,342

IN THE MATTER OF:

Served March 25, 2010

COMMUNITY MULTI-SERVICES, INC.,)
WMATC No. 333, Investigation of)
Violation of Regulation No. 61 and)
Operation of Unsafe Vehicles)

Case No. MP-2010-008

This matter is before the Commission on respondent's response to Order No. 12,301, served February 2, 2010. The order initiated an investigation to determine whether respondent's vehicles were in violation of the vehicle marking requirements prescribed in Regulation No. 61 and whether respondent's vehicles were in violation of Article XI, Section 5(a), of the Compact, which states that each WMATC carrier shall provide safe and adequate transportation service, equipment, and facilities.

The order directed respondent to produce a current vehicle list and safety inspection certificates and registrations for the vehicles on the list. The order also directed respondent to present its vehicles for inspection by Commission staff.

Respondent filed a list of six vans and copies of the corresponding Maryland registration cards on February 19. Four of the registrations display a Maryland vehicle class code of "MDP". The other two display a class code of "EDP". Accompanying the vehicle list are six Maryland safety inspection certificates showing that all of respondent's six vans passed a safety inspection earlier this year.

Respondent presented its vehicles for inspection by Commission staff on March 5. The inspection report notes that all of respondent's vehicles are properly marked in accordance with Regulation No. 61.

Based on the six safety inspection certificates and staff's inspection report, we find that respondent is in compliance with the Commission's safety requirements and vehicle marking requirements. The vehicle class codes on the vehicle registrations, however, cause concern.

"[T]he Compact contemplates carrier compliance with basic vehicle registration laws."¹ It does not appear that respondent has registered its vans as for-hire vehicles. The Maryland Motor Vehicle Administration website identifies for four different types of "for

¹ *In re Chika Transport Serv., Inc.*, No. MP-02-124, Order No. 7173 at 5 (May 7, 2003).

hire" vehicles: Taxicab (Class B); Sedan Service Vehicle (Class B); Vans Used to Transport Individuals with Disabilities (Class PDP); and Limousine (Class Q).² Neither EDP nor MDP are identified as for-hire class codes.

We will give respondent 30 days to show cause why respondent should not be required to register its vans with a PDP class code.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS BRENNER AND CHRISTIE:

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

William S. Morrow, Jr.
Executive Director

² See <http://www.mva.maryland.gov/AboutMVA/INFO/27300/27300-26T.htm>.