

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 12,890

IN THE MATTER OF:

Served June 21, 2011

Investigation of Violation of)
Article XI, Section 6(a), of the) Case No. MP-2011-055
Compact and WMATC Regulation)
No. 63-04 by RELIABLE LIMOUSINE)
SERVICE, LLC)

This investigation is being initiated to address the apparent violation of Article XI, Section 6(a), of the Washington Metropolitan Area Transit Regulation Compact, governing passenger carrier transportation in the Washington Metropolitan Area Transit District, (Metropolitan District), and the apparent violation of Washington Metropolitan Area Transit Commission (WMATC) Regulation No. 63-04 governing advertising of such transportation.

I. VIOLATION OF REGULATION NO. 63-04

Article XI, Section 1, of the Washington Metropolitan Area Transit Regulation Compact,¹ (Compact), provides that: "This Act shall apply to the transportation for hire by any carrier of persons between any points in the Metropolitan District."² WMATC Regulation No. 63-04 provides that no carrier "regulated by the Commission or subject to such regulation shall advertise or hold itself out to perform transportation or transportation-related services within the Metropolitan District unless such transportation or transportation-related services are authorized by the Commission."

The Website www.reliablelimo.com advertises passenger transportation within the "Washington, D.C. Metropolitan area." The Website identifies "Reliable Limousine Service, LLC" as the carrier. The advertised fleet includes vehicles seating 10, 13, 20, 22, and 36 passengers. Such service requires a WMATC certificate of authority.

¹ Pub. L. No. 101-505, § 1, 104 Stat. 1300 (1990), amended by Pub. L. No. 111-160, 124 Stat. 1124 (2010) (amending tit. I, art. III).

² The Metropolitan District includes: the District of Columbia; the cities of Alexandria and Falls Church of the Commonwealth of Virginia; Arlington County and Fairfax County of the Commonwealth of Virginia, the political subdivisions located within those counties, and that portion of Loudoun County, Virginia, occupied by the Washington Dulles International Airport; Montgomery County and Prince George's County of the State of Maryland, and the political subdivisions located within those counties; and all other cities now or hereafter existing in Maryland or Virginia within the geographic area bounded by the outer boundaries of the combined area of those counties, cities, and airports. Compact, tit. I, art. I.

Reliable Limousine Service, LLC, does not hold such authority. It thus appears that Reliable Limousine Service, LLC, is violating WMATC Regulation No. 63-04.

II. VIOLATION OF ARTICLE XI, SECTION 6(a)

Article XI, Section 6(a), of the Compact provides that: "A person may not engage in transportation subject to this Act unless there is in force a 'Certificate of Authority' issued by the Commission authorizing the person to engage in that transportation."

On or about June 23, 2011, Commission staff observed a minibus operating in the vicinity of Congressional Country Club, 8500 River Road, Bethesda, MD 20817, which was hosting the U.S. Open golf tournament at the time. The minibus displayed the name Reliable Limousine Service, LLC, and was observed exiting the country club at or about 6 a.m. when a number of buses were shuttling spectators to and from the course. It thus appears that Reliable Limousine Service, LLC, has violated Article XI, Section 6(a), of the Compact.

III. AUTHORITY TO INVESTIGATE AND SANCTION VIOLATIONS

The Commission may investigate on its own motion a fact, condition, practice, or matter to determine whether a person has violated or will violate a provision of the Compact or a rule, regulation, or order.³

If the Commission finds that a respondent has violated a provision of the Compact or any requirement established under it, the Commission shall issue an order compelling compliance and effecting other just and reasonable relief.⁴

A person who knowingly and willfully violates a provision of the Compact, or a rule, regulation, requirement, or order issued under it, or a term or condition of a certificate shall be subject to a civil forfeiture of not more than \$1,000 for the first violation and not more than \$5,000 for any subsequent violation.⁵

IV. ORDER TO DESIST AND SHOW CAUSE

Reliable Limousine Service, LLC, shall immediately cease violating Article XI, Section 6(a), of the Compact and WMATC Regulation No. 63-04. Reliable Limousine Service, LLC, shall have 30 days to show cause why the Commission should not assess a civil forfeiture. Reliable Limousine Service, LLC, shall have 15 days to request an oral hearing.

THEREFORE, IT IS ORDERED:

³ Compact, tit. II, art. XIII, § 1(c).

⁴ Compact, tit. II, art. XIII, § 1(d).

⁵ Compact, tit. II, art. XIII, § 6(f).

1. That an investigation of passenger carrier service and advertising of such service by Reliable Limousine Service, LLC, in the Washington Metropolitan Area Transit District is hereby initiated under Article XIII, Section 1, of the Compact.

2. That respondent is hereby directed to cease and desist from providing and advertising passenger carrier service requiring a WMATC certificate of authority, unless and until otherwise ordered by the Commission.

3. That respondent shall have thirty days to show cause why the Commission should not assess a civil forfeiture against respondent for knowingly and willfully violating Article XI, Section 6(a), of the Compact and WMATC Regulation No. 63-04.

4. That respondent may submit within 15 days from the date of this order a written 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.

FOR THE COMMISSION:

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

William S. Morrow, Jr.
Executive Director