

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 13,074

IN THE MATTER OF:

Served December 8, 2011

Investigation of Violation of )  
WMATC Regulation No. 63-04 by )  
GIRON'S LIMO SERVICE, INC. ) Case No. MP-2011-102

This investigation is being initiated to address the apparent violation by Giron's Limo Service, Inc., of Washington Metropolitan Area Transit Commission (WMATC) Regulation No. 63-04, governing the advertising of passenger carrier service in the Washington Metropolitan Area

**I. REGULATORY SCHEME**

Article XI, Section 1, of the Washington Metropolitan Area Transit Regulation Compact,<sup>1</sup> (Compact), provides that: "This Act shall apply to the transportation for hire by any carrier of persons between any points in the [Washington Metropolitan Area Transit District]."<sup>2</sup> 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."

**II. UNLAWFUL ADVERTISING**

The website, [www.gironslimo.com](http://www.gironslimo.com), advertises passenger transportation service by "Girons Limousine" in vehicles seating 10, 14, and 22 passengers in Washington, DC, and the following specific jurisdictions in Virginia and Maryland:

Reston, Fairfax, Tysons, Alexandria, Arlington,  
Annandale, Springfield, Silver Spring, Wheaton,

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<sup>1</sup> 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).

<sup>2</sup> 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.

Gaithersburg, Laurel, Greenbelt, Takoma Park, and Rockville.

The website further advises customers that they may reach "Giron's Limo Service" at 2308 Spencerville Rd. Spencerville, MD 20868. This agrees with information available from the Maryland Public Service Commission website, which identifies Giron's Limo Service, Inc., at 2308 Spencerville Rd. Spencerville, MD 20868, as MDPSC Carrier No. 2925.<sup>3</sup>

Except as to any trips that may take place entirely in Virginia, WMATC authority is required to transport passengers for hire between the points listed above in vehicles seating more than nine persons, including the driver. It thus appears that Giron's Limo Service, Inc., is violating WMATC Regulation No. 63-04.

### **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.<sup>4</sup>

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.<sup>5</sup>

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.<sup>6</sup>

### **IV. ORDER TO DESIST AND SHOW CAUSE**

Giron's Limo Service, Inc., shall immediately cease violating WMATC Regulation No. 63-04. Giron's Limo Service, Inc., shall have 30 days to show cause why the Commission should not assess a civil forfeiture. Giron's Limo Service, Inc., shall have 15 days to request an oral hearing.

THEREFORE, IT IS ORDERED:

1. That an investigation of passenger carrier service and advertising of such service by Giron's Limo Service, Inc., respondent, in the Washington Metropolitan Area Transit District is hereby initiated under Article XIII, Section 1, of the Compact.

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<sup>3</sup> <http://webapp.psc.state.md.us/Intranet/home.cfm>.

<sup>4</sup> Compact, tit. II, art. XIII, § 1(c).

<sup>5</sup> Compact, tit. II, art. XIII, § 1(d).

<sup>6</sup> Compact, tit. II, art. XIII, § 6(f).

2. That respondent is hereby directed to cease and desist from 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 of 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