

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 13,115

IN THE MATTER OF:

Served January 11, 2012

PARAMED MEDICAL TRANSPORTATION, )  
INC., Trading as PARA-MED, WMATC )  
No. 206, Investigation of Violation )  
of Regulation No. 61 and Operation )  
of Unsafe Vehicles )

Case No. MP-2010-015

This matter is before the Commission on respondent's response to Order No. 12,802, served April 8, 2011, granting reconsideration of Order No. 12,723, served February 15, 2011.

Order No. 12,723, assessed a combined civil forfeiture of \$1,750 against respondent and placed respondent on probation for one year for knowingly and willfully:

1. Violating Order No. 12,326 by failing to timely produce a vehicle list, vehicle registrations, and vehicle safety inspection certificates - \$250.
2. Violating Order No. 12,326 by failing to timely present all vehicles for inspection - \$1,000.
3. Violating Regulation No. 62-02 by failing to timely file a lease for a 2004 Freightliner - \$250.
4. Violating Regulation No. 63-05 by displaying "WMATC 206" on a vehicle registered as an ambulance - \$250.

Respondent thereafter filed a timely application for reconsideration under Article XIII, Section 4, of the Compact requesting, among other things, that the Commission "annul" the forfeiture or reduce the forfeiture and approve an installment payment plan. The Commission granted the application in Order No. 12,802 for the limited purpose of receiving evidence of respondent's financial results of operations "conducted during the time period in which respondent committed the violations found in Order No. 12,723" before deciding respondent's request.

The record shows that the first two violations listed above occurred in 2010. The third occurred in 2004 through 2010. The fourth occurred in 2007 through 2010.

Respondent has produced copies of its federal tax returns for 2009 and 2010. Respondent has produced no records showing financial

results of operations for other years. The returns produced show that respondent made profits of \$5,760 in 2009 and \$29,643 in 2010, notwithstanding the use of accelerated depreciation allowances in both years.

The civil forfeiture provision of the Compact serves at least two functions: deterrence of future violations and disgorgement of unjust profits.<sup>1</sup> Considering the size of respondent's profits in 2009 and 2010, especially the nearly \$30,000 in profit in 2010 when the bulk of the violations took place, we find that respondent has not shown cause for eliminating or reducing the amount assessed.

We will, however, grant respondent's request for an installment plan. Respondent may pay the \$1,750 in two installments of \$600 each and one installment of \$550.<sup>2</sup> The first two shall be due on the first of February 2012 and the first of March 2012, respectively. The third shall be due on the first of April 2012.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS BRENNER AND HOLCOMB:



William S. Morrow, Jr.  
Executive Director

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<sup>1</sup> *In re Skyhawk Logistics, Inc.*, No. MP-09-044, Order No. 12,242 (Dec. 2, 2009).

<sup>2</sup> *See In re 1st Choice Invest. Group, LLC, t/a It's About U*, No. MP-08-013, Order No. 11,746 (Dec. 11, 2008) (same).