

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 14,325

IN THE MATTER OF:

Served November 8, 2013

Application of CHALLENGER)
TRANSPORTATION, INC., for a) Case No. AP-2013-302
Certificate of Authority --)
Irregular Route Operations)

Applicant seeks a certificate of authority to transport passengers in irregular route operations between points in the Metropolitan District, restricted to transportation in vehicles with a seating capacity of less than 16 persons only, including the driver. The application is unopposed.

Applicant previously held Certificate No. 568 from October 16, 2000, until July 18, 2013, when it was voluntarily terminated at applicant's request.¹

The Compact, Title II, Article XI, Section 7(a), authorizes the Commission to issue a certificate of authority if it finds that the proposed transportation is consistent with the public interest and that the applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

Applicant proposes commencing operations with one sedan. Applicant proposes operating under a tariff containing rates for private pay ambulatory/wheelchair transportation.

Applicant verifies that: (1) applicant owns or leases, or has the means to acquire through ownership or lease, one or more motor vehicles meeting the Commission's safety requirements and suitable for the transportation proposed in this application; (2) applicant owns, or has the means to acquire, a motor vehicle liability insurance policy that provides the minimum amount of coverage required by Commission regulations; and (3) applicant has access to, is familiar with and will comply with the Compact, the Commission's rules, regulations and orders, and Federal Motor Carrier Safety Regulations as they pertain to transportation of passengers for hire.

Based on the evidence in this record, the Commission finds that the proposed transportation is consistent with the public interest and that applicant is fit, willing, and able to perform the proposed

¹ *In re Challenger Transp., Inc.*, No. AP-13-200, Order No. 14,077 (July 18, 2013).

transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

We note in closing that applicant is in a common control relationship with Supreme Airport Shuttle, LLC, trading as Supreme Airport Shuttle, WMATC Carrier No. 1957, (Supreme).² Applicant is admonished to keep its assets, books, finances and operations completely separate from those of Supreme. Sharing of office space will be allowed, but this should not be construed as permission to share revenue vehicles or operating authority.³

THEREFORE, IT IS ORDERED:

1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 568 shall be issued to Challenger Transportation, Inc., 8201 Snouffer School Road, Gaithersburg, MD 20879-1503.

2. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until a certificate of authority has been issued in accordance with the preceding paragraph.

3. That applicant is hereby directed to present its revenue vehicle(s) for inspection and file the following documents within the 180-day maximum permitted in Commission Regulation No. 66: (a) evidence of insurance pursuant to Commission Regulation No. 58; (b) an original and four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) a copy of the for-hire vehicle registration card, and a lease as required by Commission Regulation No. 62 if applicant is not the registered owner, for each vehicle to be used in revenue operations; and (e) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia.

² In the absence of any evidence indicating applicant was operating in the Metropolitan District as of the date this application was filed, this application is not subject to common control analysis under Article XII, Section 3, of the Compact. *In re Metroride LLC*, No. AP-09-099, Order No. 12,230 (Nov. 18, 2009).

³ Order No. 12,230.

4. That the grant of authority herein shall be void and the application shall stand denied upon applicant's failure to timely satisfy the conditions of issuance prescribed herein.

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