

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 15,917

IN THE MATTER OF:

Served October 20, 2015

ROYAL LIMOUSINE LLC, Suspension and)
Investigation of Revocation of)
Certificate No. 2403)

Case No. MP-2015-119

This matter is before the Commission on the response of respondent to Order No. 15,806, served August 19, 2015, reinstating Certificate No. 2403, directing respondent to verify whether it refrained from operating while Certificate No. 2403 was suspended from June 10, 2015, to August 19, 2015, and requiring respondent to produce copies of its business records relating to operations during the period from April 1, 2015, to August 19, 2015.

I. BACKGROUND

Certificate No. 2403 was automatically suspended on June 10, 2015, pursuant to Regulation No. 58-12, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 15,669, served June 10, 2015, noted the automatic suspension of Certificate No. 2403, directed respondent to cease transporting passengers for hire under Certificate No. 2403, and gave respondent 30 days to replace the terminated endorsement and pay a \$100 late fee due under Regulation No. 67-03(c) or face revocation of Certificate No. 2403.

Respondent failed to respond, and Certificate No. 2403 was revoked on July 22, 2015, in Order No. 15,754. The certificate was later reinstated on August 19, 2015, in Order No. 15,806, following respondent's request for reconsideration on August 18, 2015, which was supported by the necessary WMATC Insurance Endorsement and payment of the \$100 late fee.

However, because the effective date of respondent's replacement WMATC Endorsement is July 1, 2015, instead of June 10, 2015, the reinstatement order gave respondent 30 days to: (1) submit a statement verifying cessation of operations as of June 10, 2015; and (2) produce copies of respondent's business records for the period from April 1, 2015, to August 19, 2015, in accordance with Regulation No. 58-14(a).

II. RESPONSE TO ORDER NO. 15,806 AND FINDINGS

On September 17, 2015, respondent submitted an online checking account printout for the period June 11, 2015, to September 1, 2015, and a copy of a vehicle lease dated June 1, 2015. The checking account printout identifies Royal Limousine as the account holder. The lease covers a 2007 Lincoln sedan and is between Amibera

Transportation LLC, as lessor, and respondent's president, Ms. Sepideh Firouzi, as lessee. No other records were produced, and no statement was produced.

Among the transactions listed in the checking account printout for the 10-week suspension period are 31 electronic deposits ranging from \$28 to \$772, for an average of \$182 three times per week. Also included for the 10-week suspension period are 41 debit transactions at service stations in the Washington Metropolitan Area ranging from \$7 to \$39.76, for an average of \$27.68 four times per week.

Respondent's electronic deposit activity is consistent with credit card transactions for individual trips performed during the suspension period. The frequent number of service-station purchases during the same time frame are consistent with the ongoing fueling of respondent's vehicle(s) necessary to perform those trips. We therefore find that respondent's bank records constitute prima facie evidence of carrier operations during the suspension of Certificate No. 2403. Respondent's failure to furnish a statement confirming or denying such operations as required by Order No. 15,806 lends weight to that finding.

Respondent's production of the June 1 Amibera Transportation lease implies respondent's use of the 2007 Lincoln in WMATC operations prior to September 17, 2015, even though no lease was on file with WMATC naming respondent as sublessee as required by Regulation No. 62.

III. ORDER TO SHOW CAUSE

Considering that respondent's bank records display account activity consistent with passenger carrier operations in the Metropolitan District while Certificate No. 2403 was suspended - and for three weeks of that period while respondent was uninsured - respondent shall have 30 days to show cause why the Commission should not assess a civil forfeiture against respondent, and/or suspend or revoke Certificate No. 2403, for knowingly and willfully conducting operations under a suspended certificate of authority and violating Regulation Nos. 58 and 62.¹

THEREFORE, IT IS ORDERED:

1. That respondent shall have 30 days to show cause why the Commission should not assess a civil forfeiture against respondent, and/or suspend or revoke Certificate No. 2403, for knowingly and willfully violating Article XI, Section 6(a), of the Compact, Regulation Nos. 58 and 62, and Order No. 15,669.

¹ See *In re Exact Enters. Inc.*, No. MP-14-146, Order No. 15,771 (July 28, 2015) (show cause order issued in part where documents showed carrier operated while suspended and uninsured); *In re Sami Investment Inc.*, No. MP-14-015, Order No. 15,531 (Apr. 17, 2015) (same).

2. 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.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS BRENNER, HOLCOMB, AND DORMSJO:

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

William S. Morrow, Jr.
Executive Director