

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 16,626

IN THE MATTER OF:

Served October 19, 2016

Application of GALAXY LIMOUSINE)
SERVICES, LLC, for a Certificate of) Case No. AP-2016-124
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.

This is applicant's second application for WMATC operating authority. The first was approved last year, but the issuance of a certificate of authority was made contingent on applicant filing additional documents and passing a vehicle inspection conducted by Commission staff.¹ The approval order further stipulated that applicant would be placed on probation for one year commencing with issuance of applicant's WMATC certificate of authority because applicant's president, Ali Herischi, had a history of controlling a company with regulatory violations.² Approval of the first application became void when applicant failed to satisfy the conditions of approval within the time allotted.³ The result was that no WMATC certificate was issued, and the period of probation consequently did not commence.

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 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

¹ See *In re Galaxy Limo. Servs., LLC*, No. AP-15-099, Order No. 16,044 (Dec. 11, 2015) (conditionally granting Certificate No. 2841).

² *Id.* Mr. Herischi was president of Noursa, LLC, former WMATC Carrier No. 2652, when its WMATC authority was revoked on September 29, 2015.

³ See *id.* (grant of authority void upon applicant's failure to timely satisfy conditions of issuance); Commission Regulation No. 66 (failure to comply with conditions of grant within 180 days voids approval).

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.

There is no evidence in this record to disturb the Commission's finding of applicant's fitness in 2015, but inasmuch as applicant has yet to serve the one year period of probation stipulated in 2015, and provided that applicant satisfies the conditions of issuance stated herein, a one-year period of probation shall commence upon issuance of Certificate No. 2841 in this proceeding consistent with the stipulation in 2015.⁴

Accordingly, based on the evidence in this record, and in consideration of the terms of probation and other conditions prescribed herein, 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 transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

THEREFORE, IT IS ORDERED:

1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 2841 shall be issued to Galaxy Limousine Services, LLC, 116 S. Lynchburg Street, #D, Chestertown, MD 21620-1129.

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 file the following documents and present its revenue vehicle(s) for inspection 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

⁴ See *In re Ring & Ride, LLC*, No. AP-16-061, Order No. 16,444 (June 21, 2016) (re-stipulating one-year's probation).

Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia.

4. That applicant shall be placed on probation for a period of one year commencing with the issuance of Certificate No. 2841 in accordance with the terms of this order and that a willful violation of the Compact, or of the Commission's rules, regulations or orders thereunder, by applicant during the period of probation shall constitute grounds for immediate suspension or revocation of applicant's operating authority without further proceedings, regardless of the nature and severity of the violation.

5. 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.

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

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

William S. Morrow, Jr.
Executive Director