

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1418

IN THE MATTER OF:

BELTWAY LIMOUSINE SERVICE,)	Served April 3, 1975
INC.)	
vs.)	Formal Complaint No. 75-1
L & M LIMOUSINE SERVICE)	Docket No. 282

By Order Nos. 1405 and 1407, served February 11, 1975, and February 13, 1975, the Commission instituted an investigation of the activities of L & M Limousine Service, Inc. (L & M), made L & M a respondent to this proceeding, and scheduled a public hearing. The public hearing was held on Friday, February 21, 1975. Although L & M had been served with the Commission's Orders, it did not appear at the hearing.

Beltway Limousine Service, Inc. (Beltway) filed the complaint against L & M. The complaint alleged that L & M is operating a limousine service to Dulles International Airport (Dulles) and to Washington National Airport (National) from Prince George's County, Maryland. In support of this allegation, Beltway presented the uncontroverted testimony of two witnesses.

The record indicates that on February 20, 1975, L & M transported a passenger from the Ramada Inn at Lanham, Maryland, to National. The service was provided in a seven or nine passenger vehicle with Maryland tag No. 6656BA. The vehicle did not have a meter and there was apparently no marking on the vehicle. The operator of the vehicle was an individual identified as Tom Linsey. A receipt was received and indicates that the charge for the service was \$10.00.

The record further indicates that L & M has an advertisement directly behind the front desk at the Ramada Inn. The advertisement states that L & M's service may be requested at the desk.

The Commission finds that L & M has provided transportation for hire of a person between two points in the Metropolitan District. L & M holds no authority from this Commission to provide such service as required by the Compact, Title II, Article XII, Section 4(a). Accordingly, the Commission concludes that L & M has violated and may be about to violate the provisions of the Compact.

The Compact, Title II, Article XII, Section 13(c) provides as follows:

"If, after affording to interested persons reasonable opportunity for hearing, the Commission finds in any investigation instituted upon complaint or upon its own initiative, that any person has failed to comply with any provision of this Act or any requirement established pursuant thereto, the Commission shall issue an appropriate order to compel such person to comply therewith." (Emphasis added)

As previously indicated, the Commission has afforded L & M a "reasonable opportunity for hearing". The Commission has found that L & M has "failed to comply" with a provision of the Compact. The Compact mandates that "an appropriate order" be issued.

The Commission believes that the cost of the transcript in this proceeding should be paid by L & M pursuant to the provisions of the Compact, Title II, Article XII, Section 19, and this cost will be assessed against L & M.

THEREFORE, IT IS ORDERED:

1. That L & M Limousine Service be, and it is hereby, directed to cease any and all operations within the Metropolitan District which are within the purview of the Compact and to comply with the provisions of the Compact.

2. That L & M Limousine Service be, and it is hereby, assessed the sum of Sixty-Six Dollars (\$66.00), such sum to be deposited in the name and to the credit of the Washington Metropolitan Area Transit Commission in the American Security and Trust Company, 1612 K Street, N. W., Washington, D. C. 20006, on or before Friday, April 25, 1975.

BY DIRECTION OF THE COMMISSION



HYMAN J. BLOND
Executive Director

