

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1598

IN THE MATTER OF:

Served August 25, 1976

Proposed Regulations Relating to)
VEHICLE IDENTIFICATION, SIGHTSEEING)
ADVERTISING MATERIAL, AND TICKET)
CONTENT and Proposed Modification of)
Regulations Relating to SECURITY FOR)
THE PROTECTION OF THE PUBLIC)

Docket No. 332

By Order No. 1571, served June 22, 1976, the Commission requested comments pertaining to proposed new regulations as therein set forth and to proposed modifications of regulations relating to security for the protection of the public. The Commission has received separate comments from Beltway Limousine Service, Inc. (Beltway) and The Gray Line, Inc. (Gray Line). These comments only related to the proposed new Regulations 69 and 70, which would govern the content of sightseeing advertising material and each ticket sold.

The Commission shall adopt Regulation 68, as set forth in the appendix hereto, and shall prescribe that it become effective on October 1, 1976. The Commission also shall adopt the proposed minimum amounts of security for the protection of the public, as set forth in Order No. 1571, and shall prescribe that current Regulation 62-03(a) be amended effective October 1, 1976, to reflect the new amounts.

With respect to proposed Regulations 69 and 70, Beltway has indicated agreement but requests advice as to their effective date. Beltway has expressed concern because it recently had numerous brochures printed. The concern primarily relates to the cost of including the additional information in the brochure.

Gray Line has opposed both the proposed Regulation 69 and the proposed Regulation 70. However, Gray Line has indicated that its opposition to Regulation 69 is confined to the content of the statement proposed as part of 69-01. Gray Line persuasively argues that the Compact does not expressly bestow upon the Commission the jurisdiction and authority to require carriers to advise persons of the existence of competitor carriers. With respect to proposed Regulation 70, Gray Line states that it is a member of an international association which sells tour tickets on its behalf through the use of preprinted standard forms. Gray Line also states that it accepts travel vouchers sold by numerous other persons for sightseeing services. Finally, Gray Line argues that the Commission lacks jurisdiction or authority to require a carrier to indicate on a ticket that it holds authority to render the service.

The Commission has carefully reviewed and considered the statements submitted. Based upon this review, the Commission has decided to prescribe a regulation governing the content of sightseeing advertising material. The regulation shall apply only to pamphlets or brochures used for the purpose of informing the general public of the content and price of sightseeing services. The statement initially proposed by the Commission staff will not be prescribed. Rather, the statement to be contained therein should indicate that tours are rendered pursuant to authority issued by the Commission. The Commission shall prescribe Regulation 69, as set forth in the Appendix hereto, to be effective October 1, 1976. The Commission shall require any carrier providing sightseeing service to include the statement in any pamphlet or brochure printed on or after October 1, 1976.

The Commission has decided not to prescribe Regulation 70 as proposed by the Commission staff. Regulation 68 is sufficient to inform persons travelling within the Metropolitan District of the certificate number or temporary authority of the carrier actually rendering the service.

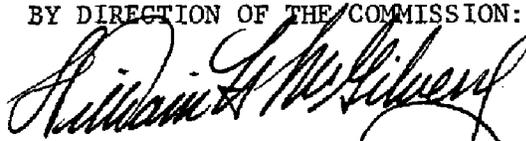
The Commission has been granted power to prescribe these regulations by the Compact, Title II, Article XII, Section 15. That provision empowers the Commission to prescribe and amend such regulations as may be appropriate to carry out the provisions of the Compact. The Commission has been charged with the responsibility of improving the passenger transportation for hire within the Metropolitan District. By requiring identification on the vehicles and a statement in the pamphlet or brochure, the travelling public will be informed that the carrier rendering service is doing so pursuant to authority properly issued by this Commission.

THEREFORE, IT IS ORDERED:

1. That Regulations 68 and 69, as set forth in the Appendix hereto, be, and they are hereby, adopted and prescribed, effective October 1, 1976.

2. That Regulation 62-03(a) be, and it is hereby, modified, as set forth in the Appendix hereto, to increase the minimum amounts of security for the protection of the public to be effective October 1, 1976.

BY DIRECTION OF THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director

APPENDIX

68. Regulations Governing the Identification on Motor Vehicles.

68-01. There shall be displayed on both sides of each vehicle operated, except as otherwise provided hereinafter for each vehicle subject to a lease arrangement, or operated pursuant to temporary authority, the name, or trade name, of the carrier under whose authority the vehicle is being operated, and the certificate number assigned to such operating authority by the Commission. Such certificate number shall be in the following form: "WMATC . . .". If the name of any person other than the operating carrier appears on the vehicle, the name of the operating carrier shall be followed by the information required hereinbefore, and be preceded by the words "operated by". Nothing herein shall prohibit display of such additional identification as is not inconsistent herewith.

68-02. There shall be displayed on the front of each vehicle operated subject to a lease arrangement the name, or trade name, of the carrier under whose authority the vehicle is being operated, and the certificate number assigned to such operating authority by the Commission. Such certificate number shall be in the following form: "WMATC . . .". Nothing herein shall prohibit display of such additional identification as is not inconsistent herewith.

68-03. There shall be displayed on the front of each vehicle operated pursuant to temporary authority the name, or trade name, of the carrier under whose authority the vehicle is being operated, and the date the temporary authority expires. The temporary authority notation shall be in the following form: "WMATC TA expires . . .". Nothing herein shall prohibit display of such additional identification as is not inconsistent herewith.

68-04. The display of name and number prescribed in this part shall be in letters and figures in sharp color contrast to the background and be of such size, shape and color as to be readily legible, during daylight hours, from a distance of 50 feet while the vehicle is not in motion, and such display shall be kept and maintained in such manner as to remain so legible. If desired, display may be accomplished through use of a removable device so prepared as otherwise to meet the identification and legibility requirements of the regulations in this part.

69. Regulations Governing the Content of Sightseeing Advertising Material.

69-01. There shall be included in any advertising pamphlet or brochure used as a medium for informing the general public of the carrier's sightseeing services, a statement advising the general public that the carrier is regulated by the Commission.

69-02. The statement prescribed in this part shall be in such size and shape as to be readily legible and shall be clearly set forth as follows: "Carriers offering transportation services such as those described herein are regulated by the Washington Metropolitan Area Transit Commission, 1625 I Street, N. W., Room 316, Washington, D. C. 20006."

Regulation 62-03.

(a) For carriers other than operators of taxicabs:

Kind of equipment	Limit for bodily injuries to or death of one person	Limit for bodily injuries to or death of all persons injured or killed in any one accident (subject to a maximum of \$100,000 for bodily injuries to or death of one person)	Limit for loss or damage in any one accident to property of others
Passenger equipment (seating capacity): 11 passengers or less	\$100,000	\$300,000	\$50,000
Passenger equipment (seating capacity): 12 passengers or more	\$100,000	\$500,000	\$50,000
