

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1936

IN THE MATTER OF:

Served December 7, 1978

Application of ATWOOD'S TRANSPORT)
LINES, INC., to Purchase Certificate)
No. 12 of THE GRAY LINE, INC.)

Case No. AP-78-30

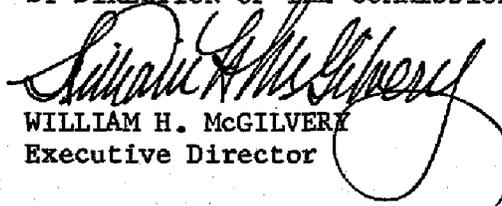
By Order No. 1912, served November 6, 1978, the Commission approved the above-captioned application subject to certain conditions. On December 4, 1978, Mr. Robert C. Reuter, an interested person who appeared at the public hearing on this matter, */ filed an application for reconsideration (styled an appeal). Mr. Reuter requests that additional conditions be imposed on Atwood's for the benefit of handicapped persons, and relies on 29 U.S.C. 794 (Nondiscrimination under federal grants) and D. C. Code (1973 Ed.) 86-1502 (Equal access to public accommodations and conveyances) as mandating such additional conditions.

The first provision relied on applies to discrimination under programs receiving federal financial assistance, a category which includes neither the Commission nor the applicants in this proceeding. The second cited provision is a local law under the jurisdiction of the District of Columbia, and its enforcement is properly within the ambit of the District government rather than through the regulatory process.

The record shows that The Gray Line, Inc., has conducted its individually-ticketed sightseeing operations with the needs of at least the aurally handicapped in mind. We see no reason to presume that the same economic motivations will not stimulate Atwood's to consider the needs of the handicapped as it enters this field. On the basis of the record in this proceeding, therefore, we shall not impose any further conditions on the purchase application.

THEREFORE, IT IS ORDERED that the above-referenced application of Robert C. Reuter for reconsideration be, and it is hereby, denied.

BY DIRECTION OF THE COMMISSION:


WILLIAM H. MCGILVER
Executive Director

*/ It was made clear at the hearing that Mr. Reuter could make statements on his own behalf, but that he could not represent any other party. See Commission Rule No. 3 covering Appearances and Practice Before the Commission. To the extent that the application for reconsideration purports to the contrary, it is hereby dismissed.