

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3819

IN THE MATTER OF:

Served September 24, 1991

Application of WHEELCHAIR EXPRESS,)
INC., for a Certificate of)
Authority -- Irregular Route)
Operations)

Case No. AP-91-29

By application accepted for filing on September 20, 1991, Wheelchair Express, Inc. (Express or applicant), a Maryland corporation, 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 manufacturer's designed seating capacity of 15 or fewer persons, including the driver.

Express proposes to initiate operations using three vehicles, each equipped with lifts and mechanical devices for the transportation of non-ambulatory persons. Drivers would be trained in the use of emergency medical techniques. It appears that Express intends to emphasize transportation for handicapped individuals.

The application contains, among other things, information regarding Express's corporate status, vehicle maintenance program, minimum driver qualifications, finances, and regulatory compliance record.

In determining whether to grant or deny an application for a Certificate of Authority, the Compact at Title II, Article XI, Section 7 requires the Commission to determine whether (1) the applicant is fit, willing, and able to perform properly that transportation for which authority is sought and to conform to the provisions of the Compact and the Commission's rules, regulations, and requirements and (2) the transportation is consistent with the public interest. Pursuant to Commission Rule No. 6, this order and fulfillment of its requirements will provide notice of the application for a Certificate of Authority. The application is available for inspection at the office of the Commission during its regular business hours.

THEREFORE, IT IS ORDERED:

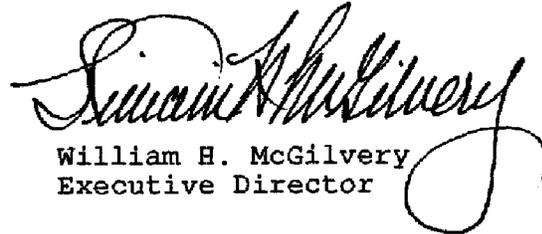
1. That Wheelchair Express, Inc., shall publish once in a newspaper of general circulation in the Metropolitan District notice of this application in the form prescribed by the staff of the Commission, not later than Tuesday, October 1, 1991.

2. That Wheelchair Express, Inc., shall file with the Commission no later than Monday, October 21, 1991, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

3. That any person wanting to protest the issuance of a Certificate of Authority to Wheelchair Express, Inc., shall do so in accordance with Commission Rule No. 13 and Regulation No. 54-04(a), and any person wanting to comment on this matter, other than by protest, shall do so in writing, in accordance with Regulation No. 54-04(a), by filing such protest or comment at the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Monday, October 21, 1991, and shall simultaneously serve a copy of such protest or comment on applicant's representative, Michael W. Beasley, Esq., 1101 - 17th Street, N.W., Suite 1004, Washington, DC 20036-4798.

4. That any person seeking a formal oral hearing on this matter shall request one in accordance with Commission Regulation No. 54-04(b) no later than Monday, October 21, 1991, and shall simultaneously serve a copy of such request on applicant's representative, Michael W. Beasley, Esq., 1101 - 17th Street, N.W., Suite 1004, Washington, DC 20036-4798.

FOR THE COMMISSION:



William H. McGilvery
Executive Director