

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4696

IN THE MATTER OF:

Served November 14, 1995

Investigation of Failure to Pay)
Annual Fee and Order to Show Cause)
Why Civil Forfeiture Should Not be)
Assessed and Why Operating)
Authority Should Not be Suspended)
or Revoked, Directed to: BILL)
APPELL, Trading as PERSONAL PACE)
TOURS/TECH TOURS WASHINGTON,)
WMATC No. 130)

Case No. MP-95-18

Investigation of Failure to File)
Annual Report and Order to Show)
Cause Why Civil Forfeiture Should)
Not be Assessed and Why Operating)
Authority Should Not be Suspended)
or Revoked, Directed to: BILL)
APPELL, Trading as PERSONAL PACE)
TOURS/TECH TOURS WASHINGTON,)
WMATC No. 130)

Case No. MP-95-40

On June 26, 1995, in Order No. 4618, the Commission revoked respondent's Certificate of Authority No. 130 and ordered respondent to remove all indicia of WMATC authority from his vehicles. We then directed respondent to file a notarized affidavit within 30 days verifying compliance with our order. As of yet, respondent has not filed the required affidavit.

On October 31, 1995, staff contacted respondent's last known insurer and was informed that respondent's insurance was up to date, that the premiums were being paid on a monthly basis and that respondent's vehicle was listed as being stored in the District of Columbia. Staff's inquiries to local and federal licensing authorities failed to uncover any evidence of any operating authority having been issued in respondent's name by those agencies.

Under Title II of the Compact, Article XIII, Section 1(c), the Commission may investigate a carrier on its own motion to enforce its orders and determine whether a carrier has violated the Compact. Under Article XIII, Section 6, a person who knowingly and willfully violates a provision of the Compact, or a rule, regulation, requirement, or order issued under it, shall be subject to a civil forfeiture of not more than \$1,000 for the first violation and not more than \$5,000 for any subsequent violation; each day of the violation constitutes a separate violation.

Accordingly, respondent shall have thirty days to show cause why the Commission should not assess a civil forfeiture for respondent's failure to comply with Order No. 4618. Further, because

it appears respondent has not ceased his activities in the Metropolitan District, we shall require respondent to produce any and all records in his possession, custody or control relating to his activities in the Metropolitan District after April 6, 1995.

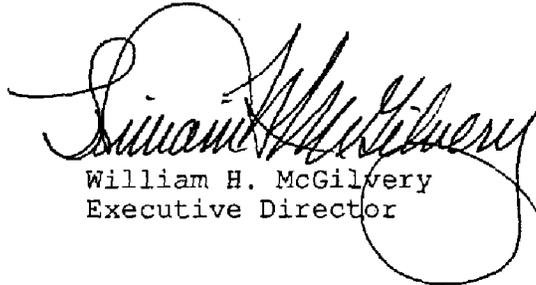
THEREFORE, IT IS ORDERED:

1. That within thirty days from the date of this order, respondent shall show cause why the Commission should not assess a civil forfeiture for respondent's failure to comply with Order No. 4618.

2. That respondent is hereby directed to produce any and all records in his possession, custody or control relating to his activities in the Metropolitan District after April 6, 1995.

3. That any request for oral hearing must be filed in writing within fifteen days from the date of this order.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS ALEXANDER, LIGON, AND SHANNON:



William H. McGilvery
Executive Director