

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4842

IN THE MATTER OF:

Served May 13, 1996

Application of FUJI INTERNATIONAL)
TRAVEL AGENCY, INC., for)
Restrictive Amendment of)
Certificate of Authority No. 76)

Case No. AP-96-22

FUJI INTERNATIONAL TRAVEL AGENCY,)
INC., Suspension and Investigation)
of Revocation of Certificate No. 76)

Case No. MP-96-40

By application filed May 1, 1996, Fuji International Travel Agency, Inc., seeks to amend Certificate of Authority No. 76, which authorizes transportation of passengers, together with baggage in the same vehicles as passengers, in irregular route operations between points in the Metropolitan District, regardless of vehicle size. Applicant proposes adding a vehicle seating capacity restriction so that Certificate No. 76 would authorize transportation in vehicles with a seating capacity of less than 16 persons only, including the driver. Applicant no longer has any customers requiring service in vehicles seating more than 15 persons and finds providing service in such vehicles economically unfeasible.

Title II of the Compact, Article XI, Section 10(b), provides that the Commission may amend a certificate of authority upon application by the holder. Certificate No. 76 currently is suspended for applicant's failure to maintain on file with the Commission a \$5 million certificate of insurance in accordance with Commission Regulation No. 58.¹ Adding the seating capacity restriction would lower applicant's minimum insurance requirement from \$5 million to \$1.5 million. We will approve the application subject to the usual filing requirements.

THEREFORE, IT IS ORDERED:

1. That this proceeding is hereby consolidated with Case No. MP-96-40.
2. That the application of Fuji International Travel Agency, Inc., to amend Certificate of Authority No. 76, by adding a 15-passenger restriction, is hereby conditionally approved, contingent upon timely compliance with the requirements of this order.
3. That applicant is hereby directed to file the following documents with the Commission: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 4203; (b) an original and

¹ In re Fuji International Travel Agency, Inc., No. MP-96-40, Order No. 4825 (May 1, 1996).

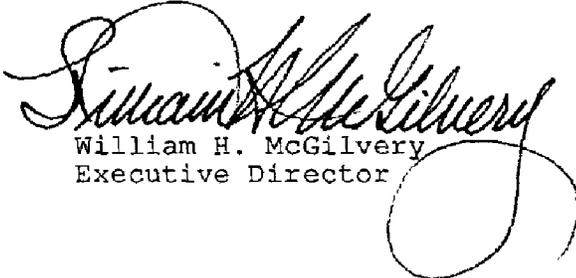
four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) an equipment list stating the year, make, model, serial number, vehicle number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) evidence of ownership or a lease as required by Commission Regulation No. 62 for each vehicle to be used in revenue operations; (e) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia; (f) and a notarized affidavit of identification of vehicles pursuant to Commission Regulation No. 61.

4. That upon timely compliance with the requirements of the preceding paragraph and acceptance of the documents required by the Commission, Certificate of Authority No. 76, shall be reissued to applicant as amended in accordance herewith, and Case No. MP-96-40 shall stand terminated.

5. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until Certificate of Authority No. 76 has been reissued in accordance with the preceding paragraph.

6. That unless applicant complies with the requirements of this order within 30 days from the date of its issuance, or such additional time as the Commission may direct or allow, the approval of amendment herein shall be void and the application shall stand denied in its entirety effective upon the expiration of said compliance time.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS ALEXANDER AND LIGON:


William H. McGilvery
Executive Director