

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 7196

IN THE MATTER OF:

Served May 19, 2003

Application of ANNE D. LYONS, )  
Trading as MILES AHEAD )  
TRANSPORTATION, for a )  
Certificate of Authority -- )  
Irregular Route Operations )

Case No. AP-2003-24

Applicant 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 seating capacity of less than 16 persons only, including the driver. The application is unopposed.

Under Article XI, Section 7(a), of the Compact, the Commission shall issue a certificate of authority to any qualified applicant, authorizing all or any part of the transportation covered by the application, if the Commission finds that: (i) the applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission; and (ii) the transportation is consistent with the public interest.

Applicant proposes commencing operations with three vans. Applicant's proposed tariff contains rates for transportation under the DC Medicaid program.

Applicant verifies that: (1) applicant owns or leases, or has the means to acquire through ownership or lease, one or more motor vehicles meeting the Commission's safety requirements and suitable for the transportation proposed in this application; (2) applicant owns, or has the means to acquire, a motor vehicle liability insurance policy that provides the minimum amount of coverage required by Commission regulations; and (3) applicant has access to, is familiar with and will comply with the Compact, the Commission's rules, regulations and orders, and Federal Motor Carrier Safety Regulations as they pertain to transportation of passengers for hire.

Based on the evidence in this record, and subject to the following caveat, the Commission finds that the proposed transportation is consistent with the public interest and that applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

One of the vans applicant proposes operating under a certificate of authority currently is registered as a taxicab in Virginia. Service in

taxicabs is excluded from certification under the Compact.<sup>1</sup> A carrier may neither use a taxicab in WMATC operations nor use a WMATC vehicle in taxicab operations.<sup>2</sup> Accordingly, any certificate of authority issued in accordance with this order shall be construed not to authorize transportation in a vehicle registered as a taxicab.

THEREFORE, IT IS ORDERED:

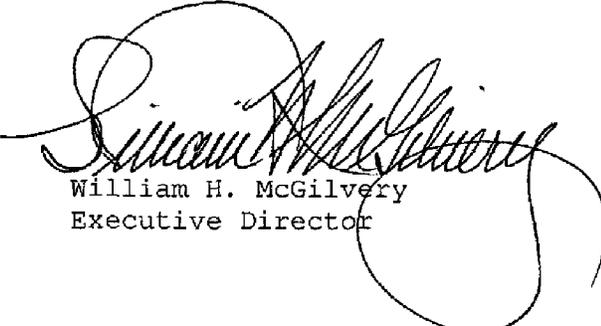
1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 802 shall be issued to Anne D. Lyons, trading as Miles Ahead Transportation, 238 North Henry Street, Alexandria, VA 22314-2437.

2. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until a certificate of authority has been issued in accordance with the preceding paragraph.

3. That applicant is hereby directed to file the following documents within thirty days: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 4203; (b) an original and four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) a copy of the for-hire vehicle registration card, and a lease as required by Commission Regulation No. 62 if applicant is not the registered owner, 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; and (f) a notarized affidavit of identification of vehicles pursuant to Commission Regulation No. 61.

4. That the grant of authority herein shall be void and the application shall stand denied upon applicant's failure to timely satisfy the conditions of issuance prescribed herein.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES, MILLER, AND MCDONALD:



William H. McGilvery  
Executive Director

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<sup>1</sup> In re Ellerbe Group Corp., t/a Ellerbe Corp. Transp. Serv., No. AP-96-56, Order No. 4968 (Nov. 14, 1996).

<sup>2</sup> In re Rad Akorli, t/a T.R. Transp. Serv., No. AP-00-26, Order No. 5897 (June 7, 2000).