

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 7201

IN THE MATTER OF:

Served May 21, 2003

MARYLAND EXPRESS TRANSPORTATION, )  
INC., Investigation of )  
Unauthorized Operations )

Case No. MP-2003-47

This investigation is being initiated to determine whether respondent has violated Article XI, Section 6(a), of the Compact, which states that a person may not engage in transportation subject to the Compact unless there is in force a certificate of authority issued by the Commission authorizing the person to engage in that transportation.

On August 12, 2002, a member of the Commission's staff observed a van advertising service between Montgomery County, Maryland, on the one hand, and Ronald Reagan National and Washington-Dulles International Airports, on the other. The van displayed Maryland license plate no. 28083B. According to records from the Transportation Division of the Maryland Public Service Commission (MDPSC), this vehicle is operated by Maryland Express Transportation, Inc., MDPSC #2690.

Commission staff wrote to respondent on August 16, 2002, advising it to cease operations in the Metropolitan District and consider filing an application for WMATC operating authority by September 3, 2002. Respondent timely requested a thirty-day extension and filed an application on October 3, 2002. The application was rejected on October 15, 2002. The rejection letter explained the reasons the application was not acceptable. Respondent has yet to submit a corrected application. In the meantime, members of the Commission's staff have observed that respondent's vans have continued operating in the Metropolitan District.

The Commission may investigate a carrier to determine whether that carrier has violated the Compact.<sup>1</sup> The Commission may require the production of books, papers, correspondence, memoranda, contracts, agreements, or other records or evidence which the Commission considers relevant to the inquiry.<sup>2</sup> A carrier that knowingly and willfully violates a provision of the Compact is subject to a civil forfeiture of not more than \$1,000 for the first violation and not

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<sup>1</sup> Compact, tit. II, art. XIII, § 1(c).

<sup>2</sup> Compact, tit. II, art. XIII, § 1(e).

more than \$5,000 for any subsequent violation; each day of the violation constitutes a separate violation.<sup>3</sup>

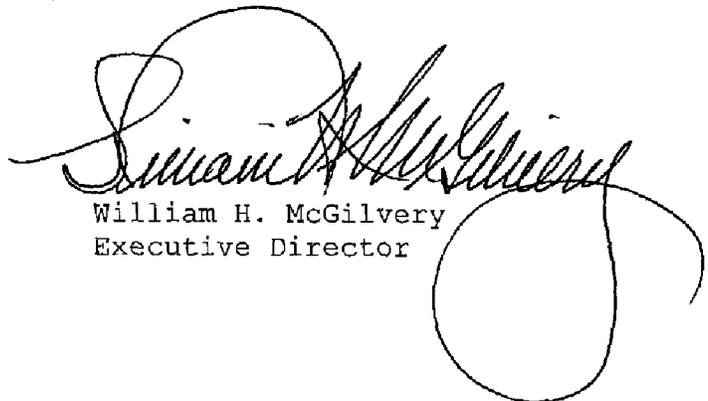
THEREFORE, IT IS ORDERED:

1. That an investigation of respondent's operations in the Metropolitan District is hereby initiated under Article XIII, Section 1, of the Compact.

2. That respondent shall have thirty days from the date of this order to produce any and all records in its possession, custody or control relating to operations in the Metropolitan District during the period beginning September 3, 2002, and ending on the date of this order.

3. That respondent shall not transport passengers for hire between points in the Metropolitan District unless and until otherwise ordered.

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



William H. McGilvery  
Executive Director

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<sup>3</sup> Compact, tit. II, art. XIII, § 6(f).