

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 7315

IN THE MATTER OF:

Served July 17, 2003

WILLIAM E. GILLISON, Trading as)
QUIANA TOURS, WMATC No. 290,)
QUIANA TOURS, INC., and BARON)
TRANSPORTATION, INC., WMATC No. 33,)
Investigation of Unauthorized)
Operations and Violation of)
Regulations Governing Vehicle)
Identification and Leases)

Case No. MP-2002-97

This matter is before the Commission to determine whether Certificate No. 290 shall be revoked for Gillison's willful failure to comply with Regulation No. 61.¹

Earlier in this investigation, Gillison was found to have knowingly and willfully violated Regulation No. 61, governing vehicle markings, and Order No. 5359, directing Gillison to cease doing business under the name "Quiana Tours, Inc."² Gillison also was found to have knowingly and willfully violated Regulation No. 62 governing revenue vehicle leases.³

We assessed three forfeitures of \$250 each against Gillison for the past violations and, because Gillison by that time had complied with Regulation No. 62 but had offered no evidence of bringing his operations into compliance with Order No. 5359 and Regulation No. 61, directed Gillison to show cause why Certificate No. 290 should not be suspended or revoked to prevent any further violations.⁴

Gillison paid the forfeitures on March 26, 2003. On April 2, 2003, he filed an affidavit averring compliance with Order No. 5359 and Regulation No. 61. Compliance with Order No. 5359 was

¹ Regulation No. 61 requires that both sides of each revenue vehicle operated under WMATC authority display the operator's name and WMATC number. The markings must be legible during daylight hours from a distance of fifty feet. Markings less than two and one-half inches in height are presumed not to be legible from fifty feet.

² In re William E. Gillison, t/a Quiana Tours, Quiana Tours, Inc., & Baron Transp., Inc., No. MP-02-97, Order No. 7066 (Mar. 4, 2003).

³ Id.

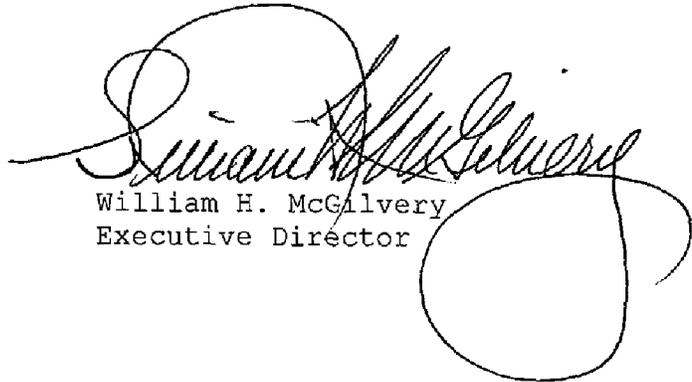
⁴ Id.

corroborated by supporting documents. Compliance with Regulation No. 61 was not, and Gillison failed to present his vehicles for inspection as requested by Commission staff. As a result, the Commission suspended Certificate No. 290 on June 4, 2003, and gave Gillison thirty days to show cause why Certificate No. 290 should not be revoked.⁵

Gillison timely presented his revenue vehicles for inspection on June 12 and 16, 2003. The inspections reveal that Gillison's four revenue vehicles have been brought into compliance with Regulation No. 61.⁶ Accordingly, the suspension is lifted, and this investigation is terminated as it pertains to Gillison and Quiana Tours, Inc.

IT IS SO ORDERED.

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



William H. McGilvery
Executive Director

⁵ In re William E. Gillison, t/a Quiana Tours, Quiana Tours, Inc., & Baron Transp., Inc., No. MP-02-97, Order No. 7229 (June 4, 2003).

⁶ Gillison's affidavit, filed April 2, 2003, alleged that the vehicle markings were three inches in height, which was the safe harbor under Regulation No. 61 at that time. The June 12 and 16, 2003, inspections reveal that only one bus has markings three inches high -- and at that, only in part. The markings, however, meet the new safe harbor of two and one-half inches that became effective April 11, 2003. See In re Rulemaking to Amend Reg. No. 61 & Reg. No. 62, No. MP-03-08, Order No. 7132 (Apr. 11, 2003).