

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 7378

IN THE MATTER OF:

Served August 27, 2003

A-AMERICAN DREAM LIMOUSINE )  
SERVICE, INC., Formerly Known as )  
AMERICAN DREAM LIMOUSINE SERVICE )  
INC., Investigation of )  
Unauthorized Operations )

Case No. MP-2003-90

This investigation is being initiated to determine whether respondent has violated Article XI, Section 6(a), of the Washington Metropolitan Area Transit Regulation Compact and Commission Regulation No. 63-04.

Article XI, Section 1, of the Compact provides that: "This Act shall apply to the transportation for hire by any carrier of persons between any points in the Metropolitan District." Article XI, Section 6(a), of the Compact provides that: "A person may not engage in transportation subject to this Act unless there is in force a 'Certificate of Authority' issued by the Commission authorizing the person to engage in that transportation." Regulation No. 63-04 provides that no carrier "regulated by the Commission or subject to such regulation shall advertise or hold itself out to perform transportation or transportation-related services within the Metropolitan District unless such transportation or transportation-related services are authorized by the Commission."

Respondent has placed an advertisement in the 2002-2003 Verizon SuperPages for the District of Columbia holding respondent out as a carrier providing transportation service in 14-passenger limousines, a 20-passenger Navigator, and a 24-passenger Excursion. Respondent's website at [www.limopage.com](http://www.limopage.com) advertises passenger transportation service in 16-passenger limousines in the Washington Metropolitan Area. Commission staff wrote to respondent on February 21, 2003, informing respondent that such transportation requires a WMATC certificate of authority and advising respondent to consider filing an application for WMATC operating authority by March 21, 2003. Respondent has yet to reply.

On June 18, 2003, the Commission received a copy of a contract that appears to have been issued by respondent for roundtrip passenger transportation in a 24-passenger Excursion between Washington, DC, and Bethesda, MD, on June 7, 2003.

It thus appears that respondent is advertising passenger transportation for hire between points in the Metropolitan District in violation of Regulation No. 63-04 and transporting passengers for hire between points in the Metropolitan District in violation of Article XI, Section 6(a), of the Compact.

The Commission may investigate on its own motion a fact, condition, practice, or matter to determine whether a person has violated or will violate a provision of the Compact or a rule, regulation, or order.<sup>1</sup> For the purpose of an investigation or other proceeding under the Compact, the Commission may administer oaths and affirmations, subpoena witnesses, compel its attendance, take evidence, and 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> The Commission shall have access at all times to the accounts, records, memoranda, lands, buildings, and equipment of any carrier for inspection purposes.<sup>3</sup>

If the Commission finds that a respondent has violated a provision of the Compact or any requirement established under it, the Commission shall issue an order compelling compliance and effecting other just and reasonable relief.<sup>4</sup> A person who knowingly and willfully violates a provision of the Compact, or a rule, regulation, requirement, or order issued under it, or a term or condition of a certificate 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.<sup>5</sup>

We shall direct respondent to produce any and all records and documents in its possession, custody or control relating to transportation of passengers for hire between points in the Metropolitan District during the period beginning February 21, 2003, and ending on the date of this order.

THEREFORE, IT IS ORDERED:

1. That an investigation of respondent and its operations in the Washington Metropolitan Area Transit District is hereby initiated under Article XIII, Section 1, of the Compact.

2. That respondent is hereby directed to refrain from, and/or cease and desist from, transporting passengers for hire between points in the Metropolitan District, and advertising such service, unless and until otherwise ordered by the Commission.

3. That respondent is hereby directed to produce, within thirty days from the date of this order, any and all books, papers, correspondence, memoranda, contracts, agreements, and other records and documents, including any and all stored electronically, that are within respondent's possession, custody or control and which relate to the transportation of passengers for hire between points in the Metropolitan District during the period beginning February 21, 2003, and ending on the date of this order, including, but not limited to any and all:

---

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

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

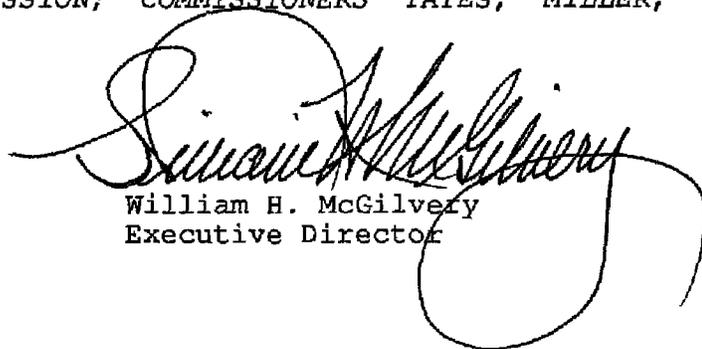
<sup>3</sup> Compact, tit. II, art. XII, § 1(b).

<sup>4</sup> Compact, tit. II, art. XIII, § 1(d).

<sup>5</sup> Compact, tit. II, art. XIII, § 6(f).

- a. customer contracts and invoices;
- b. invoices from other carriers;
- c. evidence of communications, including telephone logs, facsimile transmissions, and correspondence;
- d. calendars and itineraries;
- e. bank records;
- f. payroll records;
- g. insurance documents;
- h. advertising materials;
- i. internal corporate documents, such as articles of incorporation, bylaws, and minutes;
- j. income tax and personal property returns; and
- k. USDOT Forms MCS-150.

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



William H. McGilvery  
Executive Director