

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 8299

IN THE MATTER OF:

Served September 27, 2004

Investigation of Failure to File) Annual Report, Assessment of) Civil Forfeiture, and Notice of) Automatic Suspension and) Revocation, Directed to:)	
QUIANA TOURS, INC., WMATC No. 290)	Case No. MP-2004-169
P & D TOURS, INC., WMATC No. 371)	Case No. MP-2004-170
A-1 AMBULANCE & TRANSPORT, INC.,) WMATC No. 503)	Case No. MP-2004-171
ADEYEMI T. OKIJI, Trading as) ADURAS TRANSPORTATION SERVICES,) WMATC No. 593)	Case No. MP-2004-172
DYNAMIC TOURS, INC., WMATC No. 702)	Case No. MP-2004-173
HISHAM AMIN, Trading as GOOD CARE,) WMATC No. 728)	Case No. MP-2004-174
KAYO, LLC, WMATC No. 791)	Case No. MP-2004-175

This investigation is being initiated to assess a civil forfeiture against each carrier that has failed to file an annual report for 2003.

Commission Regulation No. 60-01 directs each WMATC carrier to file an annual report with the Commission, on a form provided by the Commission, on or before April 30 of each year, or such other date as the Commission may prescribe. On January 15 of this year, the Commission mailed an annual report form for 2003 and an instruction sheet to each WMATC carrier holding authority as of January 1, 2004. The instruction sheet specified a due date of January 31, 2004. None of the carriers named in this order has filed a complete annual report for 2003.

Under Article XIII, Section 6(f), of the Compact, the Commission may assess a civil forfeiture against a person who knowingly and willfully violates a Commission regulation. Each carrier named in this order has been furnished a copy of the "Rules of Practice and Procedure and Regulations of the Washington Metropolitan Area Transit Commission." Each has sworn familiarity with the Commission's regulations as a condition of applying for operating authority. Each was mailed an annual report form for 2003. When the report was not timely filed, each was promptly notified that the report was overdue. At this late date, there can be no excuse for not having filed an annual report for 2003. The Commission, therefore, shall assess a civil forfeiture of \$100 against each carrier named in

this order for knowingly and willfully violating Commission Regulation No. 60-01.

Each carrier named in this order shall have thirty days to file an annual report for 2003 and pay the forfeiture herein assessed. The operating authority of each carrier that fails to file the report and pay the forfeiture within thirty days shall stand suspended and be subject to revocation without further proceeding pursuant to Article XI, Section 10(c), of the Compact.

THEREFORE, IT IS ORDERED:

1. That an investigation is hereby initiated pursuant to Article XIII, Section (1), of the Compact.

2. That each carrier named herein is hereby made a party respondent.

3. That the Commission hereby assesses a \$100 civil forfeiture against each respondent for knowingly and willfully violating Commission Regulation No. 60-01.

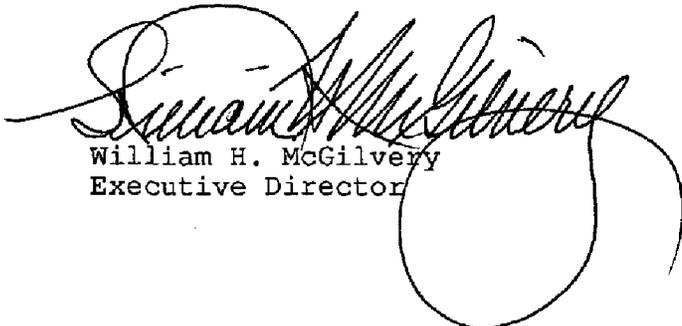
4. That in compliance with Commission Order No. 60-01, each respondent shall file within thirty days from the date of this order an annual report for 2003.

5. That each respondent shall pay to the Commission within thirty days from the date of this order, **by money order, certified check, or cashier's check**, the sum of one hundred dollars (\$100).

6. That each respondent may file within 15 days from the date of this order a request for oral hearing, specifying the grounds for the request, describing the evidence to be adduced and explaining why such evidence cannot be adduced without an oral hearing.

7. That the certificate of authority of each respondent that fails to timely comply with this order shall stand suspended and be subject to revocation without further proceeding.

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



William H. McGilverey
Executive Director