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BEFORE THE  
WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 191

Served September 6, 1962

IN THE MATTER OF:

Application of Olin C. Orr,     )  
dba Orr's Limousine Service    )  
for a Certificate of Public     )  
Convenience and Necessity     )

Application No. 21

Olin C. Orr, dba Orr's Limousine Service, has filed a Petition of Reconsideration of Order No. 174, which dismissed the application of Olin C. Orr, dba Orr's Limousine Service, for a certificate of public convenience and necessity.

The applicant claims the Commission erred in that it did not consider his charter operations as authorized by Interstate Commerce Commission Certificate No. MC 96564. The applicant alleged in his "grandfather" application that he held such a certificate, but failed to submit a copy of the certificate.

The Commission is of the opinion that it should reconsider the application, including the certificate, a copy of which it has secured from the Interstate Commerce Commission.

The certificate authorized the applicant to transport passengers "in round-trip charter operations, limited to the transportation of not more than six passengers in any one vehicle, . . . over irregular routes, beginning and ending at Washington, D. C., and extending to points and places in Delaware, Maryland, New Jersey, Pennsylvania, Virginia, and to New York, . . ." His main operations consisted of supplying limousines to several large corporations, foreign embassies, legations and local concerns. This transportation thus appears to be an on-call service, over irregular routes, at the direction of the passenger, and not operated between fixed termini on a regular schedule.

Section 20(a)(2) of the Compact provides that upon the effective date of the Compact (March 22, 1961), certificates issued by the Interstate Commerce Commission to any carrier subject to the jurisdiction of

this Commission shall be suspended during the existence of the Compact. Thus, it appears that that portion of the certificate that relates to transportation within the Metropolitan District is suspended, and such transportation is subject to the terms of the Compact.

The Commission has previously held (see Montgomery Charter Service, Order No. 174) that this type of transportation is, under the Compact, a type of taxicab operation (Section 2(d), Compact) and neither requires, nor is entitled to, a certificate of public convenience and necessity. The Commission's jurisdiction is thus restricted to the regulation only of the interstate fare and minimum insurance requirements.

The Commission has reconsidered the application and is of the opinion and finds that the transportation discussed herein is a taxicab operation and that the application should be dismissed.

THEREFORE, IT IS ORDERED that the application of Olin C. Orr, dba Orr's Limousine Service, upon reconsideration, be, and it is hereby, dismissed.

FOR THE COMMISSION:

  
DELMER ISON  
Executive Director