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BEFORE THE  
WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 197

Served September 12, 1962

IN THE MATTER OF:

Application of Washington )  
Sightseeing Co. Inc., for )  
a certificate of Public )  
Convenience and Necessity )

Application No. 102

Pursuant to Section 4(a), Article XII, Washington Metropolitan Area Transit Regulation Compact, the Washington Sightseeing Co., Inc., has filed an application for a certificate of public convenience and necessity to authorize such transportation as it was bona fide engaged in on the effective date of the Compact (March 22, 1961).

It appears that the applicant was engaged in sightseeing and charter operations in the Metropolitan District by virtue of the authority granted to it in Certificate of Public Convenience and Necessity No. MC 96454, issued by the Interstate Commerce Commission. The certificate authorized the transportation in interstate commerce of passengers and baggage, limited to not more than seven passengers, not including the driver, in any one vehicle, in round-trip sightseeing from Washington, D. C. to Mount Vernon, Virginia, and Annapolis, Maryland, over irregular routes, and in charter operations from Washington, D. C. to points and places in Maryland and Virginia, and return, over irregular routes. All of the transportation performed by the applicant was on-call, over irregular routes, and directed by the passengers, conducted in vehicles designed to carry (8) passengers, or less, excluding the driver. Section 20(a)(2) of the Compact provides that upon the effective date of the Compact, 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. Therefore, it appears that that portion of the Interstate Commerce Commission 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 that this type of transportation is, under the Compact, a type of taxicab operation (Section

-ORDER NO. 197-

2(d), Compact) and neither requires, nor is entitled to, a certificate of Public Convenience and Necessity. The Commission's only jurisdiction is the regulation of the interstate rates and minimum insurance requirements.

The Commission is of the opinion and finds the transportation that the applicant was engaged in on the effective date of the Compact is a type of taxicab operation, that a certificate of Public Convenience and Necessity should not be issued, and that this application should be dismissed.

THEREFORE, IT IS ORDERED that the application of the Washington Sightseeing Co. Inc., be, and it is hereby, dismissed.

FOR THE COMMISSION:

  
DELMER TECH  
Executive Director