

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,797

IN THE MATTER OF:

Served January 15, 2009

Application of PLATINUM LIMOUSINE) Case No. AP-2008-085
SERVICE, INC., for a Certificate of)
Authority -- Irregular Route)
Operations)

This matter is before the Commission on applicant's request for an extension of time to comply with Commission Order No. 11,339, served June 6, 2008, and a request to waive Regulation No 61 as to applicant's luxury sedan and limousines.

Order No. 11,339 conditionally granted Certificate of Authority No. 1538 and stipulated that applicant would have the full 180 days available under Commission Regulation No. 66, or until December 3, 2008, to satisfy the conditions of the grant. On December 3, 2008, applicant requested an extension of the compliance deadline.

The record shows that applicant satisfied the conditions of Order No. 11,339 as of January 2, 2009, except the requirement that applicant's revenue vehicles pass inspection by Commission staff. Staff inspection reports show that five of applicant's nine revenue vehicles are properly marked in accordance with Regulation No. 61 and that four are not. The four, a sedan and three limousines, are eligible for a full or partial waiver of Regulation No. 61 marking requirements, however.

The Commission routinely waives Regulation No. 61 with respect to limousines and luxury sedans seating nine persons or less, including the driver.¹ Limousines and luxury sedans seating more than nine persons, including the driver, but less than 16 persons, including the driver, must at a minimum display the carrier's WMATC number.²

Accordingly, we find that applicant's nine-passenger 2006 Chrysler 300 qualifies for a full waiver. We also find that applicant's two 10-passenger limousines and applicant's 14-passenger limousine qualify for a partial waiver. These latter three must at a minimum display applicant's WMATC number. Two of applicant's limousines meet this requirement. One does not. On this record, we

¹ *In re McCloud's Professional Limousine Service, Inc.*, No. AP-05-117, Order No. 9754 (July 19, 2006).

² *Id.*

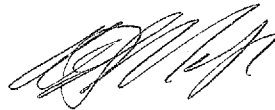
conclude that applicant substantially satisfied the conditions of the grant as of January 2.³

Regulation No. 66 provides that: "The time for complying with the conditions of a grant of authority shall not be extended beyond 180 days from the date of the grant. A conditional grant of authority shall be void on the 181st day following the date of the grant if full compliance has not been achieved at that time." The Commission, however, may waive Regulation No. 66 in its discretion or for good cause shown under Rule No. 29.⁴

The Commission has approved the issuance of a certificate of authority in the past where, as here: (1) applicant requested an extension of time within the aforementioned 180 days; and (2) satisfied the conditions of the grant within thirty days beginning on the aforementioned 181st day.⁵ For good cause shown, Regulation No. 66 shall be waived.

THEREFORE, IT IS ORDERED that Certificate of Authority No. 1538 shall be issued to Platinum Limousine Service, Inc., 11701 Central Avenue, #201, Waldorf, MD, 20601-2829.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS CHRISTIE AND BRENNER:



William S. Morrow, Jr.
Executive Director

³ Applicant may not operate the unmarked 10-passenger 2006 Lincoln until such time as a staff inspection confirms that applicant's WMATC number is displayed on both sides in accordance with Regulation No. 61 and this order.

⁴ In re *City Sightseeing Buses LLC*, No. AP 06-013, Order No. 10,305 at 3 (Mar. 6, 2007).

⁵ See In re *JBT Enterprise, LLC, t/a Access Mobility Transp.*, No. AP-05-111, Order No. 9755 (July 19, 2006) (explaining 30-day rationale).