

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 16,214

IN THE MATTER OF:

Served February 19, 2016

Application of DC LIMO WORLD INC)
for a Certificate of Authority --)
Irregular Route Operations)

Case No. AP-2015-207

Applicant seeks a certificate of authority to transport passengers in irregular route operations between points in the Metropolitan District, restricted to transportation in vehicles with a seating capacity of less than 16 persons only, including the driver. The application is unopposed.

The Compact, Title II, Article XI, Section 7(a), authorizes the Commission to issue a certificate of authority if it finds that the proposed transportation is consistent with the public interest and that the applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission. If the applicant does not make the required showing, the application must be denied under Section 7(b).

An applicant for a certificate of authority must establish financial fitness, operational fitness, and regulatory compliance fitness.¹ A determination of compliance fitness is prospective in nature.² The purpose of the inquiry is to protect the public from those whose conduct demonstrates an unwillingness to operate in accordance with regulatory requirements.³ Past violations do not necessarily preclude a grant of authority but permit the inference that violations will continue.⁴

Applicant verifies that: (1) applicant owns or leases, or has the means to acquire through ownership or lease, one or more motor vehicles meeting the Commission's safety requirements and suitable for the transportation proposed in this application; (2) applicant owns, or has the means to acquire, a motor vehicle liability insurance policy that provides the minimum amount of coverage required by Commission regulations; and (3) applicant has access to, is familiar with and will comply with the Compact, the Commission's rules,

¹ *In re Reliable Limo. & Bus Serv., LLC*, No. AP-12-183, Order No. 13,775 (Feb. 28, 2013).

² *Id.*

³ *Id.*

⁴ *Id.*

regulations and orders, and Federal Motor Carrier Safety Regulations as they pertain to transportation of passengers for hire.

Normally, such evidence would establish an applicant's fitness,⁵ but applicant's president, Haider S. Ali, has a record of controlling a company with a history of regulatory violations -- Washington DC Bus Charter LLC, t/a DC Limo World.

I. HISTORY OF VIOLATIONS

According to records obtained from the Virginia State Corporation Commission, Washington DC Bus Charter LLC was formed in December 2009. VASCC records further show that as of March 15, 2011, Mr. Ali was listed as Washington DC Bus Charter's resident agent and with a "status" of "member/manager" and a mailing address of 5524 Hempstead Way, Ste 100, Springfield, VA 22151.

Passenger carrier records obtained from the Federal Motor Carrier Safety Administration on March 15, 2011, show that Washington DC Bus Charter LLC held USODT No. 1976232 on that date, operated under the trade name, "DC Limo World", and maintained an office at 1500 Massachusetts Ave., NW, Washington, DC 20005. The mailing address was listed as P.O. Box 111, Springfield, VA 22150.

Records obtained from www.Manta.com on March 16, 2011, likewise showed "DC Limo World" maintaining an office at 1500 Massachusetts Ave. and further stated: "Haider Ali, President, updated this company profile on 02/02/2011."

Commission records show that as of March 15, 2011, the Website www.dclimoworld.com advertised passenger transportation within "the Washington DC metropolitan area", including "Dulles Airport Ground Transportation to and from Washington DC". According to the Website, DC Limo World's fleet included vehicles seating 10, 12, 14, 15, 16, 20, 22, 26, 30, and 32 passengers. Such service requires a WMATC certificate of authority, but no WMATC certificate of authority had been issued in the name of Washington DC Bus Charter LLC or DC Limo World. It thus appeared that as of March 15, 2011, Washington DC Bus Charter LLC, t/a DC Limo World, was in violation of Regulation No. 63-04.

WMATC Order No. 12,771, served March 16, 2011, directed Washington DC Bus Charter LLC, t/a DC Limo World, to immediately cease and/or refrain from violating Regulation No. 63-04 and gave it 30 days to show cause why the Commission should not assess a civil forfeiture.⁶ The order also gave Washington DC Bus Charter LLC, t/a DC Limo World, 15 days to request an oral hearing.⁷ The order was mailed to

⁵ *Id.*

⁶ *In re Washington DC Bus Charter LLC, t/a DC Limo World*, No. MP-11-025, Order No. 12,771 (Mar. 16, 2011).

⁷ *Id.*

Mr. Ali, President, Washington DC Bus Charter LLC, t/a DC Limo World, P.O. Box 111, Springfield, VA 22150, and delivery was accepted,⁸ but the Commission received no response.

WMATC assessed a civil forfeiture of \$750 against Washington DC Bus Charter LLC, t/a DC Limo World, on May 16, 2011, in Order No. 12,859 and set a 30-day payment deadline.⁹ The order was mailed to Mr. Ali, President, Washington DC Bus Charter LLC, t/a DC Limo World, P.O. Box 111, Springfield, VA 22150, and delivery was accepted,¹⁰ but the Commission received no payment.

WMATC later obtained an injunction against Washington DC Bus Charter LLC, t/a DC Limo World, on June 13 2012, and an award of \$370 in court costs on July 12, 2012, from the U.S. District Court for the District of Columbia. The Commission has yet to receive payment.

II. APPLICANT'S RESPONSE

Mr. Ali denies culpability in a statement supporting the application:

I (Haider S Ali) formed a LLC company named, Washington DC Bus Charter DBA DC Limo World back in 2009. I did not do business under this company name and decided not to get into the Transportation industry. The office at 5526 Hempstead Way Suite 100 Springfield VA 22151 along with the company was shut down immediately after a month. The phone number and website www.dclimoworld.com and all the other things and services associated with this company were also sold in 2009 to another company. I am unaware of the \$750 civil Forfeiture against me or the company and I am unaware of the \$370 judgement again[st] DC Limo World. Furthermore, I never received any documentation that I have to come to court and I have no idea why I was taken to the court in the first place.

In a separate statement, Mr. Ali further declares that he only recently repurchased the rights to www.dclimoworld.com.

The website www.dclimoworld.com was purchased by dc limo world back in 2009 and then sold back in 2009 to another person. The Whois Record states that it was registered to Mr Irfan Hassan. The latest record indicates that this website www.dclimoworld.com has been purchased back by DC LIMO WORLD recently along with the

⁸ The order also was mailed to Mr. Ali at 5524 Hempstead Way, Ste 100, Springfield, VA 22151, but returned "unclaimed".

⁹ *In re Washington DC Bus Charter LLC, t/a DC Limo World*, No. MP-11-025, Order No. 12,859 (May 16, 2011).

¹⁰ The order also was mailed to Mr. Ali at 5524 Hempstead Way, Ste 100, Springfield, VA 22151, but returned "unclaimed".

entire website, which is currently disabled due to a pending application with WMATC and waiting for an approval.

Mr. Ali does not identify the alleged purchaser of his company in 2009, and he offers no documentation of its sale - in 2009 or anytime else. In any event, although VASCC cancelled the articles of organization of Mr. Ali's company in 2010 for nonpayment of fees, Mr. Ali was still listed in VASCC records as the company's resident agent and member/manager in March 2011 at or about the time the subject violations occurred, as noted above.

As for Website ownership, Mr. Ali documents Mr. Hassan's affiliation with the DC Limo World Website using "Whois" Website ownership records from GoDaddy.com, Inc. Those records do not connect Mr. Hassan to the Website prior to November 2, 2011. Whois records obtained by WMATC in early 2011, on the other hand, list Mr. Ali as the administrative contact and technical contact for www.dclimoworld.com as of April 25, 2011, which was shortly after the first of two violations noted in WMATC Order No. 12,859, and shortly before the second, but in any case well after 2009, when Mr. Ali says he sold his company and Website.

III. LIKELIHOOD OF FUTURE COMPLIANCE

When an applicant or a person controlling an applicant has a record of violations, or a history of controlling companies with such a record, the Commission considers the following factors in assessing the likelihood of applicant's future compliance: (1) the nature and extent of the violations, (2) any mitigating circumstances, (3) whether the violations were flagrant and persistent, (4) whether the controlling party has made sincere efforts to correct past mistakes, and (5) whether the controlling party has demonstrated a willingness and ability to comport with the Compact and rules and regulations thereunder in the future.¹¹

Advertising and performing WMATC service without a certificate of authority are serious violations. There are no mitigating circumstances in the record before us, and the violations in this case continued despite fair notice. Given the contemporaneous documentary evidence that Mr. Ali was in control of Washington DC Bus Charter LLC, t/a DC Limo World, and its Website, when the violations of record took place in March and May of 2011, and considering the absence of such evidence to the contrary, we find that those violations, and the failure to correct them,¹² should be factored into our assessment of applicant's fitness.

¹¹ Order No. 13,775.

¹² See *In re Shirlington Limo. & Transp., Inc.*, No. AP-02-20, Order No. 6709 (June 21, 2002) (payment of forfeiture corrects past mistakes).

IV. CONCLUSION

On this record, we cannot say that applicant has demonstrated a willingness and ability to comport with the Compact and rules and regulations thereunder in the future.¹³

THEREFORE, IT IS ORDERED that the application of DC Limo World Inc for a certificate of authority, irregular route operations, is hereby denied without prejudice.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS BRENNER, HOLCOMB, AND DORMSJO:



William S. Morrow, Jr.
Executive Director

¹³ See *In re Adepeju Akinto, t/a Advantage Servs.*, No. AP-13-368, Order No. 14,601 (Feb. 26, 2014) (denying application where applicant's vice president aware of unpaid WMATC forfeiture assessed against carrier controlled by vice president).