

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 16,696

IN THE MATTER OF:

Served November 22, 2016

PROFESSIONAL LIMOUSINE, INC., WMATC )  
No. 2797, Investigation of )  
Violation of Order No. 15,841 and )  
Regulation No. 64-04 )

Case No. MP-2016-111

This matter is before the Commission on the response of respondent to Order No. 16,442, served June 21, 2016, directing respondent to show cause why Certificate No. 2797 should not be revoked for respondent's failure to produce evidence of having obtained for-hire plates for its initial WMATC vehicle.

**I. BACKGROUND**

The Washington Metropolitan Area Transit Regulation Compact<sup>1</sup> authorizes the Washington Metropolitan Area Transit Commission (WMATC) to issue a certificate of passenger carrier 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.<sup>2</sup>

The Commission may attach to the issuance of a certificate and to the exercise of the rights granted under it any term, condition, or limitation that is consistent with the public interest.<sup>3</sup>

The Commission approved the application of Professional Limousine, Inc., (respondent), for a certificate of authority on September 9, 2015, in Order No. 15,841, subject to several conditions, including the condition that respondent produce a copy of the for-hire vehicle registration card for each vehicle to be operated under WMATC authority, as required by WMATC Regulation No. 64-04.<sup>4</sup> As of January 7, 2016, respondent had satisfied all conditions except the for-hire plate condition. In the absence of any passenger carrier authority, respondent was unable to obtain for-hire plates for its initial WMATC vehicle, a 2008 Ford Econoline with VIN ending A77242.

To resolve the impasse, the Commission issued WMATC Certificate No. 2797 to respondent on January 7, 2016, subject to a vehicle-out-of-service notice and subject to the proviso that respondent obtain

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<sup>1</sup> Pub. L. No. 101-505, § 1, 104 Stat. 1300 (1990), amended by Pub. L. No. 111-160, 124 Stat. 1124 (2010) (amending tit. I, art. III).

<sup>2</sup> Compact, tit. II, art. XI, § 7(a).

<sup>3</sup> Compact, tit. II, art. XI, § 7(d).

<sup>4</sup> *In re Professional Limo., Inc.*, No. AP-15-186, Order No. 15,841 (Sept. 9, 2015).

for-hire plates for the 2008 Econoline and submit a copy of the new registration to the Commission within 30 days or face revocation of Certificate No. 2797. Respondent did not comply. The Commission accordingly issued Order No. 16,442 on June 21, 2016, directing respondent to show cause why Certificate No. 2797 should not be revoked.

## **II. RESPONSE AND ANALYSIS**

Respondent has produced a for-hire registration card for the 2008 Econoline in response to Order No. 16,442. And normally, that would end the matter. But respondent also has submitted a WMATC vehicle list with the 2008 Econoline on it and nothing else. This does not agree with WMATC records indicating that respondent added a vehicle to its fleet last February.

To make matters worse, respondent's insurance company has provided WMATC with a vehicle list indicating that respondent's fleet now numbers five, and according to the list, four of the five vehicles were in respondent's fleet as of December 15, 2015, even though at that time, respondent had disclosed to WMATC the existence of the 2008 Econoline only. Excluding the other three vehicles from respondent's initial vehicle list had the effect of shielding them from mandatory WMATC inspection and enabling respondent to place those vehicles in service without first providing proof of a current safety inspection as required by Order No. 15,841.

Finally, one of the vehicles on the insurance list, a 2014 Sprinter, had private plates as of August 19, 2016.

## **III. ORDER TO PRODUCE VEHICLES AND DOCUMENTS**

Respondent is hereby directed to file the following documents and present its revenue vehicle(s) for inspection within 30 days: (a) a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle used in revenue operations; (b) a copy of the for-hire vehicle registration card, and a lease as required by Commission Regulation No. 62 if applicant is not the registered owner, for each vehicle used in revenue operations; and (c) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia.

IT IS SO ORDERED.

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



William S. Morrow, Jr.  
Executive Director