

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 17,572

IN THE MATTER OF:

Served April 20, 2018

BRIDGEWAY COMMUNITY SERVICES, INC., )  
WMATC No. 2712, Investigation of )  
Violation of Certificate No. 2712 )  
and Regulation No. 64 )

Case No. MP-2018-045

This investigation is being initiated to determine whether respondent knowingly and willfully violated the 15-person seating capacity restriction in Certificate of Authority No. 2712 and the Commission's safety regulations in WMATC Regulation No. 64.

**I. BACKGROUND**

Certificate of Authority No. 2712 authorizes respondent to transport passengers for hire between points in the Metropolitan District in vehicles with a manufacturer's designed seating capacity of 15 or fewer persons, including the driver. Respondent's 2018 annual report lists two vehicles: a 2008 Ford with a reported seating capacity of 16 persons and a 2014 Chevrolet with a reported seating capacity of 15 persons.

Commission staff instructed respondent to present the 2008 Ford for inspection on or before January 31, 2018, so that its seating capacity might be verified. Respondent did not respond. Accordingly, the 2008 Ford was ordered out of service on February 1, 2018, pursuant to Regulation No. 64-05.

Respondent later presented the 2008 Ford for inspection on February 8, 2018, and Commission staff determined that it has a seating capacity of 18 persons, including the driver. Records obtained from the District of Columbia Department of Motor Vehicles indicate that respondent has possessed the 2008 Ford since October 8, 2015.

In a separate matter, it has come to our attention that records obtained from respondent's insurance company indicate that respondent has informed its insurance company that respondent does not review the motor vehicle records of its drivers, which is a violation of the annual review requirement in 49 C.F.R. § 391.25, adopted by WMATC Regulation No. 64-01.

**II. ORDER TO CEASE AND DESIST AND VERIFY COMPLIANCE**

Inasmuch as respondent lacks authority to operate vehicles seating more than 15 persons, including the driver, respondent shall immediately cease and desist from transporting passengers for hire between points in the Metropolitan District in the 2008 Ford.

Further, in accordance with WMATC Rule No. 28, respondent shall submit a sworn statement verifying that the 2008 Ford has been removed from service.

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

The Commission may investigate on its own motion a fact, condition, practice, or matter to determine whether a person has violated or will violate a provision of the Compact or a rule, regulation, or order.<sup>1</sup> For the purpose of an investigation or other proceeding under the Compact, the Commission may administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of books, papers, correspondence, memoranda, contracts, agreements, or other records or evidence which the Commission considers relevant to the inquiry.<sup>2</sup> The Commission shall have access at all times to the accounts, records, memoranda, lands, buildings, and equipment of any carrier for inspection purposes.<sup>3</sup>

So that we may determine the extent of respondent's operations in the 2008 Ford, respondent shall produce copies of all business records pertaining to WMATC operations on and after October 8, 2015.

And so that we may determine the extent of respondent's compliance with Regulation No. 64, respondent shall produce a current list of vehicles, a current list of drivers, and insurance and safety records relating to those vehicles and drivers. And respondent shall present its vehicles for inspection by WMATC staff.

#### **THEREFORE, IT IS ORDERED:**

1. That an investigation of respondent and its operations within the Washington Metropolitan Area Transit District is hereby initiated pursuant to Article XIII, Section 1, of the Compact.

2. That respondent shall immediately cease and desist from transporting passengers for hire between points in the Metropolitan District in the 2008 Ford listed in respondent's 2018 annual report.

3. That within 30 days from the date of this order, respondent shall submit a statement under oath confirming that respondent has ceased transporting passengers for hire between points in the Metropolitan District in the 2008 Ford listed in respondent's 2018 annual report.

4. That within 30 days from the date of this order, respondent shall produce: (i) a current list of vehicles; (ii) copies of the vehicle registration cards for those vehicles; (iii) a current list of

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<sup>1</sup> Compact, tit. II, art. XIII, § 1(c).

<sup>4</sup> Compact, tit. II, art. XIII, § 1(e).

<sup>3</sup> Compact, tit. II, art. XII, § 1(b).

drivers; and (iv) all insurance and safety records relating to respondent's vehicles and drivers.

5. That within 30 days from the date of this order, respondent shall present all of its vehicles for inspection by Commission staff.

6. That within 30 days from the date of this order, respondent shall produce any and all books, papers, correspondence, memoranda, contracts, agreements, and other records and documents, including any and all stored electronically, that are within respondent's possession, custody or control and which relate to the transportation of passengers for hire between points in the Metropolitan District during the period beginning October 8, 2015, and ending on the date of this order, including, but not limited to any and all:

- a. customer contracts and invoices;
- b. calendars and itineraries;
- c. bank and credit card statements.

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



William S. Morrow, Jr.  
Executive Director