

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 20,553

IN THE MATTER OF:

Served January 3, 2024

Application of GROUP RIDE SERVICE, )  
LLC, Trading as GROUP RIDE, for a )  
Certificate of Authority -- )  
Irregular Route Operations )

Case No. AP-2023-205

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.

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, 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, but this applicant has a presumptive control relationship with a company with a history of regulatory violations.

**I. HISTORY OF VIOLATIONS**

Applicant's sole owner and president, Moyazzema Khatun, is married to Mohammed S. Islam, the owner and president of Luxury Sedan & Limo Service, LLC. Luxury Sedan previously held WMATC Certificate No. 3103 from July 3, 2018, until November 2, 2020, when it was revoked for Luxury Sedan's failure to file a 2020 annual report, failure to maintain a WMATC Insurance Endorsement on file with the Commission, and

failure to pay \$250 in associated late fees.<sup>1</sup> The revocation order noted that Luxury Sedan's 2020 annual report and \$250 outstanding fees would remain due. The order further gave Luxury Sedan 30 days to surrender Certificate No. 3103 to the Commission and file a notarized affidavit and supporting photographs verifying removal of WMATC markings from applicant's vehicles. Luxury Sedan did not comply.

Ms. Khatun's spousal relationship with Luxury Sedan's owner and president, Mohammed Islam, raises the presumption that she controlled Luxury Sedan at the time of its violations and also raises the presumption that Mr. Islam controls applicant today.<sup>2</sup>

## II. LIKELIHOOD OF FUTURE COMPLIANCE

When an applicant or a person controlling an applicant has a record of regulatory 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.<sup>3</sup>

Luxury Sedan's failure to maintain compliance with the Commission's insurance, annual report, and late fee requirements in Regulation Nos. 58, 60, and 67 warranted revocation of Certificate No. 3103. Furthermore, Luxury Sedan's failure to respond to the revocation order by surrendering Certificate No. 3103 and confirming removal of vehicle markings persisted for more than a year.

On the other hand, on February 25, 2022, Luxury Sedan paid its outstanding late fees, surrendered Certificate No. 3103 to the Commission, and filed a signed statement explaining that no identification markings were displayed on its vehicles because they were luxury sedans and SUVs exempt from WMATC's marking requirements pursuant to Regulation No. 61-06. There is no evidence in the record of post-

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<sup>1</sup> *In re Luxury Sedan & Limo Serv., LLC*, No. MP-20-041, Order No. 19,125 (Nov. 2, 2020).

<sup>2</sup> See *In re Ontime Transp. Inc.*, No. AP-00-18, Order No. 5866 (Apr. 21, 2000) ("A presumption of common control arises where an officer of one carrier is closely related to an officer of another carrier."); see also *In re People Helping Others Transp. LLC*, No. AP-22-071, Order No. 19,864 (Aug. 16, 2022) (presumption of common control based on spousal relationship of applicant's co-owner with former WMATC carrier); *In re AN Transp. LLC*, No. AP-19-175, Order No. 19,223 (Jan. 27, 2021) (finding common control based on spousal relationship of applicant's sole officer and owner with former WMATC carrier); *In re Ene Tours, LLC*, No. AP-18-029, Order No. 17,648 (June 1, 2018) (finding common control based on spousal relationship of applicant's president with owner of former WMATC carrier).

<sup>3</sup> Order No. 19,864 at 2.

suspension or post-revocation operations by Luxury Sedan within the Metropolitan District, or any other unauthorized operations by applicant or by Luxury Sedan.

The Commission has found other applicants fit under similar circumstances.<sup>4</sup> Applicant shall serve a 1-year period of probation as a means of ensuring prospective compliance.<sup>5</sup>

### III. CONCLUSION

Based on the evidence in this record, and considering the terms of probation and other conditions prescribed herein, the Commission finds that the proposed transportation is consistent with the public interest and that 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.

THEREFORE, IT IS ORDERED:

1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 3769 shall be issued to Group Ride Service, LLC, trading as Group Ride, 8100 Russell Road, Alexandria, VA 22309-1337.

2. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until a certificate of authority has been issued in accordance with the preceding paragraph.

3. That applicant is hereby directed to file the following documents and present its revenue vehicle(s) for inspection within the 180-day maximum permitted in Commission Regulation No. 66: (a) evidence of insurance pursuant to Commission Regulation No. 58; (b) an original and four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) 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 to be used in revenue operations; and (e) 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.

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<sup>4</sup> See, e.g., *In re Galaxy Limo. Servs., LLC*, No. AP-15-099, Order No. 16,044 (Dec. 11, 2015) (timely cessation of affiliate operations, surrender of affiliate certificate, payment of outstanding affiliate fees, confirmation of no vehicle markings); *In re Henka Int'l, Inc., t/a Worldwide Tours & Travel*, No. AP-03-184, Order No. 8035 (May 27, 2004) (no evidence of post-suspension operations and satisfactory accounting for vehicles and vehicle markings).

<sup>5</sup> See Order No. 16,044 (same); Order No. 8035 (same).

4. That applicant shall be placed on probation for a period of one year commencing with the issuance of Certificate No. 3679 in accordance with the terms of this order and that a willful violation of the Compact, or of the Commission's rules, regulations or orders thereunder, by applicant during the period of probation shall constitute grounds for immediate suspension and/or revocation of applicant's operating authority without further proceedings, regardless of the nature and severity of the violation.

5. That the grant of authority herein shall be void and the application shall stand denied upon applicant's failure to timely satisfy the conditions of issuance prescribed herein.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS LACKEY AND RICHARD:

A handwritten signature in blue ink that reads "Jeffrey M. Lehmann". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Jeffrey M. Lehmann  
Executive Director