WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 20,998

IN THE MATTER OF:	Served November 7, 2024
Application of FRONTLINE COMMUNITY SERVICES, INC., for a Certificate of Authority -- Irregular Route Operations	Case No. AP-2024-173

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 history of regulatory violations.

I. HISTORY OF VIOLATIONS

Applicant previously held Certificate No. 2462 from May 30, 2014, until November 20, 2015, when it was revoked for applicant's failure to comply with the Commission's insurance requirements in Regulation No. 58 and failure to pay a $100 late insurance fee.[1]

The revocation order noted that the $100 late insurance fee would remain due and gave applicant 30 days to surrender Certificate No. 2462

[1] *See In re Frontline Cmty. Servs., Inc.*, No. MP-15-178, Order No. 15,991 (Nov. 20, 2015).

to the Commission and file a notarized affidavit and supporting photographs verifying removal of WMATC markings from applicant's vehicles. Applicant did not comply.

II. LIKELIHOOD OF FUTURE COMPLIANCE

When an applicant has a record of violations, 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 applicant has made sincere efforts to correct past mistakes, and (5) whether applicant has demonstrated a willingness and ability to comport with the Compact and rules and regulations thereunder in the future.[2]

Applicant's failure to maintain compliance with Regulation No. 58 and failure to pay the late insurance fee warranted revocation of Certificate No. 2462, and applicant's failure to respond to the revocation order persisted for many years. On the other hand, shortly before filing the instant application, applicant paid the outstanding $100 insurance late fee and submitted a signed statement explaining that Certificate No. 2462 cannot be located. Applicant also submitted a notarized affidavit explaining that its vehicles at the time its Certificate of Authority was revoked are no longer in its possession and that its current vehicles do not display WMATC markings. The affidvait is supported by accompanying photographs. There is no evidence in the record of post-suspension or post-revocation operations within the Metropolitan District, or other unauthorized operations.

The Commission has found other applicants fit under similar circumstances.[3] Applicant shall serve a 1-year period of probation as a means of ensuring prospective compliance.[4]

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:

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[2] *In re Dawit Bekele Ketaw*, No. AP-21-111, Order No. 19,548 at 2 (Oct. 1, 2021).

[3] *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).

[4] *See* Order No. 16,044 (same); Order No. 8035 (same).

1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 2462 shall be issued to Frontline Community Services, Inc., 6900 Virginia Manor Road, Beltsville, MD 20705-4213.

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.

4. That applicant shall be placed on probation for a period of one year commencing with the issuance of Certificate No. 2462 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, KERSHBAUM, AND RICHARD:

Jeffrey M. Lehmann
Executive Director