

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 21,003

IN THE MATTER OF:

Served November 7, 2024

Application of US EXECUTIVES SEDAN)
LLC for a Certificate of Authority)
-- Irregular Route Operations)

Case No. AP-2024-152

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.

Applicant's owner, Mamadou Camara, was the owner of Unique Luxury Coach LLC. Unique Luxury Coach LLC was granted operating authority in 2016, but the issuance of a certificate of authority was expressly made contingent on Unique Luxury Coach LLC filing additional documents and passing a vehicle inspection conducted by Commission staff.¹ Unique Luxury Coach LLC failed to satisfy the conditions for issuance of operating authority within the time allotted, thereby voiding the Commission's approval.²

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.

¹ See *In re Unique Luxury Coach LLC*, AP-2015-243, Order No. 16,215 (Feb. 19, 2016) (conditionally granting Certificate No. 2869).

² See *id.* (grant of authority void upon applicant's failure to timely satisfy conditions of issuance); Commission Regulation No. 66-01 (failure to comply with conditions of grant within 180 days voids approval).

Normally, such evidence would establish an applicant's fitness, but applicant's owner, Mamadou Camara, has a history of controlling a company with regulatory violations.

I. HISTORY OF VIOLATIONS

Applicant's owner, Mamadou Camara, was also the owner of Unus Transportation and Services, LLC, (Unus). Unus previously held WMATC Certificate of Authority No. 1808 from September 6, 2011, to March 12, 2020, when it was revoked for Unus's failure to comply with the Commission's insurance requirements in Regulation No. 58 and pay a \$100 late insurance fee.³

The revocation order, Order No. 18,707, noted that the \$100 late fee would remain due and gave Unus 30 days to: (1) remove from its vehicles the identification placed thereon pursuant to Commission Regulation No. 61; (2) file a notarized affidavit with the Commission verifying removal; and (3) surrender Certificate No. 1808 to the Commission. Unus did not comply.

Prior to the events in 2020, Certificate No. 1808 was suspended one other time for insurance violations.⁴

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.⁵

Unus's failure to maintain compliance with Regulation No. 58 and failure to pay the late insurance fee warranted revocation of Certificate No. 1808, and Unus's failure to respond to the revocation order persisted for more than two years. On the other hand, on May 5, 2022, Unus paid the outstanding \$100 insurance late fee, surrendered Certificate No. 1808 to the Commission, and submitted a notarized statement explaining that no identification markings were displayed on its vehicles pursuant to Commission Regulation No. 61. There is no evidence in the record of post-suspension or post-revocation operations by Unus within

³ *In re Unus Transp. and Servs., LLC*, No. MP-20-018, Order No. 18,707 (Mar. 12, 2020).

⁴ *In re Unus Transp. and Servs., LLC*, No. MP-18-122, Order No. 17,825 (Sept. 25, 2018).

⁵ *In re People Helping Others Transp. LLC*, No. AP-22-071, Order No. 19,864 at 2 (Aug. 16, 2022).

the Metropolitan District, or any other unauthorized operations by applicant or by Unus.

The Commission has found other applicants fit under similar circumstances.⁶ Applicant shall serve a 1-year period of probation as a means of ensuring prospective compliance.⁷

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. 1808 shall be issued to US Executives Sedan LLC, 9998 Wakeman Drive, #200, Manassas, VA 20110-2702.

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. 1808 in

⁶ 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).

⁷ See Order No. 16,044 (same); Order No. 8035 (same).

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