

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2428

IN THE MATTER OF:

Served June 7, 1983

Application of SAMUEL HOWELL)
T/A SAMUEL HOWELL SIGHTSEEING)
TOURS for Temporary Authority to)
Conduct Special Operations —)
Sightseeing)

Case No. AP-83-21

By application filed May 4, 1983, Samuel Howell seeks temporary authority to transport passengers, in special operations, restricted to sightseeing tours between points of interest in the Metropolitan District and further restricted to transportation in vehicles with a manufacturer's designed seating capacity of 15 passengers or less (including the driver).

Mr. Howell offers two tours lasting approximately 4 and 6-1/2 hours, respectively. The Building Tour includes Ford's Theatre, the White House, U. S. Capitol, Bureau of Engraving and Printing, Smithsonian Institution, Lincoln and Viet Nam Memorials and Arlington National Cemetery. The Combination Tour adds the Jefferson Memorial and Mt. Vernon to the Building Tour stops. Applicant's price structure is as follows:

	ADULT FARE	CHILD FARE AGES 5-11	CHILDREN UNDER 5
Building Tour	\$12.50	\$6.25	FREE
Combination Tour	18.75	9.40	FREE

Discounts are available for groups, senior citizens, military and handicapped.

Applicant stresses the need of some visitors to Washington for an unstructured, personalized tour.

Several letters of support accompany the application. The Gramercy Hotel has used Mr. Howell's services in the past and requires him for sightseeing and transfer 1/ work on a regular basis. The

1/ Transfer operations are beyond the scope of this application.

Veterans Administration has also found applicant's service reliable over the last 10 years. Similar accolades come from Calvary Episcopal Church, The Bible Way Church, and several tourists who have used Mr. Howell's service in the past. Also included are two service orders originating from Louisiana and Utah.

Although no written protests to this application were filed, we are mindful of the continuing objection of Webb Tours, Inc., to applications such as this.

Title II, Article XII, Section 4(d)(3) of the Compact sets forth the criteria for granting temporary authority. We find that these criteria have been satisfied by Mr. Howell. The Gramercy Hotel and at least two churches have indicated a continuing need for the services of Mr. Howell. As noted in prior orders, currently certificated carriers such as Webb provide a service substantially different from that proposed herein.

THEREFORE, IT IS ORDERED:

1. That temporary authority is hereby granted in Case No. AP-23-21 to Samuel Howell as follows.

Special operations, restricted to lectured, round-trip sightseeing tours, between Arlington National Cemetery, Va., the Gramercy Hotel, Washington, D. C., and points in that part of the District of Columbia south of a line beginning at the junction of Constitution Avenue, N. W., and Rock Creek Parkway, N. W., thence along Constitution Avenue, N. W., to 17th Street, N. W., thence along 17th Street, N. W. to Pennsylvania Avenue, N. W., thence along Pennsylvania Avenue, N. W., to 10th Street, N. W., thence along 10th Street, N. W., to F Street, N. W., thence along F Street, N. W., to 9th Street, N. W., thence along 9th Street, N. W., to Pennsylvania Avenue, N. W., thence along Pennsylvania Avenue, N. W., to Constitution Avenue, N. W., thence along Constitution Avenue to its junction with 2nd Street, N. E.

RESTRICTED to the transportation of passengers in vehicles with a manufacturer's designed seating capacity of 15 passengers or less (including the driver); and

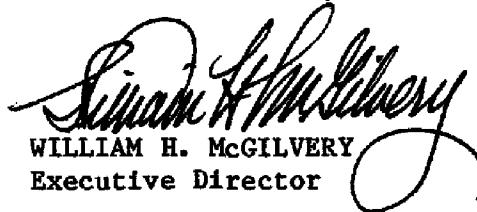
FURTHER RESTRICTED against the solicitation of passengers on any public space south of a line beginning at the junction of the east side of East Executive Avenue and the center line of Pennsylvania Avenue, N. W., thence along Pennsylvania Avenue, N. W., and a line extending along the northern boundary of the White House and the Executive Office Building to the west side of 17th Street, N. W. 2/

2. That the temporary authority granted herein shall be effective on the date of service of this Order or the date on which applicant files an acceptable certificate of insurance, whichever is later, and shall continue in effect for 180 days unless otherwise ordered by the Commission.

3. That applicant file with the Commission within 10 days from the date of service of this Order an acceptable certificate of insurance in compliance with Regulation No. 62 and an affidavit that its vehicle has been properly identified in compliance with Commission Regulation No. 68-03.

4. And that, except to the extent granted herein, the application in Case No. AP-83-21 is hereby denied.

BY DIRECTION OF THE COMMISSION, COMMISSIONERS CLEMENT, SCHIFTER AND SHANNON:


WILLIAM H. MCGILVERY
Executive Director

2/ D. C. Police Regulations (January 1983), Article II, §8(e)(7).