

Washington Metropolitan Area Transit Commission

Sixty-First
Annual Report
Fiscal Year 2021
July 1, 2020 through June 30, 2021



**Washington Metropolitan Area
Transit Commission
1010 Wayne Avenue, Suite 1240
Silver Spring, MD 20910-5624**

December 21, 2021

To: The Honorable Ralph S. Northam
Governor of Virginia

The Honorable Lawrence J. Hogan, Jr.
Governor of Maryland

The Honorable Muriel Bowser
Mayor of the District of Columbia

The Honorable Glenn A. Youngkin
Governor-Elect of Virginia

This report has been prepared in accordance with Title II, Article XIV, Section 5, of the Washington Metropolitan Area Transit Regulation Compact, Pub. L. No. 101-505, § 1, 104 Stat. 1300 (1990), *amended by* Pub. L. No. 111-160, 124 Stat. 1124 (2010) (amending tit. I, art. III), (codified at VA. CODE ANN. § 33.2-3000 (2021); MD. CODE ANN. TRANSP. § 10-203 (2021); D.C. CODE § 9-1103.01 (2021)), which provides:

The Commission shall make an annual report for each fiscal year ending June 30, to the Governor of Virginia and the Governor of Maryland, and to the Mayor of the District of Columbia as soon as practicable after June 30, but no later than the first day of January of each year, which may contain, in addition to a report of the work performed under this Act, other information and recommendations concerning passenger transportation within the Metropolitan District as the Commission considers advisable.



Jeffrey M. Lehmann
Executive Director

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as of June 30, 2021

Commissioners

Honorable Richard D. Holcomb Chairman
Honorable Michael T. Richard Vice Chairman
Honorable Everett Lott Commissioner

Staff

J. Lehmann Executive Director/General Counsel
P. Dimtchev Assistant General Counsel
J. Brown Office Manager
C. Aquino Motor Carrier Safety Specialist
S. Hayes Compliance Specialist
S. Muhammad IT Specialist
T. Crowe Receptionist

ABOUT THE COMMISSION

The Transit Commission has been licensing and regulating private-sector passenger carriers on a regional basis in the Washington Metropolitan Area since 1960 pursuant to the Washington Metropolitan Area Transit Regulation Compact, Pub. L.



Capital Transit Company Trolley - 1961

No. 86-794, § 1, 74 Stat. 1031 (1960), *as amended by* Pub. L. No. 87-767, 76 Stat. 764 (1962), Pub. L. No. 101-505, § 1, 104 Stat. 1300 (1990), *and* Pub. L. No. 111-160, 124 Stat. 1124 (2010)—an interstate agreement among the Commonwealth of Virginia, the State of Maryland, and the District of Columbia. Early in its history, the Commission primarily regulated mass transit bus and trolley operators.

That changed in 1973 when the Washington Metropolitan Area Transit Authority (WMATA) acquired the four mass transit bus companies operating in the area at that time. Today, carriers licensed by the Transit Commission include sightseeing, tour and charter bus operators; airport shuttle companies; wheelchair van operators (including those operating under the District of Columbia’s Medicaid program); and some sedan and limousine operators. The Commission also prescribes interstate taxicab rates for the Metropolitan Area.

In 1990, the signatories embraced economic deregulation in the Washington Metropolitan Area by amending the Compact to lower market entry barriers for carriers licensed by the Commission “while maintaining a regional approach to transportation and keeping those controls necessary for the security of the public.” This was accomplished chiefly by eliminating the need for hearings on applications for operating authority while preserving the Commission’s power to prescribe insurance and safety requirements.



The 1990 amendments have succeeded in opening the Metropolitan District to competition as intended. Over

3,200 applicants have been conditionally granted WMATC operating authority since 1990. By comparison, only 176 carriers were granted WMATC operating authority in the Commission's first 30 years. While the Commission's mandate has evolved over the years, the Commission has remained a steadfast guardian of the public interest and is poised to carry out its mission well into the twenty-first century.

THE COMMISSIONERS

The Compact provides for the appointment of three Commissioners, one from each signatory. The Virginia member is appointed by the Governor of Virginia from the Virginia Department of Motor Vehicles, the Maryland member is appointed by the Governor of Maryland from the Maryland Public Service Commission, and the District of Columbia member is appointed by the Mayor of the District of Columbia from an agency with oversight of matters relating to the Commission. The following WMATC Commissioners held office in FY 2021.



Honorable Richard D. Holcomb, Chairman

Richard D. Holcomb was appointed as the Virginia member to WMATC on July 21, 2010, by Governor Robert F. McDonnell, reappointed on May 23, 2014, by Governor Terence R. McAuliffe, and reappointed again on January 15, 2018, by Governor Ralph S. Northam. He was elected Chairman of WMATC on December 4, 2020, a position in which he previously served from October 14, 2016, to December 8, 2017.

In his capacity as Commissioner of the Virginia Department of Motor Vehicles (VADMV), he manages a state agency with a budget of over \$270 million and a statewide workforce of more than 2,000 employees. He oversees the collection of approximately \$3.1 billion in revenue annually, which funds a significant portion of the state's new roads, and highway construction and maintenance.

Chairman Holcomb also serves as the Governor's Highway Safety Representative. He is chairman of the Virginia Motor Vehicle Dealer Board and a past chairman of the American Association of Motor Vehicle Administrators (AAMVA) international board of directors.

This is Chairman Holcomb's second stint as the head of VADMV, which serves more than eight million customers each year and provides an impressive selection of service options to the citizens of the Commonwealth. Governor Northam is the fifth

governor to entrust Chairman Holcomb with the top post at VADMV. Chairman Holcomb was first named VADMV Commissioner in 1994 by Governor George F. Allen and reappointed by Governor James S. Gilmore in 1998. In 2010, Chairman Holcomb was again appointed VADMV Commissioner by Governor McDonnell, then reappointed by Governors McAuliffe and Northam.

During his initial seven-year tenure as Commissioner at VADMV, Chairman Holcomb revolutionized the agency to provide the ultimate in customer service, surpassing public and private sector service organizations. Under his leadership, Virginia became the first state in the world to offer secure online driver's license renewals.

During his most recent term as VADMV Commissioner, he has launched the robust DMV Connect program. A nationally-recognized program, fourteen DMV Connect teams provide ID card services to incarcerated individuals prior to their release which contributes to Virginia's reduced recidivism rate. DMV Connect teams also serve customers at nursing homes and group homes, military bases, corporate and government complexes, and senior communities.

A champion for customer service, Chairman Holcomb's "one-stop shopping" philosophy led to the expansion of government services through partnerships with other Virginia agencies. VADMV customers can now apply for and receive Virginia vital records (e.g., birth, marriage, divorce, and death certificates), obtain E-ZPass transponders, purchase hunting and fishing licenses, and title and register boats at all VADMV customer service centers.

Chairman Holcomb also believes that our dedicated military members who have given so much for our nation deserve every effort we can make to provide opportunities for their futures. He conceived VADMV's Troops to TrucksSM program, which provides testing, training, and potential career opportunities for military members after service. This outreach effort, recognized by the White House, is a collaboration between VADMV, Virginia military installations, and private transportation industry groups. The program helps provide employment opportunities to our military as truck or bus drivers, or in other transportation-related jobs after service.

Chairman Holcomb formerly served as the General Counsel and Senior Vice President for Law and Regulatory Affairs for the American Trucking Associations, the national trade association for the trucking industry. In this capacity, he managed the in-house staff of attorneys and outside counsel on an array of complex legal matters such as corporate compliance, tax, employment law, election law, patents, copyrights, trademarks and anti-trust. He advanced the association's interests through the court

system, protected the association from legal action, managed legal defense through the interpretation of legal documents, and advised ATA leadership on legal and regulatory matters.

Chairman Holcomb served as chief of staff to three members of Congress and as General Counsel to the U.S. Senate Judiciary Subcommittee on Security and Terrorism. He served as a law clerk for a federal judge and also worked in private practice.

Chairman Holcomb holds an undergraduate degree in political science from Hampden-Sydney College and a Juris Doctorate degree from the University of Richmond School of Law. He is also a graduate of Virginia Commonwealth University's Virginia Executive Institute.



Honorable Michael T. Richard, Vice Chairman

Michael T. Richard was appointed as the Maryland member to WMATC on May 2, 2016, by Governor Lawrence J. Hogan, Jr.

Vice Chairman Richard has served as a member of the Maryland Public Service Commission since January 2016. Prior to that, he served as Deputy Chief of Staff to Governor Hogan, advising the Governor on a portfolio of issues and helping to manage cabinet agencies that included Agriculture, Energy, Environment, Lottery and Gaming, Natural Resources and Transportation.

Vice Chairman Richard worked for more than 10 years at the Nuclear Energy Institute as Legislative Programs Director and Congressional Information Program Director. He then served in Governor Robert Ehrlich's administration as Deputy Secretary of Appointments and as Director of the Maryland Energy Administration.

In 2005, he was appointed to a post at the U.S. Department of Energy—first serving as Executive Director of the Secretary of Energy Advisory Board and later as Deputy Assistant Secretary for Congressional and Intergovernmental Affairs where his issues included nuclear energy, radioactive waste management, and legacy environmental remediation. In 2008, Vice Chairman Richard was hired by Westinghouse Electric Company as Director of Government and International Affairs. He rejoined Maryland state government in 2015.

Vice Chairman Richard is a past President of the Organization of PJM States, Inc. (OPSI) and currently serves as its Treasurer, and is a member of the Committee on

Energy Resources and the Environment for the National Association of Regulatory Utility Commissioners (NARUC).

Vice Chairman Richard earned his B.A. from Brigham Young University in Provo, Utah, and an M.B.A. from the University of Maryland, College Park. He attended a French language program at L'Université Laval in Québec City, Canada. Chairman Richard lives in Fort Washington, Maryland.



Honorable Everett Lott, Commissioner

Everett Lott was appointed as the WMATC member from the District of Columbia on February 10, 2021, by Mayor Muriel Bowser.

Commissioner Lott is Acting Director of the District Department of Transportation (DDOT). He brings more than 28 years of experience, leadership, and management of large complex organizations in the areas of administration, budget and finance, human resources, grants, labor and employee relations, and facilities management. Prior to joining DDOT, Commissioner Lott worked for US DOT as a member of the Senior Executive Service (SES) for the Pipelines and Hazardous Materials Safety Administration (PHMSA) and the Federal Highway Administration (FHWA). Commissioner Lott was appointed to the Senior Executive Service (SES) in 2016 as the Associate Administrator for Administration for PHMSA. He later joined FHWA to lead the department's efforts to transition to a shared services model for all of US DOT.

Prior to his appointment to the SES, Commissioner Lott was part of the executive leadership team at the Health Resources and Services Administration (HRSA) in the HIV/AIDS Bureau as the Director of the Office of Operations and Management. Commissioner Lott also has worked in the District government. He previously served as the Acting Budget Director for the District of Columbia Public Schools, Senior Manager in the Executive Office of the Mayor, and as Deputy Director/Chief of Staff in the District's emergency 911 communications center.

Commissioner Lott earned his B.A. and M.A. from Texas Tech University and completed additional graduate work at Harvard University. He is also a graduate of the Federal Executive Institute's Leadership for a Democratic Society.



**Honorable Jeff Marootian, Commissioner
(Term August 4, 2017 to January 21, 2021)**

Jeff Marootian was the WMATC member from the District of Columbia at the beginning of FY 2021. He was appointed to WMATC on August 4, 2017, by Mayor Muriel Bowser and served until January 21, 2021.

Commissioner Marootian served as Director of the District Department of Transportation (DDOT) from 2017 to 2021. He led the agency in its mission to create a safe and sustainable transportation system for the District of Columbia and was responsible for delivering on Mayor Muriel Bowser’s priorities to rebuild and modernize the city’s public infrastructure; embrace innovation and technology to generate mobility options; and reduce traffic fatalities and serious injuries through a concerted Vision Zero strategy.

Prior to joining DDOT, Commissioner Marootian served as the White House Liaison and Assistant Secretary for Administration at the United States Department of Transportation (USDOT). He was a member of the leadership team whose achievements include launching the nationwide Smart Cities Challenge; advocating for and helping to secure passage of the FAST Act; and creating economic opportunity through transit and mobility initiatives in communities across the country. Commissioner Marootian oversaw the 55,000-employee agency’s business and management operations, including workforce development and human resources, diversity, facilities, procurement and security. He was also USDOT’s Chief Sustainability Officer and directed the implementation of President Obama’s Executive Order on Climate Change and Sustainability and contributed to USDOT’s strategy on electric and autonomous vehicles. He also played a key role in standing up the Build America Bureau to advance the use of public-private partnerships for infrastructure projects across the country.

Commissioner Marootian is an alumnus of the George Washington University where he also served as an Adjunct Faculty member in the Trachtenberg School of Public Policy and Administration.

DEVELOPMENTS & ACCOMPLISHMENTS

FORMAL PROCEEDINGS

The Commission accepted 159 applications to obtain, transfer, amend, or terminate WMATC operating authority in FY 2021, a decrease from the 228 accepted in FY 2020. The Commission also initiated 173 formal investigations of carrier compliance with WMATC rules and regulations in FY 2021, down from 218 in FY 2020.

In total, 332 new formal proceedings were commenced in FY 2021, down from 446 formal proceedings in FY 2020. The Commission issued 522 orders in formal proceedings in FY 2021, as compared to 661 orders in FY 2020.

INFORMAL PROCEEDINGS

Commission staff did not receive any informal complaints against WMATC carriers in FY 2021. This compares to 2 such complaints in FY 2020. Commission staff processed 1 interstate taxicab complaint in FY 2021, down from 10 such complaints in FY 2020.

Commission staff also initiated 3 informal investigations in FY 2021, which typically involve minor or technical violations committed by WMATC carriers.

CARRIER CERTIFICATES & VEHICLES

The Commission issued 37 certificates of authority in FY 2021. This compares to 51 issued in FY 2020. The Commission revoked 110 certificates of authority in FY 2021. Most were revoked for willful failure to comply with the Commission's insurance requirements. The Commission terminated another 41 certificates of authority in FY 2021 upon request by the carriers.

The Commission reinstated 5 certificates of authority in FY 2021. The number of carriers holding a certificate of authority at the close of FY 2021 stood at 373—down from 482 at the close of FY 2020, but still almost 4 times the 97 that held authority at the end of FY 1990, before the barriers to entry were lowered beginning in 1991.

The number of carrier vehicles in service reported to WMATC stood at 4,533 as of June 30, 2021. This compares to 5,372 vehicles operated under WMATC authority as of June 30, 2020.

FINANCIAL INFORMATION

BUDGET

The Commission receives appropriations from the three Compact signatories: Virginia, Maryland, and the District of Columbia. The Commission allocates its expenses among the signatories in the proportion that the population of each signatory within the Metropolitan District bears to the total population of the Metropolitan District, based on the most recent census data available at the time the budget is proposed. Comparative budget numbers for FY 2020 and FY 2021 are as follows.

	Total Budget	
	<u>FY 2020</u>	<u>FY 2021</u>
Salaries	\$597,000	\$567,000
Benefits	169,000	196,000
Rent	110,000	113,000
Other	120,000	125,000
Total	<u>\$996,000</u>	<u>\$1,001,000</u>

	Allocated Budget	
	<u>FY 2020</u>	<u>FY 2021</u>
DC	\$162,746	\$165,365
MD	462,244	461,761
VA	371,010	373,874
Total	<u>\$996,000</u>	<u>\$1,001,000</u>

REVENUE

The Commission does not retain any of the fees, forfeitures, and other non-appropriations revenue that it collects. All such revenue is returned to the signatories according to the proportions used for allocating expenses.

