

any carrier whose only transportation within the Metropolitan District is within this exemption shall not be deemed to be a carrier subject to the Compact; provided, however, if the primary function of a carrier's entire operations is the furnishing of mass transportation service within the Washington Metropolitan Area Transit District, then such operations in the Metropolitan District shall be subject to the jurisdiction of the Commission;

(5) Transportation performed by a common carrier by railroad subject to Part I of the Interstate Commerce Act, as amended.

(b) [No transportation or person, otherwise subject to this subtitle, shall be exempt by reason of the fact that any part (not a major part as conditionally exempted by paragraph (a) (4) of this section) of the route between points in the Metropolitan District lies outside of the Metropolitan District; provided, however, that the] The provisions of this Title II shall not apply to transportation as specified in this section solely within the Commonwealth of Virginia and to the activities of persons engaged in such transportation, nor shall any provision of this Title II be construed to infringe the exercise of any powers or the discharge of any duties conferred or imposed upon the State Corporation Commission of the Commonwealth of Virginia by the Virginia Constitution.

(c) Notwithstanding the provisions of subsection (a) of this section, this subtitle shall apply to taxicabs and other vehicles *used in performing a bona fide taxicab service* having a seating capacity of eight passengers or less in addition to the driver thereof with respect only to (i) the rates or charges for transportation from one signatory to another within the confines of the Metropolitan District and (ii) requirements for minimum insurance coverage.

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The Commission shall make an annual report *for each fiscal year ending June thirtieth* to the Governor of Virginia and the Governor of Maryland, and to the Board of Commissioners of the District of Columbia as soon as practicable after *June thirtieth, but not later than* the 1st day of January of each year, which shall contain, in addition to a report of the work performed under this subtitle, such other information and recommendations concerning passenger transportation within the Metropolitan District, as the Commission deems advisable.

SEC. 2. *And be it further enacted*, That until such time as Virginia and Congress approve the Compact as amended by the General Assembly of Maryland in regular session in 1962 the Compact adopted under Chapter 613, Acts of the General Assembly of Maryland, 1959, shall prevail.

SEC. 3. *And be it further enacted*, That this Act shall become effective upon the adoption of substantially similar amendments to the Washington Metropolitan Area Transit Regulation Compact by each of the signatories to the Compact, and upon the approval of the amendments to the Compact by the Congress of the United States.

Approved March 23, 1962.