

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 10,392

IN THE MATTER OF:	Served April 6, 2007
Investigation of Forfeiture of) Corporate Charter of METRO MEDICAB,) INC., WMATC No. 46)	Case No. MP-2007-023
Investigation of Forfeiture of) Corporate Charter of NIPPON TRAVEL,) LTD., WMATC No. 77)	Case No. MP-2007-024
Investigation of Forfeiture of) Corporate Charter of PERKINS) AMBULANCE AND WHEELCHAIR SERVICE,) INC., WMATC No. 126)	Case No. MP-2007-025

This investigation was initiated based on information obtained from the websites of the Maryland State Department of Assessments and Taxation¹ and the District of Columbia Department of Consumer and Regulatory Affairs² indicating that the corporate charters of the above-captioned carriers stand revoked or forfeited.³

The Compact provides that a WMATC carrier "shall provide safe and adequate transportation service, equipment, and facilities."⁴ Revocation of a corporate charter, however, renders a carrier unable to perform these duties "as a matter of law."⁵

Under Regulation No. 58-09, the Commission may, upon thirty days' notice, revoke its approval of any WMATC Insurance Endorsement if, in the judgment of the Commission, such security does not comply with the Commission's regulations or for any reason fails to provide satisfactory or adequate protection for the public. The Commission has held that forfeiture of a corporate charter constitutes grounds for invoking Regulation No. 58-09.⁶

¹ <http://sdatcert3.resiusa.org/ucc-charter/>.

² <http://mblr.dc.gov/corp/lookup/index.asp>.

³ The Commission may take official notice of the revocation of a carrier's corporate charter. Commission Rule No. 22-07; *In re D. C. Medicaid Transp., Inc.*, at 3, No. 354, Order No. 2009 (July 10, 1979), *aff'd on remand*, Order No. 2029 (Sept. 6, 1979).

⁴ Compact, tit. II, art. XI, § 5(a).

⁵ Order No. 2009 at 3.

⁶ *In re Dependable Medical Transport Inc.*, No. MP-02-129, Order No. 6949 (Dec. 12, 2002).

Accordingly, Order No. 10,267, served February 1, 2007, revoked respondents' WMATC Insurance Endorsements effective March 6, 2007, and directed each respondent to file the necessary replacement WMATC Insurance Endorsement(s) and a current certificate of good standing on or before March 5, 2007. The order gave each respondent fifteen days to request an oral hearing and further stipulated that the certificate of authority of each respondent that failed to timely file the requisite Endorsement and good standing certificate would stand suspended and be subject to revocation without further proceedings.

None of the above-captioned respondents has requested a hearing, none has filed a certificate of good standing, and none has submitted a replacement WMATC Insurance Endorsement.

Therefore, in accordance with Order No. 10,267, the Certificate of Authority of each above-captioned respondent shall be revoked pursuant to Article XI, Section 10(c), of the Compact.

Finally, Metro Medicab, Inc., and Perkins Ambulance and Wheelchair Service, Inc., have yet to file a 2007 annual report and pay the \$150 2007 annual fee. In accordance with Commission Regulation Nos. 60 and 67, the unpaid \$150 annual fee for 2007, unfiled 2007 annual report, and \$200 in late fees, shall remain due from each of these respondents.

THEREFORE, IT IS ORDERED:

1. That Certificates of Authority Nos. 46, 77, and 126 are hereby revoked.

2. That within 30 days from the date of this order each respondent shall:

- a. remove from respondent's vehicle(s) the identification placed thereon pursuant to Commission Regulation No. 61;
- b. file a notarized affidavit with the Commission verifying compliance with the preceding requirement; and
- c. surrender its Certificate of Authority to the Commission.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director