

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,263

IN THE MATTER OF:

Served April 4, 2008

SAMS HEALTH CARE SERVICES INC.,)
Suspension and Investigation of)
Revocation of Certificate No. 1278)

Case No. MP-2008-005

This matter is before the Commission on respondent's response to Order No. 11,062, served January 7, 2008.

Under the Compact, a WMATC carrier may not engage in transportation subject to the Compact if the carrier's certificate of authority is not "in force."¹ A certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.²

Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 1278 for a minimum of \$1.5 million in combined-single-limit liability coverage and maintain on file with the Commission at all times proof of coverage in the form of a WMATC Certificate of Insurance and Policy Endorsement (WMATC Insurance Endorsement) for each policy comprising the minimum.

Certificate No. 1278 was rendered invalid on January 5, 2008, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 11,062 noted the automatic suspension of Certificate No. 1278 pursuant to Regulation No. 58-02, directed respondent to cease transporting passengers for hire under Certificate No. 1278, and gave respondent thirty days to replace the cancelled endorsement and pay the \$50 late fee due under Regulation No. 67-03(c) or face revocation of Certificate No. 1278. Respondent also was directed to file a new tariff because respondent's preexisting tariff was no longer effective.

Respondent subsequently filed a new tariff and paid the late fee. Respondent also filed a new \$1.5 million primary WMATC Insurance Endorsement, but the effective date of the new endorsement is January 19, 2008, instead of January 5, 2008. This means that respondent was without insurance coverage for fourteen days, from January 5, 2008, through January 18, 2008.

Under Commission Rule No. 28, respondent is required to verify that it ceased transporting passengers for hire under Certificate

¹ Compact, tit. II, art. XI, § 6(a).

² Compact, tit. II, art. XI, § 7(g).

No. 1278 as directed by Order No. 11,062. We will give respondent thirty days to verify that it ceased operations as of January 5, 2008. Inasmuch as respondent's only tariff is for service rendered pursuant to contract with Medical Transportation Management, Inc, (MTM) such proof shall include confirmation from MTM.³

THEREFORE, IT IS ORDERED:

1. That within thirty days from the date of this order, respondent shall verify it ceased all operations in the Metropolitan District as of January 5, 2008.

2. That within thirty days from the date of this order, respondent shall submit confirmation from MTM that respondent ceased operations as of January 5, 2008.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director

³ *In re E. Transp. Serv. LLC*, No. MP-07-281, Order No. 11,215 (Mar. 12, 2008).