

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,265

IN THE MATTER OF:

Served April 10, 2008

COMMUNITY TRANSPORTATION, LLP,)
Suspension and Investigation of)
Revocation of Certificate No. 1342)

Case No. MP-2008-062

This matter is before the Commission on respondent's response to Order No. 11,225, served March 20, 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. 1342 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. 1342 was rendered invalid on March 20, 2008, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 11,225 noted the automatic suspension of Certificate No. 1342 pursuant to Regulation No. 58-02, (now Regulation No. 58-12),³ directed respondent to cease transporting passengers for hire under Certificate No. 1342, and gave respondent thirty days to replace the expired endorsement and pay the \$50 late fee due under Regulation No. 67-03(c) or face revocation of Certificate No. 1342.

Respondent paid the \$50 late fee on March 25 and submitted a \$1.5 million primary WMATC Insurance Endorsement on March 27. The effective date of the new endorsement is April 4, 2008. This means that respondent was without insurance coverage for fifteen days, from March 20, 2008, through April 3, 2008. Under Regulation No. 58-14:

If a carrier's operating authority is suspended under Regulation No. 58-12 and the effective date of a later-filed replacement Endorsement falls after the automatic suspension date, the carrier must verify timely cessation of operations in accordance with

¹ Compact, tit. II, art. XI, § 6(a).

² Compact, tit. II, art. XI, § 7(g).

³ See *In re Rulemaking to Amend Rules of Prac. and Proc. and Regs.: Reg. No. 58, No. MP-08-017, Order No. 11,254 (Apr. 2, 2008)*.