

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,374

IN THE MATTER OF:

Served May 23, 2008

CHRISTOPHER STARGHILL, Trading as)
STARGHILL LIMOUSINE AND SEDAN)
SERVICES, Suspension and)
Investigation of Revocation of)
Certificate No. 1248)

Case No. MP-2008-079

This matter is before the Commission on respondent's response to Order No. 11,270, served April 14, 2008, noting the automatic suspension of Certificate No. 1248 pursuant to Regulation No. 58-12.

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. 1248 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. 1248 was rendered invalid on April 12, 2008, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 11,270, noted the automatic suspension of Certificate No. 1248 pursuant to Regulation No. 58-12, directed respondent to cease transporting passengers for hire under Certificate No. 1248, 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. 1248.

Respondent thereafter paid the late fee and submitted a new \$1.5 million primary WMATC Insurance Endorsement, but the new endorsement is effective April 18, 2008, instead of April 12, 2008. This means that respondent was without insurance coverage for six days, from and including April 12, 2008, through April 17, 2008.

¹ Compact, tit. II, art. XI, § 6(a).

² Compact, tit. II, art. XI, § 7(g).

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 Commission Rule No. 28 and corroborate the verification with client statements and/or copies of pertinent business records, as directed by Commission order.

Respondent has since filed a statement verifying cessation of operations as of April 12, 2008. The statement is corroborated by respondent's bank records.

Based on the evidence, the suspension shall be lifted and this proceeding terminated.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:

A handwritten signature in black ink, appearing to read "William S. Morrow, Jr.", is positioned above the typed name.

William S. Morrow, Jr.
Executive Director