

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,564

IN THE MATTER OF:

Served September 5, 2008

MED-TRANS-INC., Suspension and)
Investigation of Revocation of)
Certificate No. 876)

Case No. MP-2008-173

This matter is before the Commission on respondent's response to Order No. 11,464, served July 7, 2008.

I BACKGROUND

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. 876 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.

The \$1.5 million primary WMATC Insurance Endorsement on file for respondent expired on July 7, 2008. Respondent filed a \$1.5 million primary replacement endorsement on July 7, 2008, but the effective date is July 15, 2008, not July 7, 2008. As a consequence, Certificate No. 876 became automatically suspended on July 7 pursuant to Regulation No. 58-12.

Order No. 11,464 noted these developments, directed respondent to cease transporting passengers for hire under Certificate No. 876, and gave respondent thirty days to pay a \$50 late fee as required by Regulation No. 67-03(c) and verify timely cessation of operations as required by Regulation No. 58-14.

Respondent thereafter filed a revised \$1.5 million WMATC Insurance Endorsement on July 8 with an effective date of July 7, thus closing the eight-day gap in coverage. Then on August 18, respondent paid the \$50 late fee and submitted a statement addressing respondent's timely cessation of operations. The statement asserts that respondent halted operations from July 7 to July 15. The

¹ Compact, tit. II, art. XI, § 6(a).

² Compact, tit. II, art. XI, § 7(g).

statement is corroborated by respondent's only customer, Medical Transportation Management, Inc. (MTM).

II. ORDER TO LIFT SUSPENSION AND CONTINUE INVESTIGATION

Because respondent has closed the eight-day coverage gap and is currently in compliance with Regulation No. 58, we will lift the suspension.³ But given the state of the record, respondent will be directed to submit an affidavit stating whether respondent operated while suspended on and after July 15.

THEREFORE, IT IS ORDERED:

1. That the suspension of Certificate No. 876 is hereby lifted.

2. That within thirty days from the date of this order, respondent shall:

- (a) submit an affidavit stating whether respondent operated while suspended on and after July 15, 2008; and
- (b) corroborate the affidavit with a statement from MTM.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director

³ See *In re Ibrahim A. Fahadi*, No. MP-07-117, Order No. 10,850 (Oct. 19, 2007) (same).