

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,630

IN THE MATTER OF:

Served October 15, 2008

MUHAMED ABASS, Trading as)
AMERICANMEDICS TRANS, Suspension) Case No. MP-2008-218
and Investigation of Revocation of)
Certificate No. 594)

This matter is before the Commission on respondent's response to Order No. 11,599, served September 22, 2008, which noted the automatic suspension of Certificate No. 594 pursuant to Regulation No. 58-12 and directed respondent to cease transporting passengers for hire, pay a \$50 late fee and file certain documents.

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. 594 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 September 26, 2008. Respondent filed a \$1.5 million primary replacement endorsement on September 22, 2008, but the effective date is September 30, 2008, not September 26, 2008. As a consequence, Certificate No. 594 became automatically suspended on September 26 pursuant to Regulation No. 58-12.

Order No. 11,599 noted these developments, directed respondent to cease transporting passengers for hire under Certificate No. 594, 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 and produce certain business records, as required by Regulation No. 58-14.

Respondent thereafter filed a revised \$1.5 million WMATC Insurance Endorsement on October 7, 2008, with an effective date of September 26, 2008, thus closing the four-day gap in coverage. Respondent paid the \$50 late fee on October 10, 2008. Respondent,

¹ Compact, tit. II, art. XI, § 6(a).

² Compact, tit. II, art. XI, § 7(g).

however, neither filed a statement verifying timely cessation of operations nor produced any records.

II. ORDER TO LIFT SUSPENSION AND CONTINUE INVESTIGATION

Inasmuch as respondent is currently in compliance with Regulation No. 58, we will lift the suspension.³ But given the state of this record, respondent will be directed to submit a statement verifying cessation of operations from September 26 until the date of this order. The statement shall be corroborated by copies of respondent's pertinent business records.

THEREFORE, IT IS ORDERED:

1. That the suspension of Certificate No. 594 is hereby lifted.

2. That within thirty days from the date of this order, respondent shall submit an affidavit stating whether respondent operated during the period beginning September 26, 2008, and ending October 14, 2008.

3. That within thirty days from the date of this order, respondent shall produce any and all books, papers, correspondence, memoranda, contracts, agreements, and other records and documents, including any and all stored electronically, that are within respondent's possession, custody or control and which relate to the transportation of passengers for hire between points in the Metropolitan District during the period beginning, August 1, 2008, and ending on the date of this order, including, but not limited to any and all:

- a. customer contracts and invoices;
- b. invoices from other carriers;
- c. calendars and itineraries;
- d. bank and payroll records;
- e. insurance documents;
- f. advertising materials;
- g. income tax and personal property returns.

FOR THE COMMISSION:



William S. Morrow, Jr.
Executive Director

³ See *In re Epps Transp. Co., Inc.*, No. MP-08-124, Order No. 11,613 (Oct. 6, 2008) (same).