

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,814

IN THE MATTER OF:

Served January 26, 2009

MUHAMED ABASS, Trading as )  
AMERICANMEDICS TRANS, Suspension )  
and Investigation of Revocation of )  
Certificate No. 594 )

Case No. MP-2008-218

This matter is before the Commission on respondent's response to Order No. 11,630, served October 15, 2008, which directed respondent to submit a statement verifying cessation of operations from September 26, 2008, until October 15, 2008, and to corroborate the statement with copies of pertinent business records.

**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."<sup>1</sup> A certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.<sup>2</sup>

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 had filed a \$1.5 million primary replacement endorsement on September 22, 2008, but the effective date was September 30, 2008, instead of 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, served September 22, 2008, 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 to 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.

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<sup>1</sup> Compact, tit. II, art. XI, § 6(a).

<sup>2</sup> Compact, tit. II, art. XI, § 7(g).

Respondent paid the \$50 late fee on October 10, 2008. Respondent, however, neither filed a statement verifying timely cessation of operations nor produced any records.

Order No. 11,630 lifted the suspension based on respondent having reestablished compliance with Regulation No. 58 and directed respondent to file the statement and documents required by Order No. 11,599.

**II. FINDINGS AND ORDER TO TERMINATE PROCEEDING**

Respondent has filed a statement verifying that he conducted no operations during the suspension period. The statement is corroborated by respondent's bank records, as amplified by respondent's explanation of the activity reflected in those records and by a third party statement corroborating respondent's explanation.

Based on the evidence, this proceeding is hereby terminated.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS CHRISTIE AND BRENNER:



William S. Morrow, Jr.  
Executive Director