

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,829

IN THE MATTER OF:

Served February 9, 2009

DEPENDABLE MEDICAL TRANSPORT INC.,)
Suspension and Investigation of)
Revocation of Certificate No. 533)
Case No. MP-2008-235

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. 533 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. 533 was rendered invalid on October 25, 2008, when the \$500,000 excess WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 11,647, served October 27, 2008, noted the automatic suspension of Certificate No. 533 pursuant to Regulation No. 58-12, directed respondent to cease transporting passengers for hire under Certificate No. 533, and gave respondent thirty days to replace the terminated endorsement and pay the \$50 late fee due under Regulation No. 67-03(c) or face revocation of Certificate No. 533.

Respondent paid the late fee on November 21, 2008, and submitted a \$1.5 million primary WMATC Insurance Endorsement on December 10, 2008, but the effective date of the new endorsement is December 17, 2008, instead of October 25, 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 Commission Rule No. 28 and corroborate the verification

¹ Compact, tit. II, art. XI, § 6(a).

² Compact, tit. II, art. XI, § 7(g).

with client statements and/or copies of pertinent business records, as directed by Commission order.

Order No. 11,748, served December 11, 2008, directed respondent to submit a written verification and pertinent business records in compliance with Regulation No. 58-14. In the meantime, the replacement endorsement became effective December 17, 2008, as noted above.

Inasmuch as respondent has reestablished compliance with Regulation No. 58, the suspension shall be lifted while the investigation continues.³

IT IS SO ORDERED:

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).