

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MD

ORDER NO. 13,022

IN THE MATTER OF:

Served October 18, 2011

Rulemaking to Amend Rules of)	Case No. MP-2011-091
Practice and Procedure and)	
Regulations: Rule Nos. 24, 26,)	
and 27, and Regulation Nos. 54, 58,)	
60, 61, 62, 66, and 67)	

Pursuant to Title II of the Washington Metropolitan Area Transit Regulation Compact,¹ (Compact). Articles III, V, and XIII, and Commission Rule No. 30, the Commission hereby initiates and gives notice of a rulemaking for the purpose of proposing amendments to Commission's Rules of Practice and Procedure and Regulations, Rule Nos. 24, 26, and 27, and Regulation Nos. 54, 58, 60, 61, 62, 66, and 67.

The Washington Metropolitan Area Transit Commission, (Commission or WMATC), licenses and regulates private sector motor carriers transporting passengers for hire between points in the Washington Metropolitan Area Transit District.²

Article III, Section 6, of the Compact provides that: "The Commission . . . shall publish rules and regulations governing the conduct of its operations." Article XIII, Section 3(a), states that: "The Commission shall perform any act, and prescribe, issue, make, amend, or rescind any order, rule, or regulation that it finds necessary to carry out the provisions of [the Compact]." Article XIII, Section 2(b), states that: "Rules of practice and procedure adopted by the Commission shall govern all hearings, investigations, and proceedings under [the Compact]." Article V, Section 4, stipulates that: "The Commission may delegate by regulation the tasks that it considers appropriate."

Commission Rule No. 1-04 states that: "The Commission may designate and authorize one or more of its members, employees, or

¹ Pub. L. No. 101-505, § 1, 104 Stat. 1300 (1990), *amended by* Pub. L. No. 111-160, 124 Stat. 1124 (2010) (amending tit. I, art. III).

² The Metropolitan District includes: "the District of Columbia; the cities of Alexandria and Falls Church of the Commonwealth of Virginia; Arlington County and Fairfax County of the Commonwealth of Virginia, the political subdivisions located within those counties, and that portion of Loudoun County, Virginia, occupied by the Washington Dulles International Airport; Montgomery County and Prince George's County of the State of Maryland, and the political subdivisions located within those counties."

representatives to conduct any inquiry, investigation, hearing, or other process or act necessary to its duties and function." Rule No. 31, titled "Staff of the Commission", provides that:

The Executive Director is in charge of the offices of the Commission. The staff is under the direct supervision of the Executive Director. In the performance of administrative functions, the Executive Director works under the direction of, and is responsible to, the Chairman of the Commission.³ Otherwise, the Executive Director is under the direction of, and is responsible to, the full Commission.

The Commission's Rules of Practice and Procedure and Regulations include some specific delegations of authority to the Executive Director.⁴ But not all delegations have been published in this manner. This rulemaking is being initiated for the purpose of codifying those delegations of authority that have not been previously published through adoption and amendment of the Commission's Rules of Practice and Procedure and Regulations.

I. ELECTRONIC SIGNATURE

The Commission's Executive Director has signed Commission orders since the Commission began issuing orders in 1961.⁵ Signatures were applied manually until 2009. The Executive Director was authorized in June of that year to begin using an electronic signature so as to make posting the Commission's orders to its website more efficient and to reduce paperwork and consequently file storage needs. The first electronically signed order was issued July 1, 2009.⁶

The Commission proposes adding the following provision to Commission Rule No. 24, titled "Decisions":

"24-03. Electronic Signature. The Commission's Executive Director may sign Commission orders by use of an electronic facsimile."

II. CARRIER APPLICATIONS: TERMINATION & MINOR AMENDMENT

In June 2000, the Commission delegated authority to the Executive Director to approve applications that do not raise fitness

³ Under Article III, Section 3(b), of the Compact: "The chairman shall be responsible for the Commission's work and shall have all powers to discharge that duty."

⁴ See Rule Nos. 5-01, 7-02, 7-05, 7-06, 8-01-04, 15-04, 18-01, 19-02, 24-02, 25-02, and 27-02; Regulation Nos. 54-03, 55-05, 62-03. Available at www.wmatc.gov.

⁵ See e.g., *In re G and Z Transp. LLC*, No. MP-11-035, Order No. 12,811 (Apr. 11, 2011); *In re D. C. Transit System, Inc.*, Order No. 1 (Mar. 31, 1961).

⁶ *In re National Children's Center, Inc.*, No. MP-09-096, Order No. 12,068 (July 1, 2009).

issues: including (1) voluntary termination of a certificate of authority; (2) corporate name change not involving a transfer; (3) trade name change; and (4) amendment of a certificate from one unrestricted as to vehicle seating capacity to one that is restricted to transportation in vehicles with a seating capacity of 15 or fewer persons, including the driver. The Executive Director began exercising this authority on August 9, 2000.⁷ This delegation is reflected in the following proposed Regulation No. 54-08, as is the Commission's policy regarding proof of trade name registration.

54-08. Name Change, Seating Capacity Restriction, and Voluntary Termination Applications. The Executive Director may approve the following applications:

- (a) legal name change not involving a transfer of authority;
- (b) trade name change;
- (c) seating capacity restriction addition; and
- (d) voluntary termination of authority.

Such applications shall not be subject to the requirements in Regulation Nos. 54-02, 54-04, and 54-05. Legal name applications shall include proof of legal change. A trade name application shall include proof of trade name registration in the jurisdiction where applicant's principal place of business is located. In the case of an applicant whose principal place of business is outside the District of Columbia, Maryland, or Virginia, the Commission will accept a registration certificate from the jurisdiction in the Metropolitan District where applicant's local office or designated agent for service is located.

III. CARRIER APPLICATIONS: NEW, EXPANSIVE, & TRANSFERRED

From 1961 to 2006, applications for new operating authority, including applications to expansively amend or transfer existing authority, were approved case-by-case by express vote of the Commissioners, with one exception. From 1979 to 1991, the Executive Director possessed delegated authority under Regulation No. 70 to approve applications for authority to conduct charter operations pursuant to contract. At the time Regulation No. 70 was adopted, the Compact required a Commission finding of public necessity before the Commission could approve an application for operating authority. The order adopting Regulation No. 70 made a finding of a "large public demand" for "charter operations pursuant to contract with an employer, school, qualified association or governmental agency, transporting employees, trainees, students, members of qualifying associations and persons traveling on official business, between points in the Metropolitan District."⁸ Regulation No. 70-07 left it to the Executive Director or his designee to make fitness determinations on a case by

⁷ *In re Yahweh & H.L.R. Corp.*, No. AP-00-67, Order No. 5954 (Aug. 9, 2000) (trade name change).

⁸ *In re Proposed WMATC Reg. No. 70*, No. MP-79-04, Order No. 2004 at 14 & app. Regulation No. 70-03 (June 20, 1979).

case basis.⁹ The Commission dropped Regulation No. 70 without comment in 1991 after amendments to the Compact in 1990 eliminated the public necessity test.

By 2006, with 15 years of experience processing applications for operating authority under the 1990 Compact amendments, it had become apparent to the Commission that most applications for the issuance, amendment, and transfer of operating authority are not protested and that in most of these proceedings, there is no evidence tending to rebut the applicant's prima facie case, so that in most of these proceedings the fitness finding may be made by the Executive Director, much as it had been under Regulation No. 70 prior to 1991. The Commission accordingly delegated to the Executive Director in May 2006 the authority to approve unprotested irregular-route applications that raise no genuine issue of fitness. The Executive Director began exercising that authority on June 13, 2006.¹⁰ That delegation is reflected in the following proposed regulation.

54-07. Routine Applications for Irregular Route Authority. The executive director shall have the authority to approve applications to obtain, transfer or expansively amend a WMATC certificate of authority that meet the following seven criteria:

- (a) the application concerns irregular route authority only;
- (b) the application is signed and complete;
- (c) any additional information requested of applicant has been furnished;
- (d) the applicant published notice in a newspaper of general circulation, if and as directed, and public notice was posted to the Commission's website;
- (e) no comments, requests for intervention or protests have been received;
- (f) the application raises no common control or jurisdictional issues; and
- (g) the record contains no evidence tending to rebut the applicant's prima facie case.

Evidence tending to rebut a prima facie fitness showing shall include evidence of: insolvency, unfit safety rating from USDOT, prior WMATC revocation or denial of operating authority, and other transportation regulatory agency findings of unfitness. Such evidence shall not include an applicant's prior failure to satisfy the conditions of a grant of authority within the 180 days allowed by Regulation No. 66.

IV. VOIDED CONDITIONAL GRANTS

From 1960 to 1991, the Compact granted to the Commission the power to "attach to the issuance of a certificate [of public

⁹ *Id.* at app. Regulation No. 70-07.

¹⁰ *In re Crowe, Wash and Wise Transp. Group, Inc.*, No. AP-06-044, Order No. 9634 (June 13, 2006).

convenience and necessity] and to the exercise of the rights granted thereunder such reasonable terms and conditions as the public convenience and necessity may require." That power was reiterated in the 1990 Compact amendments, effective 1991, as follows: "The Commission may attach to the issuance of a certificate [of authority] and to the exercise of the rights granted under it any term, condition, or limitation that is consistent with the public interest." The Commission has exercised its power to attach conditions to the issuance of a certificate in virtually every grant of operating authority since 1964.

It has been the policy of the Commission since 1964 to issue conditional, as opposed to absolute, grants of authority. The issuance of a certificate of authority today is contingent on the applicant presenting its vehicles for inspection by Commission staff and filing certain documents, such as proof of insurance and safety inspection.

Commission Regulation No. 66 provides that the time for complying with the conditions of a grant of authority shall not be extended beyond 180 days from the date of the grant. A conditional grant of authority shall be void on the 181st day following the date of the grant if full compliance has not been achieved at that time.

The Commission has by Commission order crafted two exceptions to this rule. If a grant of authority becomes void under Regulation No. 66 because an applicant does not satisfy the conditions of the grant within 180 days, the certificate will still be issued if, but only if, within thirty days of the date the grant becomes void the applicant both applies for reconsideration under Article XIII, Section 4, of the Compact and fully satisfies the conditions of the grant. Similarly, the Commission will waive Regulation No. 66 where an applicant requests an extension of time before the 180 days has expired and the applicant satisfies the conditions of the grant before the time for seeking reconsideration would have run had the 180-day deadline not been waived.

As crafted, these exceptions are susceptible of determination by the Executive Director, and the authority to make them has been so delegated since 2009.¹¹

The exceptions and the delegation of authority are reflected in the following proposed regulations. Under this proposal, existing Regulation No. 66 would become Regulation No. 66-01 without change.

26-05. Reopening by Executive Director. In the event a conditional grant of authority becomes void due to an applicant's

¹¹ See e.g., *In re Barrett Metro. Transp., LLC*, No. AP-09-037, Order No. 12,251 (Dec. 16, 2009) (reconsideration); *In re Melwood Horticultural Training Center, Inc.*, No. AP-08-014, Order No. 12,060 (June 25, 2009) (waiver).

failure to timely satisfy the conditions of issuance within the 180 days allowed by Regulation No. 66, the Commission's Executive Director may reopen the proceeding and issue said authority if the applicant timely files an application for reconsideration in accordance with Rule No. 27-06 and satisfies the conditions of issuance on or before the deadline for requesting reconsideration.

27-06. Reconsideration of Voided Grant of Authority. The voiding of a conditional grant of authority pursuant to Regulation No. 66 represents the final decision of the Commission on the underlying application and therefore is subject to reconsideration. Publication of said decision shall be deemed to occur on the 181st day following issuance of the conditional grant.

66. Voiding of Conditional Grant of Authority.

66-01. 180-Day Deadline. Except as provided in Regulation No. 66-02, the time for complying with the conditions of a grant of authority shall not be extended beyond 180 days from the date of the grant. A conditional grant of authority shall be void on the 181st day following the date of the grant if full compliance has not been achieved at that time. An applicant which has three successive conditional grants voided under this regulation shall be barred from reapplying for a period of one year as measured from the end of the third 180-day period.

66-02. Extensions. Upon timely request for an extension of the 180-day deadline in Regulation No. 66-01, the Commission's Executive Director may grant a maximum extension of 31 days.

V. AUTOMATIC SUSPENSION ORDERS

The Commission's regulations contain three automatic-suspension provisions.

Commission Regulation No. 58-12 provides that: "Failure to replace a WMATC Insurance Endorsement prior to termination shall result in immediate, automatic suspension of a carrier's WMATC operating authority. The carrier must suspend operations immediately and may not recommence operations unless and until otherwise ordered by the Commission."

Commission Regulation No. 60-03 provides that: "A carrier's operating authority shall stand suspended upon the carrier's failure to file an annual report within ninety days of the due date."

Commission Regulation No. 67-04 provides that: "A carrier's operating authority shall stand suspended upon the carrier's failure to pay an annual fee or late fee within ninety days of the due date."

The Commission has recognized that "The Executive Director has delegated authority to issue routine suspension orders . . . and . . . may issue a lift suspension order once respondent has complied with

the suspension order."¹² It has been the practice of the Executive Director to issue an order noting the automatic suspension of a carrier's operating authority when such an event occurs and to advise the carrier that the carrier's operating authority will be subject to revocation upon failure to cure the violation within 30 days.¹³ The Commission proposes adopting the following Regulations recognizing this delegation of authority and practice.

58-20. Issuance of Orders Under Rule Nos. 58-12 & 58-13. The Commission's Executive Director shall issue an order noting the automatic suspension of a carrier's operating authority under Regulation No. 58-12 as soon as practicable after such an event occurs. The order shall admonish that no operations may be conducted under the carrier's certificate of authority unless and until otherwise ordered by the Commission. The order shall advise that the carrier's operating authority shall be subject to revocation if the carrier fails to file the necessary WMATC Insurance Endorsement(s) and pay the late fee under Regulation No. 67-03(c) within 30 days. The Executive Director shall issue a lift-suspension order if the conditions for lifting a suspension under Regulation No. 58-13 are met within the aforementioned 30 days.

60-04. Issuance of Orders Under Rule No. 60-03. The Commission's Executive Director shall issue an order noting the automatic suspension of a carrier's operating authority under Regulation No. 60-03 as soon as practicable after such an event occurs. The order shall admonish that no operations may be conducted under the carrier's certificate of authority unless and until otherwise ordered by the Commission. The order shall advise the carrier that the carrier's operating authority shall be subject to revocation if the carrier fails to file a complete current annual report within 30 days. The Executive Director shall issue an order lifting a suspension imposed under Regulation No. 60-03 if the carrier files a complete current annual report within the aforementioned 30 days.

67-06. Issuance of Orders Under Rule No. 67-04. The Commission's Executive Director shall issue an order noting the automatic suspension of a carrier's operating authority under Regulation No. 67-04 as soon as practicable after such an event occurs. The order shall admonish that no operations may be conducted under the carrier's certificate of authority unless and until otherwise ordered by the Commission. The order shall advise the carrier that the carrier's operating authority shall be subject to revocation if the carrier fails to pay all outstanding fees within 30

¹² *In re Nile Express Transport, Inc.*, No. MP-07-050, Order No. 10,376 (Apr. 3, 2007).

¹³ See e.g., *In re Henry Bernard Spevak*, No. MP-11-054, Order No. 12,884 (June 10, 2011) (insurance); *In re Beatrice Ramona Faye Horsley, t/a ASK Transp. Servs.*, No. MP-11-042, Order No. 12,838 (May 3, 2011) (annual fee/report).

days. The Executive Director shall issue an order lifting a suspension imposed under Regulation No. 67-04 if the carrier pays all outstanding fees within the aforementioned 30 days.

VI. VEHICLE MARKING WAIVER

Commission Regulation No. 61 requires each WMATC carrier to display its name and WMATC number on both sides of each vehicle used in WMATC operations.

The markings required by Regulation No. 61 help assign responsibility, and facilitate recovery of compensation, for damage and injuries caused by carriers operating under WMATC authority. Such markings facilitate the processing of customer complaints, as well. They also assist State officials conducting roadside inspections and accident investigations in attributing important safety data to the correct motor carrier. These purposes must be balanced against other considerations, such as competitive harm.¹⁴

WMATC carriers operating limousines and luxury sedans seating nine persons or less, including the driver, must compete against non-WMATC carriers operating such vehicles. Non-WMATC carriers may legally operate such vehicles in the Metropolitan District pursuant to the "bona fide taxicab service" exclusion in Article XI, Section 3(f), of the Compact, as defined in Regulation No. 51-09. Non-WMATC carriers typically are not required to mark such vehicles. Requiring WMATC carriers to mark such vehicles thus would put them at a competitive disadvantage relative to non-WMATC carriers.¹⁵

There is no "bona fide taxicab service" exclusion, however, when it comes to operations in vehicles seating more than nine persons, including the driver. Hence, WMATC carriers operating such vehicles between points in the Metropolitan District do not have to compete with non-WMATC carriers operating such vehicles between points in the Metropolitan District.¹⁶

"The Commission routinely waives Regulation No. 61 with respect to limousines and luxury sedans seating nine persons or less,

¹⁴ *In re Ricardo S. Santiago, t/a Calesa Transp. Serv.*, No. AP-08-117, Order No. 11,815 (Jan. 26, 2009) (citations omitted).

¹⁵ *Id.*

¹⁶ *In re Dan Allen, t/a Allen Limo Serv.*, No. AP-08-012, Order No. 11,412 (June 13, 2008); *In re Global Marketing Sys., Inc., t/a Executive Limo. Serv.*, No. AP-07-027, Order No. 10,601 (July 5, 2007).

including the driver."¹⁷ "Limousines and luxury sedans seating more than nine persons, including the driver, but less than 16 persons, including the driver, must at a minimum display the carrier's WMATC number."¹⁸ The phrase "limousines and luxury sedans" has been deemed to include luxury sport utility vehicles.¹⁹ All other WMATC vehicles must be marked in full compliance with Regulation No. 61.²⁰

The Executive Director has been issuing vehicle-marking waiver letters under delegated authority since 1995, as amended in 2003.²¹ The following proposed regulation would codify what has been the Commission's waiver policy since then.

61-06. Limousines and Luxury Sedans. The requirements in Rule 61-01(a) are waived as to limousines and luxury sedans seating 15 persons or less, including the driver. The requirements in Rule 61-01(b) are waived as to limousines and luxury sedans seating 9 persons or less, including the driver. The term "luxury sedans and limousines" includes sport utility vehicles (SUVs) but not vans.

VII. VEHICLE LEASE APPROVAL

Acceptance and rejection of filings with the Commission is covered by Rule Nos. 8-01 and 8-02 as follows:

8-01. Filing With the Commission. The filing with the Commission as required or allowed by any rule, regulation, or order of the Commission, or by applicable statute, of applications, complaints, petitions, protests, answers, motions, briefs, exceptions, tariffs, schedules, notices, reports, or other pleadings, amendments to pleadings, documents, or papers shall be made by filing them with the Executive Director of the Commission at its principal office during the normal business hours as set forth in Rule 1-02. Any such filings must be received by the Executive Director at the office of the Commission within the time limit, if any, for such filing.

8-02. Acceptance for Filing. The pleadings, documents, or other papers, referred to in Rule 8-01, permitted or required to be filed,

¹⁷ *In re Platinum Limo. Serv., Inc.*, No. AP-08-085, Order No. 11,797 (Jan. 15, 2009).

¹⁸ *Id.*

¹⁹ *See In re Haymarket Transp., Inc.*, No. AP-08-181, Order No. 12,186 (Oct. 8, 2009) (granting waiver for Cadillac Escalade).

²⁰ *See* Order No. 11,815 (denying waiver for minivan); *Exec Tech. Solutions, LLC*, No. AP-04-84, Order No. 8779 (June 17, 2005) (denying waiver for 10-passenger van); *In re VOCA Corp. of Wash., D.C.*, No. MP-02-30, Order No. 7258 (June 20, 2003) (revoking partial waiver as to vans); *see also In re Individual Development, Inc.*, No. MP-10-007, Order No. 12,328, (Mar. 5, 2010) (directing carrier to show cause why partial waiver for vans should not be revoked).

²¹ *In re Escort Limo. Serv., Inc.*, No. AP-03-48, Order No. 7512 (Nov. 5, 2003); *In re Prime Transp. Servs., Inc.*, No. AP-02-92, Order No. 7511 (Nov. 5, 2003).

will be accepted for filing only if such pleadings, documents, or other papers conform to the requirements of these Rules and any other applicable rule, regulation, or order of the Commission or applicable statute. Such pleadings, documents, or other papers tendered for filing that fail so to conform may be refused acceptance for filing and may be returned by the Executive Director with an indication of the deficiencies of the tendered filing and the reasons for nonacceptance and return. Acceptance for filing shall not waive any failure to comply with any requirements and such failure may be cause for striking all or any part of such filing.

Rule Nos. 8-01 and 8-02 impose on the Executive Director an accept-or-reject standard for processing filings. The Commission's vehicle lease regulation, Regulation No. 62, adds a third option for certain leases.

Regulation No. 62 provides that a carrier may operate a leased vehicle only if the lease has been approved by the Commission. Regulation No. 62-02 stipulates that: "Such contract of lease shall be in the form set forth in the Appendix to these regulations, and any addenda thereto shall be submitted along with the form." Regulation No. 62-03, however, contemplates that other lease forms may be approved by the Commission, as follows:

62-03. Administration Action.

(a) Review by Executive Director. The Executive Director or his delegate shall review contracts of lease for compliance with the requirements of this regulation. Such initial determination shall be completed no later than the end of the third business day following receipt of the contract for lease.

(b) Approval by Executive Director. Where a contract of lease is acceptable for filing (see Commission Rule 8), and is in conformance with the requirements of this regulation, the Executive Director or his delegate shall approve such contract of lease by signing all copies, retaining the original for the Commission's files, and serving copies upon the lessor and the lessee.

(c) Review by the Commission. Where it appears to the Executive Director or his delegate that a contract of lease may not be in complete conformance with the requirements of this regulation, the Executive Director or his delegate shall forward such contract of lease together with his analysis thereof to the Commission for determination and shall serve notification of such action and analysis upon the lessee.

(d) Determination by the Commission. The Commission shall make a prompt determination on such contract of lease, with or without hearings or other formal proceedings, and shall, upon approval, return such contract of lease to the Executive Director or his delegate for signing as described above or, upon disapproval, return such contract of lease to the lessee, specifying the reason(s) for disapproval.

In 1995, the Commission delegated authority to the Executive Director to approve vehicle leases that are filed on forms other than those prescribed by the Commission provided the terms of the lease comport with Commission requirements. The Executive Director has been accepting such leases since 1995 and rejecting those that do not satisfy the substantive requirements of Regulation No. 62.

The Commission proposes adopting the following regulation recognizing that delegation and conforming to the Commission's current practice regarding acceptance and rejection of vehicle leases.

62-03. Action by Executive Director.

(a) Review. The Executive Director or his delegate shall review for sufficiency each vehicle lease filed in accordance with this regulation. The review shall be completed no later than the end of the third business day following receipt of the lease.

(b) Acceptance or Rejection. Copies of complete leases created by using the Commission's lease form, and copies of complete leases not created by using the Commission's form but in substantially the same form and containing substantially the same terms, shall be accepted for filing. All others shall be rejected.

VIII. WMATC INSURANCE ENDORSEMENT REVOCATION

As noted above, acceptance and rejection of filings with the Commission is covered by Rule Nos. 8-01 and 8-02. Sometimes, however, an insurance filing that at first appears to meet the Commission's filing standards is later shown to be deficient. Regulation No. 58-09 provides that in such instances: "The Commission may, upon thirty days' notice, revoke its approval of any WMATC Insurance Endorsement if, in the judgment of the Commission, such security does not comply with the Commission's regulations or for any reason fails to provide satisfactory or adequate protection for the public."

The Commission proposes amending Regulation No. 58-09 to clarify the Executive Director's authority to revoke WMATC Insurance Endorsements consistent with the Commission's practice since 1997.²²

²² See e.g., *In re Diamond Transp. Servs., Inc.*, No. MP-10-070, Order No. 12,528 (Aug. 30, 2010); *In re Vision Enviro LLC, t/a Enviroride*, No. MP-08-239, Order No. 11,733 (Dec. 5, 2008); *In re Fowler Trio, L.L.C., t/a AAA Transp. and All American Adventures & Tours*, No. MP-07-153, Order No. 10,658 (July 25, 2007); *In re JBT Enter., LLC, t/a Access Mobility Transp.*, No. MP-06-119, Order No. 9783 (July 28, 2006); *In re Americare Med. Transp., Inc.*, No. MP-05-37, Order No. 8621 (Apr. 1, 2005); *In re LogistiCare Solutions, LLC, t/a LogistiCare*, No. MP-04-118, Order No. 8104 (June 17, 2004); *In re New Era Medical Transport Servs.*, No. MP-03-37, Order No. 7164 (May 1, 2003); *In re Dependable Med. Transp. Inc.*, No. MP-02-129, Order No. 6949 (Dec. 12, 2002); *In re Rapidtrans, Inc.*, No. MP-01-99, Order No. 6378 (Oct. 4, 2001); *In re Comprehensive Care II, Inc.*, No. MP-00-61, Order No. 6019 (Oct. 17, 2000); *In re Leonard Harry Young, t/a Young Star Tours*, No. MP-99-26, Order

58-09. Right to Revoke. The Executive Director may, upon thirty days' notice, revoke any WMATC Insurance Endorsement if, in the judgment of the Executive Director, such security does not comply with the Commission's regulations or for any reason fails to provide satisfactory or adequate protection for the public.

THEREFORE, IT IS ORDERED:

1. That a rulemaking is hereby initiated for the purpose of proposing amendments to the Commission's Rules of Practice and Procedure and Regulations, Rule Nos. 24, 26, and 27, and Regulation Nos. 54, 58, 60, 61, 62, 66, and 67.

2. That Commission staff shall publish notice of this proceeding on the Commission's website beginning on the date of issuance and continuing through the deadline for comments.

3. That written comments must be submitted within 30 days of the date of this notice by emailing them to delegate-rulemaking@wmatc.gov, faxing them to (301) 588-5262, or mailing them to WMATC Delegation Rulemaking, 8701 Georgia Avenue, Suite 808, Silver Spring, MD 20910-3700.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS BRENNER AND HOLCOMB:



William S. Morrow, Jr.
Executive Director

No. 5618 (June 3, 1999); *In re Loretta Lewis-Kalifa, t/a Refuge Transp. Serv.*, No. MP-98-06, Order No. 5293 (Mar. 19, 1998); *In re Peter Pan Bus Lines, Inc.*, No. MP-97-08, Order No. 5029 (Feb. 26, 1997).