

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 13,961

IN THE MATTER OF:

Served May 28, 2013

BUTLER MEDICAL TRANSPORT, LLC,)
Trading as BUTLER MOBILITY,) Case No. MP-2012-098
Suspension and Investigation of)
Revocation of Certificate No. 1748)

Certificate of Authority No. 1748 was revoked in Order No. 13,639, issued December 26, 2012, for respondent's failure to comply with the Commission's insurance requirements. On January 4, 2013, within the 30-day period for seeking reconsideration of Order No. 13,639, respondent submitted the necessary WMATC Insurance Endorsement(s), with no interruption in coverage, and a request for reinstatement of Certificate No. 1748. The request was granted in Order No. 13,698, issued January 23, 2013. However, to prevent circumvention of the Commission's annual report and fee requirements that apply to carriers holding WMATC authority on the first day of each year, Order No. 13,698 directed respondent to file a 2013 annual report and pay a 2013 annual fee within 30 days, or by February 22, 2013. Respondent failed to comply. As a result, respondent was automatically assessed \$300 in late fees pursuant to Regulation No. 67-03, effective February 23, 2013.

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 90 days of the due date. 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 90 days of the due date. More than 90 days have passed since respondent's 2013 annual report, 2013 annual fee, and associated late fees became due under Order No. 13,698, but respondent has yet to tender said report and fees. Accordingly, respondent's operating authority stands suspended under Regulation Nos. 60-03 and 67-04. Respondent shall have 30 days to bring its operations into compliance with Regulation Nos. 60 and 67 or face revocation of Certificate No. 1748.

THEREFORE, IT IS ORDERED:

1. That respondent shall refrain from transporting passengers for hire under its WMATC certificate of authority, unless and until otherwise ordered by the Commission.

2. That Certificate of Authority No. 1748 shall be subject to revocation pursuant to Article XI, Section 10(c), of the Compact, if

respondent fails to fully comply with Regulation No. 60 and Regulation No. 67 within 30 days.

3. That respondent may file within 15 days from the date of this order a request for oral hearing, specifying the grounds for the request, describing the evidence to be adduced and explaining why such evidence cannot be adduced without an oral hearing.

FOR THE COMMISSION:

A handwritten signature in black ink, appearing to read 'W. S. Morrow, Jr.', written in a cursive style.

William S. Morrow, Jr.
Executive Director