

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 14,598

IN THE MATTER OF: Served February 26, 2014

Application of CHIEF LIMOS LLC for) Case No. AP-2013-412
Voluntary Termination of)
Certificate No. 2048)

CHIEF LIMOS LLC, Suspension and) Case No. MP-2013-130
Investigation of Revocation of)
Certificate No. 2048)

This matter is before the Commission on the response of Chief Limos LLC to Order No. 14,364, served November 26, 2013, in Case No. MP-2013-130, which directed Chief Limos to verify that it ceased all operations in the Metropolitan District from October 12, 2013, to November 26, 2013, and directed Chief Limos to furnish corroborating 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."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 Chief Limos to insure the revenue vehicles operated under Certificate No. 2048 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. 2048 was automatically suspended on October 12, 2013, pursuant to Regulation No. 58-12 when the \$1.5 million primary WMATC Insurance Endorsement on file for Chief Limos terminated without replacement. A new endorsement had been submitted on October 11, 2013, but it did not become effective until October 18, 2013.

Order No. 14,276 noted the automatic suspension of Certificate No. 2048 pursuant to Regulation No. 58-12, directed Chief Limos to cease transporting passengers for hire under Certificate No. 2048, and gave Chief Limos 30 days to pay the \$100 late fee due under Regulation No. 67-03(c) or face revocation of Certificate No. 2048. Chief Limos paid the \$100 late fee on November 25, 2013, and the suspension was lifted in Order No. 14,364 the next day. But because the effective

¹ Compact, tit. II, art. XI, § 6(a).

² Compact, tit. II, art. XI, § 7(g).

date of the new endorsement was October 18, 2013, instead of October 12, 2013, the order gave Chief Limos 30 days to verify cessation of operations in the Metropolitan District as of October 12, 2013, and to produce corroborating business records, in accordance with Regulation No. 58-14.

II. RESPONSE AND ORDER TO SHOW CAUSE

Instead of complying with Order No. 14,364, Chief Limos filed an application for voluntary termination on December 15, 2013.

Considering that Chief Limos has not denied operating its vehicle(s) on and after the October 12 suspension date, and considering that Chief Limos has failed to produce the required documents, Chief Limos shall have 30 days to show cause why the Commission should not assess a civil forfeiture against Chief Limos, and/or suspend or revoke Certificate No. 2048, for knowingly and willfully conducting operations under an invalid/suspended certificate of authority and failing to produce documents as directed.

We will hold a decision on the voluntary termination application in abeyance until Chief Limos has had an opportunity to respond to this order.³

THEREFORE, IT IS ORDERED:

1. That Case Nos. MP-2013-130 and AP-2013-412 are hereby consolidated pursuant to Commission Rule No. 20-02.

2. That Chief Limos LLC shall have 30 days to show cause why the Commission should not assess a civil forfeiture against it, and/or suspend or revoke Certificate No. 2048, for knowingly and willfully violating Article XI, Section 6(a), of the Compact, Regulation No. 58, and the orders issued in this proceeding.

3. That Chief Limos LLC may submit within 15 days from the date of this order a written 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.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS BRENNER, HOLCOMB, AND BELLAMY:



William S. Morrow, Jr.
Executive Director

³ See *In re Addis Transp., Inc.*, No. AP-07-232, Order No. 11,112 (Jan. 29, 2008) (voluntary termination application held in abeyance pending show cause response).