

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 15,691

IN THE MATTER OF:

Served June 18, 2015

FIF TRANSPORTATION, LLC, Suspension)
and Investigation of Revocation of)
Certificate No. 1850)

Case No. MP-2015-019

This matter is before the Commission on respondent's response to Order No. 15,376, served February 4, 2015.

I. BACKGROUND

Certificate No. 1850 was automatically suspended on January 15, 2015, pursuant to Regulation No. 58-12, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 15,326, served January 15, 2015, noted the automatic suspension of Certificate No. 1850 pursuant to Regulation No. 58-12, directed respondent to cease transporting passengers for hire under Certificate No. 1850, and gave respondent thirty days to replace the terminated endorsement and pay the \$100 late fee due under Regulation No. 67-03(c) or face revocation of Certificate No. 1850.

Respondent paid the late fee and submitted a \$1.5 million WMATC Insurance Endorsement, and the suspension was lifted in Order No. 15,376, but because the effective date of the new endorsement is February 1, 2015, instead of January 15, 2015, the order gave respondent 30 days to verify cessation of operations as of February 1, 2015, as corroborated by copies of respondent's pertinent business records, in accordance with Regulation No. 58-14.

II. RESPONSE TO ORDER NO. 15,376

The Commission has received the statement of Amanda Auth, a secretary at CV Auto Repair. According to her statement, "the vehicles under WMATC License #1850 were in our storage from the 15th of January, 2015 through the 2nd of February, 2015 due to a suspended WMATC license." Her statement, however, does not specifically identify the vehicles in storage and does not disclose how she knows as a matter of personal knowledge that respondent did not operate other vehicles during the time period covered by her statement. In any event, her statement does not expressly state that respondent did not conduct WMATC operations from January 15, 2015, through February 3, 2015, and her statement is not corroborated by copies of respondent's business records from November 1, 2014, to February 4, 2015, as directed by Order No. 15,376.

III. ORDER TO SHOW CAUSE

Considering that respondent has not denied operating its vehicle(s) on and after the suspension date, and considering that respondent has failed to produce the required documents, respondent shall have 30 days to show cause why the Commission should not assess a civil forfeiture against respondent, and/or suspend or revoke Certificate No. 1850, for knowingly and willfully conducting operations under an invalid/suspended certificate of authority and failing to produce documents as directed.¹

THEREFORE, IT IS ORDERED:

1. That respondent shall have 30 days to show cause why the Commission should not assess a civil forfeiture against respondent, and/or suspend or revoke Certificate No. 1850, for knowingly and willfully violating Article XI, Section 6(a), of the Compact, Regulation No. 58, and the orders issued in this proceeding.

2. That respondent 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 DORMSJO:



William S. Morrow, Jr.
Executive Director

¹ See *In re Olalekan Salami, t/a Startime Ventures*, No. MP-08-147, Order No. 11,690 (Nov. 19, 2008) (same).