

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 16,577

IN THE MATTER OF:

Served September 16, 2016

LIFELINE INC., Suspension and)
Investigation of Revocation of)
Certificate No. 2463)

Case No. MP-2016-101

This matter is before the Commission on respondent's failure to respond to Order No. 16,498, served August 1, 2016.

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 respondent to insure the revenue vehicles operated under Certificate No. 2463 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. 2463 was rendered invalid on May 28, 2016, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 16,388, served May 31, 2016, noted the automatic suspension of Certificate No. 2463 pursuant to Regulation No. 58-12, directed respondent to cease transporting passengers for hire under Certificate No. 2463, and gave respondent 30 days to replace the terminated endorsement and pay a \$100 late fee due under Regulation No. 67-03(c) or face revocation of Certificate No. 2463. Respondent did not respond, and Certificate No. 2463 was revoked on July 11, 2016, in Order No. 16,465.

Respondent thereafter filed a \$1.5 million WMATC Insurance Endorsement, paid the \$100 late fee, and submitted a request for reinstatement of Certificate No. 2463, and Certificate No. 2463 was reinstated in Order No. 16,498 on August 1, 2016, pursuant to Regulation No. 58-15(b).

¹ Compact, tit. II, art. XI, § 6(a).

² Compact, tit. II, art. XI, § 7(g).

This investigation continued, however, under Regulation No. 58-14 because the effective date of respondent's replacement WMATC Endorsement was July 15, 2016, instead of May 28, 2016. Order No. 16,498, in accordance with Regulation No. 58-14(a), gave respondent 30 days to: (1) submit a statement verifying cessation of operations as of May 28, 2016; and (2) produce copies of respondent's business records for the period from March 1, 2016, to August 1, 2016.

Respondent has yet to respond.

II. ORDER TO SHOW CAUSE

In accordance with Regulation No. 58-14(b), 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. 2463, for knowingly and willfully conducting operations under an invalid/suspended certificate of authority and failing to produce documents as directed.

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. 2463, 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.

FOR THE COMMISSION:



William S. Morrow, Jr.
Executive Director