

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 16,578

IN THE MATTER OF:

Served September 16, 2016

MEDICAL TRANSPORTATION SYSTEMS) Case No. MP-2016-121
(MTS) LLC, Suspension and)
Investigation of Revocation of)
Certificate No. 2630)

This matter is before the Commission on respondent's failure to produce documents as directed by Order No. 16,501, served August 3, 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. 2630 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. 2630 was rendered invalid on July 23, 2016, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 16,492, served July 25, 2016, noted the automatic suspension of Certificate No. 2630 pursuant to Regulation No. 58-12, directed respondent to cease transporting passengers for hire under Certificate No. 2630, and gave respondent 30 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. 2630.

Respondent paid the late fee and submitted a \$1.5 million primary WMATC Insurance Endorsement, and the suspension was lifted in Order No. 16,501, served August 3, 2016. However, because the effective date of the new endorsement is July 27, 2016, instead of July 23, 2016, Order No. 16,501 gave respondent 30 days in accordance with Regulation No. 58-14(a) to: (1) verify cessation of all WMATC

¹ Compact, tit. II, art. XI, § 6(a).

² Compact, tit. II, art. XI, § 7(g).

operations as of July 23, 2016; (2) produce copies of respondent's pertinent business records from May 1, 2016, to August 3, 2016; and (3) submit a statement from Southeastrans, Inc., one of respondent's principal clients, confirming respondent's timely cessation of operations.

Southeastrans submitted a statement on August 18, 2016, but respondent has yet to produce its own statement and has yet to produce any business records.

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. 2630, 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. 2630, 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