

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4203

IN THE MATTER OF:

Served November 15, 1993

Proposed Rulemaking Amending)
APPENDIX TO RULES OF PRACTICE AND)
PROCEDURE AND REGULATIONS,)
CERTIFICATE OF INSURANCE)

Case No. MP-93-41

The Commission initiated this proceeding in Order No. 4168 on September 16, 1993, for the purpose of proposing amendments to the Commission's certificate of insurance, which is printed in the appendix to the Rules of Practice and Procedure and Regulations.

We noted in that order the dual function of our certificate of insurance. It serves as an endorsement to the underlying policy to ensure complete and adequate coverage for the public and when filed in accordance with applicable regulations provides evidence of a carrier's compliance with insurance requirements under the Compact.

The redesigned form is more consistent with its ICC counterparts, and certain operative language now conforms more closely with the pertinent terms of the Compact, which are phrased in terminology customarily used by the insurance industry. Settled construction of key provisions under ICC precedent and insurance case law should increase the certainty of the scope of coverage.

Interested parties were given 45 days, or until November 1, 1993, to submit comments. Only one comment was received. The comment focused on the Commission's self-insurance regulations and, thus, was deemed nonresponsive. That comment will be docketed separately, however, for further consideration.

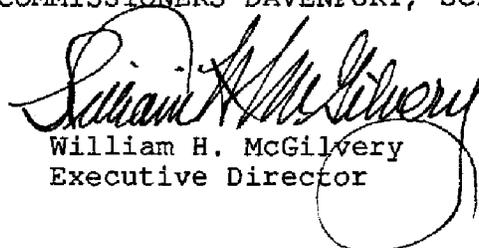
Having received no responsive comments, we will make final the revisions proposed in Order No. 4168. Any carrier filing or required to file a certificate of insurance on or after January 1, 1994, shall file the certificate adopted by this order. Through December 31, 1993, either the current form or the new form will be acceptable.

THEREFORE, IT IS ORDERED:

1. That the revised certificate of insurance form proposed in Order No. 4168 is hereby adopted in its entirety without further amendment.

2. That the current certificate of insurance form shall not be accepted for filing after December 31, 1993.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS DAVENPORT, SCHIFTER, AND SHANNON:


William H. McGilvery
Executive Director