

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4339

IN THE MATTER OF:

Served July 11, 1994

CARRIER NO. 198, Suspension and)
Investigation of Revocation of)
Certificate No. 198)

Case No. MP-94-26

The Compact, Title II, Article XI, Section 7(g) states that "[a] Certificate of Authority is not valid unless the holder is in compliance with the insurance requirements of the Commission." Commission Regulation No. 58-02 provides that "[in] the event a carrier fails to maintain on file with the Commission an effective certificate of insurance, the operating authority of said carrier is deemed automatically suspended." Commission Regulation No. 58-06 mandates that "[c]ertificates of insurance shall be issued in the full and correct name of the . . . corporation . . . that is the carrier."

By request filed April 26, 1994, Carrier No. 198 applied for amendment of the name on its certificate of authority from Sky Lines, Inc., to Sky Lines Bus, Inc. The request was supported by a copy of a notice issued by the State of Maryland, Department of Assessments and Taxation, advising applicant that its "articles of revival with a name change for Sky Lines, Inc. changing to Sky Lines Bus, Inc.," had been received and approved.

The request to amend Certificate No. 198 was conditionally granted in Order No. 4298¹ on May 16, 1994, contingent on Sky Lines Bus, Inc., filing on or before June 15, 1994, a certificate of insurance issued in its name. To date, Sky Lines Bus, Inc., has not filed a certificate of insurance,² thereby voiding the conditional grant, as provided in Order No. 4298.

Considering that the full and correct name of Carrier No. 198 by its own admission is now Sky Lines Bus, Inc., and that no certificate of insurance issued in that name has been filed with the Commission, Carrier No. 198 is not in compliance with the insurance requirements of the Commission, specifically Regulation No. 58-06. Certificate of Authority No. 198 is, therefore, invalid and automatically suspended.

¹ In re Sky Lines, Inc., & Sky Lines Bus, Inc., No. AP-94-19, Order No. 4298 (May 16, 1994).

² In addition, the Commission received written notice on July 11, 1994, that the current certificate of insurance issued in the name of Sky Lines, Inc., has been cancelled. Pursuant to the terms of that certificate and Commission Regulation No. 58-07, coverage thereunder will terminate August 10, 1994.

THEREFORE, IT IS ORDERED:

1. That this proceeding is instituted pursuant to Title II, Article XI, Section 10 of the Compact for the purpose of determining whether Certificate of Authority No. 198 shall be revoked.

2. That Carrier No. 198 is made a party respondent to this proceeding.

3. That Carrier No. 198 is directed to file within 30 days from the date of this order an appropriate certificate of insurance, or such other evidence, in writing and under oath, as it may deem pertinent to show cause why Certificate of Authority No. 198 should not be revoked.

4. That Carrier No. 198 is hereby directed to cease and desist from conducting transportation subject to the Compact, unless and until otherwise ordered by the Commission.

5. That Carrier No. 198 may file within 15 days from the date of this order a request for oral hearing in accordance with the Compact, Title II, Article XI, Section 10.

FOR THE COMMISSION:



William H. McGilvery
Executive Director