

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5293

IN THE MATTER OF:

Served March 19, 1998

LORETTA LEWIS-KALIFA, Trading as) Case No. MP-98-06
REFUGE TRANSPORTATION SERVICE,)
Revocation of Certificate of)
Insurance and Investigation of)
Suspension and Revocation of)
Certificate No. 275)

On March 6, 1998, the Commission received a notice of cancellation from respondent's insurance company declaring that policy no. A16-9032-A09-09 had been cancelled effective April 5, 1998. The policy number in the notice does not match the policy number listed in respondent's certificate of insurance, which is A16-8197-D14-09.

According to respondent's insurance company, respondent maintains three motor vehicle policies, one for respondent's personal automobile and two for respondent's vans. Three vans are identified in the cancelled policy: a 1992 Dodge van and two 1997 Dodge vans. Only one van, a 1994 Dodge, is identified in the policy listed in respondent's certificate of insurance.

Although respondent's certificate of insurance covers any vehicle operated by respondent under its WMATC certificate of authority -- even those not identified in policy no. A16-8197-D14-09 -- as a practical matter the potential exists for a future claimant to be mistakenly denied recovery on the ground that policy no. A16-9032-A09-09 has been cancelled.

Under Regulation No. 58-09, the Commission may, upon thirty (30) days' notice, revoke its approval of any certificate of insurance if, in the judgment of the Commission, such security does not comply with the Commission's regulations or for any reason fails to provide satisfactory or adequate protection for the public. Accordingly, we will revoke respondent's certificate of insurance, effective thirty days after the date of this order. Respondent shall have until then to file a newly executed certificate of insurance and to show cause why all of respondent's revenue vehicles should not be insured under a single policy.

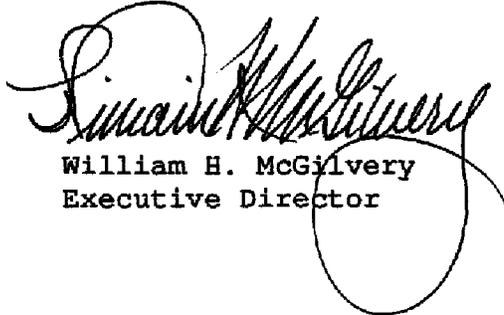
Furthermore, because the 1992 van is not listed in respondent's recent annual report, respondent will be directed to file a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle

currently used in revenue operations. Respondent also will be directed to present said vehicles for inspection by Commission staff.

THEREFORE, IT IS ORDERED:

1. That respondent's certificate of insurance is hereby revoked, effective thirty days after the date of this order.
2. That respondent shall have thirty days from the date this order is issued to file a newly executed certificate of insurance and to show cause why all of respondent's revenue vehicles should not be insured under a single policy.
3. That respondent shall have thirty days from the date this order is issued to file a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle currently used in revenue operations and present said vehicles for inspection by Commission staff.
4. That unless respondent complies with the requirements of this order within the time allowed, Certificate of Authority No. 275 shall be invalid and stand automatically suspended pursuant to Article XI, Section 7(g), of the Compact and Commission Regulation No. 58-02 and shall be subject to immediate revocation without further proceedings.
5. That respondent may file within fifteen days from the date of this order a request for oral hearing, indicating 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 H. McGilvery
Executive Director