

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5632

IN THE MATTER OF:

Served June 17, 1999

M.R. HOPKINS TRANSPORTATION )  
SERVICES, INC., Trading as M.R. )  
HOPKINS TRANSPORTATION, )  
Suspension and Investigation of )  
Revocation of Certificate No. 248 )

Case No. MP-99-22

Application of M.R. HOPKINS )  
TRANSPORTATION SERVICES, INC., )  
Trading as M.R. HOPKINS )  
TRANSPORTATION, for Restrictive )  
Amendment of Certificate of )  
Authority No. 248 )

Case No. AP-99-38

Case No. MP-99-22 was initiated on April 20, 1999, in Order No. 5586 for the purpose of determining whether Certificate of Authority No. 248, issued to M.R. Hopkins Transportation Services, Inc., trading as M.R. Hopkins Transportation, (M.R. Hopkins or respondent), shall be revoked for respondent's willful failure to comply with the insurance provisions of the Compact and regulations thereunder.

Certificate of Authority No. 248 currently authorizes transportation of passengers for hire without any restriction on vehicle seating capacity. Under Commission Regulation No. 58-03(c), \$5 million is the minimum liability insurance requirement for a carrier with unrestricted authority.

Respondent's certificate of insurance expired at 12:01 a.m. on April 18, 1999, triggering the invalidation and automatic suspension of its certificate of authority under Article XI, Section 7(g), of the Compact and Regulation No. 58-02. Order No. 5586 directed respondent to file within 30 days an appropriate certificate of insurance or other evidence showing good cause why its certificate of authority should not be revoked.

Respondent filed an acceptable WMATC insurance certificate for \$1 million in primary coverage on April 27, 1999, but no acceptable replacement certificate has been filed for the remaining \$4 million currently required.

By application accepted for filing June 2, 1999, M.R. Hopkins (applicant) seeks to add a 15-person-or-less vehicle seating capacity restriction to Certificate of Authority No. 248. Adding that restriction would lower applicant's minimum liability insurance requirement to \$1.5 million.

Under Article XI, Section 10(b), of the Compact, the Commission may amend a certificate of authority upon application by the holder.

The application shows that applicant no longer operates vehicles seating more than 15 persons, including the driver. Accordingly, the application shall be approved subject to the conditions stated below, including the condition that applicant file acceptable evidence of \$1.5 million in automobile liability insurance.

THEREFORE, IT IS ORDERED:

1. That Case No. MP-99-22 and Case No. AP-99-38 are hereby consolidated.

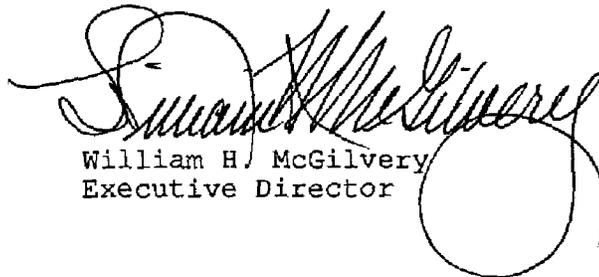
2. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 248 shall be reissued, as amended consistent with this order, to M.R. Hopkins Transportation Services, Inc., trading as M.R. Hopkins Transportation, 1401 Braddish Avenue, Baltimore, MD 21216.

3. That applicant may not transport passengers for hire between points in the Metropolitan District unless and until Certificate of Authority No. 248 has been reissued in accordance with the preceding paragraph or respondent has satisfied the minimum insurance requirement for unrestricted operating authority.

4. That applicant is hereby directed to file the following documents within thirty days: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 4203; (b) an original and four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) evidence of ownership or a lease as required by Commission Regulation No. 62 for each vehicle to be used in revenue operations; (e) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia; and (f) a notarized affidavit of identification of vehicles pursuant to Commission Regulation No. 61.

5. That upon applicant's failure to timely satisfy the conditions of issuance prescribed herein, the approval of amendment herein shall be void, the application shall stand denied and Certificate of Authority No. 248 shall stand revoked.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS ALEXANDER, LIGON, AND MILLER:

  
William H. McGilverey  
Executive Director