

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 7011

IN THE MATTER OF:

Served January 23, 2003

DAV-EL TRANSPORTATION, INC.,)
Suspension and Investigation of)
Revocation of Certificate No. 531)

Case No. MP-2003-07

Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 531 for a minimum of \$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.

The \$2 million, excess of \$1 million, WMATC Insurance Endorsement filed on respondent's behalf on January 14, 2002, by Westport Insurance Corporation terminated on December 31, 2002. According to respondent, its insurance broker, and the underwriter from Westport, coverage under the Westport policy has been renewed through December 31, 2003. Respondent has yet to file an acceptable replacement Endorsement after three attempts.

The first attempted replacement, filed January 3, 2003, identified Employers Reinsurance as the policy issuer and was not signed by a recognized underwriter. The second attempted replacement, filed January 13, 2003, identified Westport as the policy issuer and was signed by a recognized Westport underwriter but was a fax issued in the name of Dav-El Services, Inc. The third attempted replacement, filed January 23, 2003, identified Westport as the policy issuer, was signed by a recognized Westport underwriter and was an original but, like the fax before it, was issued in the name of Dav-El Services, Inc.

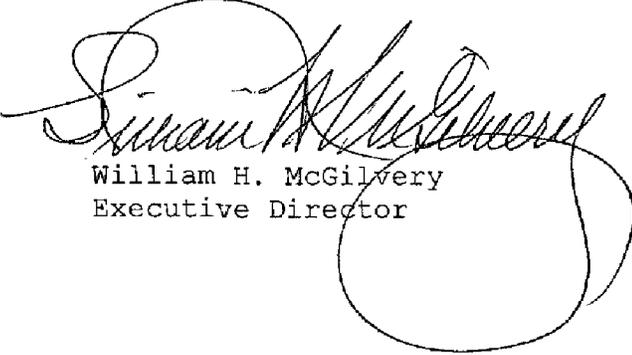
Certificate No. 531, therefore, is automatically suspended under Regulation No. 58-02 and may be revoked if respondent does not replace the terminated coverage and file the necessary WMATC Insurance Endorsement(s) within thirty days.

THEREFORE, IT IS ORDERED:

1. That respondent shall not transport passengers for hire under Certificate No. 531, unless and until otherwise ordered by the Commission.

2. That Certificate No. 531 shall be subject to revocation pursuant to Article XI, Section 10(c), of the Compact, if respondent fails to restore the full \$5 million minimum coverage and file the necessary WMATC Insurance Endorsement(s) within thirty days.

FOR THE COMMISSION:



William H. McGilvery
Executive Director