

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 7429

IN THE MATTER OF:

Served September 29, 2003

JIHAD PROPERTIES TRANSPORTATION)
SVC, LLC, Trading as 4 ALL)
OCCASIONS TRANSPORTATION SERVICE,)
Revocation of Certificate of)
Insurance and Investigation of)
Suspension and Revocation of)
Certificate No. 597)

Case No. MP-2003-85

This matter is before the Commission on the failure of respondent to comply with the initial order in this proceeding, Order No. 7360, served August 21, 2003.

This proceeding was initiated after the Commission received a copy of a WMATC Certificate of Insurance and Policy Endorsement (WMATC Insurance Endorsement) in the name of Vincent C. Goins, T/A Jihad Properties. Mr. Goins is respondent's CEO. The record indicates that Mr. Goins has not reported the vehicle identified in his policy to respondent's insurance company. "Normally, the WMATC Insurance Endorsement acts as a backstop since it provides coverage even in the event a vehicle is not identified in the policy, but the Endorsement is of little value if a claimant is not given accurate policy information."¹ Thus, until Mr. Goins reports both vehicles to the same insurer(s), the public remains at risk.

Accordingly, Order No. 7360 revoked the WMATC Insurance Endorsements on file for respondent effective September 20, 2003,² and gave respondent thirty days to file the necessary replacement endorsement(s) and proof of having reported both respondent's vehicle and its CEO's vehicle to the underlying insurer(s). The order further stipulated that Certificate No. 597 would be automatically suspended under Regulation No. 58-02, and subject to revocation pursuant to Article XI, Section 10(c), of the Compact, if respondent failed to timely comply. Respondent has filed neither the necessary replacement endorsement(s) nor proof of having reported both vehicles to the same insurer(s). Certificate No. 597, therefore, is suspended.

¹ In re ACEP Group Inc., No. MP-02-128, Order No. 7069 (Mar. 4, 2003).

² Under Regulation No. 58-09, the Commission may, upon thirty (30) days' notice, revoke its approval of any WMATC Insurance Endorsement 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.

We also note that the \$100 annual fee for 2003³ and annual report for 2002⁴ due January 31, 2003, are still outstanding for Carrier No. 597.⁵

Respondent shall have thirty days to file the necessary endorsement(s) and proof that both vehicles have been reported to the underlying insurer(s), pay the annual fee for 2003, and submit an annual report for 2002, or show cause why Certificate No. 597 should not be revoked.

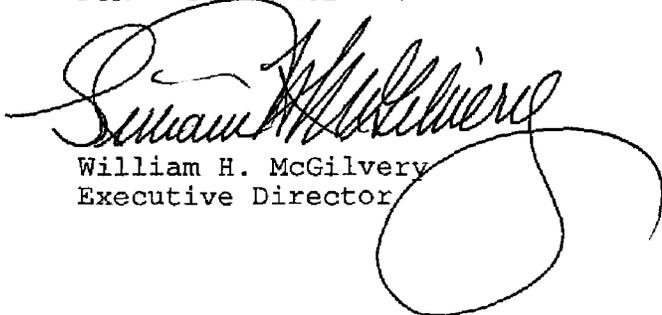
THEREFORE, IT IS ORDERED:

1. That respondent shall not transport passengers for hire under Certificate No. 597 unless and until otherwise ordered by the Commission.

2. That within thirty days, respondent shall file the necessary WMATC Insurance Endorsement(s) and proof that both respondent's vehicle and its CEO's vehicle have been reported to the underlying insurer(s), pay the annual fee of \$100 for 2003, and submit an annual report for 2002, or show cause why Certificate No. 597 should not be revoked pursuant to Article XI, Section 10(c), of the Compact.

3. 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

³ See Compact, tit. II, art. IV, § 4(a); Regulation No. 67; Order No. 3601.

⁴ See Compact, tit. II, art. XII, § 1(a); Regulation No. 60-01 as amended by Order No. 4174; Commission letter dated January 15, 2003.

⁵ Certificate No. 597 was held by Mr. Goins as a sole proprietor on the date the fee and report were due. Certificate No. 597 was transferred to respondent on June 27, 2003, pursuant to Order No. 7122. In re Jihad Properties Transp. Svc LLC, t/a 4 All Occasions Transp. Serv., & Vincent C. Goins, t/a Jihad Properties, No. AP-02-137, Order No. 7122 (Apr. 9, 2003).