

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 8989

IN THE MATTER OF:

Served September 16, 2005

Application of SKYHAWK LOGISTICS,)	
INC., for Restrictive Amendment of)	Case No. AP-2005-144
Certificate of Authority No. 406)	
SKYHAWK LOGISTICS, INC., Suspension)	Case No. MP-2005-43
and Investigation of Revocation)	
of Certificate No. 406)	

Commission Regulation No. 58 requires Skyhawk Logistics, Inc., to insure the revenue vehicles operated under Certificate No. 406 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 \$1 million primary and \$4 million excess WMATC Insurance Endorsements on file for Skyhawk terminated without replacement on April 15, 2005, and Certificate No. 406 was automatically suspended under Regulation No. 58-02 as a result, as noted in Order No. 8653, served April 19, 2005.

By application accepted for filing August 25, 2005, Skyhawk seeks to add a seating capacity restriction to Certificate No. 406. The restriction would confine Skyhawk's operations to vehicles with a seating capacity of less than 16 persons, including the driver, thereby reducing from \$5 million to \$1.5 million Skyhawk's minimum insurance obligation under Commission Regulation No. 58.

Under Article XI, Section 10(b), of the Compact, the Commission may amend a certificate of authority upon application by the holder. Skyhawk's list of revenue vehicles submitted in its 2004 annual report shows that Skyhawk no longer operates vehicles seating more than 15 persons, including the driver. The application shall be approved, and upon satisfaction of the conditions stated below, the suspension of Certificate No. 406 shall be lifted, and Certificate No. 406 shall be reissued as amended consistent with this order.

THEREFORE, IT IS ORDERED:

1. That Case Nos. MP-2005-43 and AP-2005-144 are hereby consolidated.

2. That upon Skyhawk's timely compliance with the requirements of this order, the suspension of Certificate of Authority No. 406 shall be lifted, and Certificate of Authority No. 406 shall be reissued, as amended consistent with this order, to Skyhawk Logistics, Inc., 1110 Bonifant Street, #501, Silver Spring, MD 20910.

3. That Skyhawk may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until Certificate of Authority No. 406 has been reissued in accordance with the preceding paragraph.

4. That Skyhawk is hereby directed to present its revenue vehicle(s) for inspection and file the following documents within the 180-day maximum permitted in Commission Regulation No. 66: (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) a copy of the for-hire vehicle registration card, and a lease as required by Commission Regulation No. 62 if Skyhawk is not the registered owner, 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) the original Certificate of Authority No. 406.

5. That upon Skyhawk'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 Skyhawk shall have thirty days to show cause why Certificate of Authority No. 406 should not be revoked.

FOR THE COMMISSION:



William S. Morrow, Jr.
Executive Director