

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 14,605

IN THE MATTER OF:

Served February 26, 2014

TO FAX INC, Suspension and)
Investigation of Revocation of)
Certificate No. 1588)

Case No. MP-2012-111

This matter is before the Commission on respondent's violation of the Commission's insurance regulation, Regulation No. 58, respondent's failure to produce documents as directed, and respondent's failure to tender its annual fees, annual reports, and late fees on time.

Order No. 13,897, served May 7, 2013, directed respondent to show cause why the Commission should not assess a civil forfeiture against respondent, and/or suspend or revoke Certificate No. 1588 for respondent's failure to maintain vehicle liability insurance from December 12, 2012, through January 3, 2013, and for respondent's failure to verify cessation of operations from December 12, 2012, to February 7, 2013, when the suspension of Certificate No. 1588 for the foregoing violation was lifted.

Respondent responded to Order No. 13,897, by submitting a statement verifying cessation of operations as of December 12, 2012, and corroborating the statement with an email from respondent's principal, perhaps only, client, Medical Transportation Management, Inc., (MTM). The date of the email, however, is December 12, 2012, and thus does not speak to whether respondent recommenced operations thereafter and prior to the lifting of the suspension on February 7, 2013. Furthermore, respondent has yet to furnish copies of respondent's pertinent business records for the period beginning October 1, 2012, and ending February 7, 2013, as directed by the order lifting the suspension of Certificate No. 1588.

In the meantime, the Commission has discovered that respondent owns several vehicles that apparently have not been reported to its insurance company and that respondent has reported to its insurance company several vehicles that it does not own and for which no lease is on file as required by Regulation No. 62. See attached Appendix.

Finally, Commission records show that respondent is in arrears with respect to its \$150 annual fee for 2013, its \$150 annual fee for 2014, its annual report for 2014, and \$300 in late fees under Regulation No. 67-03(a),(b).

Respondent shall have 30 days to show cause why the Commission should not assess a civil forfeiture against respondent, and/or suspend or revoke Certificate No. 1588, for knowingly and willfully violating the commission's insurance requirements, conducting operations under a suspended certificate of authority, failing to produce documents as directed, and failing to tender its annual fees, annual reports, and late fees on time.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS BRENNER, HOLCOMB, AND BELLAMY:

A handwritten signature in black ink, appearing to read 'W. S. Morrow, Jr.', written in a cursive style.

William S. Morrow, Jr.
Executive Director

Appendix to Order No. 14,605

To Fax Inc
Vehicle Analysis

<u>Year & Make</u>	<u>VIN</u>	<u>Insurance</u>	<u>MVA</u>
2006 Chevy	115589	X	X
2005 Ford	A51549	X	X
2006 Ford	B23838	X	X
2006 Ford	188159	X	X
2010 Ford	A06989	X	
2009 Ford	A25963	X	
2009 Ford	A25987	X	X
2004 Chrysler	527903	X	X
2009 Ford	A25961	X	X
2010 Ford	A06985		X
2006 Ford	B28658		X