

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 14,616

IN THE MATTER OF:

Served March 5, 2014

FLOATERS TRANSPORTATION, INC.,)
Revocation of WMATC Insurance) Case No. MP-2014-033
Endorsement and Investigation of)
Suspension and Revocation of)
Certificate No. 1254)

Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 1254 for a minimum of \$1.5 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. Under WMATC Regulation No. 58-09: "The Executive Director may, upon thirty days' notice, revoke any WMATC Insurance Endorsement if, in the judgment of the Executive Director, such security does not comply with the Commission's regulations or for any reason fails to provide satisfactory or adequate protection for the public."

Late last year, the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated on November 28, 2013, without replacement. As a result, Certificate No. 1254 was automatically suspended under Regulation No. 58-12, and a \$100 late insurance fee became due and payable under Regulation No. 67-03(c), as noted in Order No. 14,383, served December 2, 2013.¹ Respondent filed a \$1.5 million primary WMATC Insurance Endorsement on January 28, 2014, and tendered a \$100 online credit card payment on February 3, 2014. Accordingly, the suspension was lifted in Order No. 14,545 on February 4, 2014.² It now appears that the Endorsement filed January 28, 2014, should not have been accepted.

Commission records indicate that the address for respondent on the Endorsement filed the morning of January 28, 2014, was not valid at the time of filing. The Commission had been using that address, 10502 Cedarwood Lane, Fort Washington, MD, 20744, to correspond with respondent in 2013. As of January 28, 2014, two items mailed to that address had been returned to the Commission marked "Not Deliverable as Addressed" - Order No. 14,383 and a blank annual report form and annual fee invoice for 2014. Later on the evening of January 28, 2014,

¹ *In re Floaters Transp., Inc.*, No. MP-13-144, Order No. 14,383 (Dec. 2, 2013).

² *In re Floaters Transp., Inc.*, No. MP-13-144, Order No. 14,545 (Feb. 4, 2014).

respondent confirmed that the location of its principal place of business had changed.

Thus, although the address on the January 28 Endorsement matched an address on file with the Commission, as required by Regulation No. 58-04(b), it would appear that said address was not valid as far back as December 23, 2013, the date the first returned item was received by WMATC. Had respondent timely informed the Commission of respondent's change of address as required by Commission Regulation No. 68, the January 28 Endorsement would have been rejected under Regulation No. 58-04(b).

Accordingly, the WMATC Endorsement filed for respondent on January 28, 2014, shall be revoked.

THEREFORE, IT IS ORDERED:

1. That the \$1.5 million primary WMATC Insurance Endorsement filed for respondent on January 28, 2014, is hereby revoked, effective 30 days from the date of this order.

2. That Certificate No. 1254 shall be automatically suspended under Regulation No. 58-12, and subject to revocation pursuant to Article XI, Section 10(c), of the Compact if respondent fails to timely file the necessary replacement WMATC Insurance Endorsement(s).

FOR THE COMMISSION:



William S. Morrow, Jr.
Executive Director