

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 16,291

IN THE MATTER OF:

Served April 5, 2016

HALLE LIMO LLC, Suspension and)
Investigation of Revocation of)
Certificate No. 2305)

Case No. MP-2015-227

This matter is before the Commission on the request of respondent for waiver of a \$100 late fee.

Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 2305 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.

The \$2 million primary WMATC Insurance Endorsement on file for respondent terminated on December 31, 2015, without replacement. As a result, Certificate No. 2305 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. 16,095, served December 31, 2015. Respondent filed an acceptable \$1.5 million primary WMATC Insurance Endorsement and paid the late fee on January 4, 2016, and simultaneously requested a refund of the late fee.

The record shows that respondent switched to a new insurance company in mid-October 2015. Respondent's owner, Zelalem Gidafie, claims that it was his "understanding" that the new insurance company would file a WMATC Endorsement "automatically" with the Commission, but he offers no evidence that he timely advised the new insurance company of the WMATC filing requirement. In any event, the responsibility for verifying timely filing of a WMATC Insurance Endorsement rests with the carrier, not the insurance company. Given the October 15 effective date of the new Endorsement, respondent should have verified timely filing back in October.

THEREFORE, IT IS ORDERED that the request for waiver of the \$100 late fee assessed in this proceeding is denied.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS HOLCOMB AND DORMSJO:



William S. Morrow, Jr.
Executive Director