

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 16,920

IN THE MATTER OF:

Served April 4, 2017

BUTLER MEDICAL TRANSPORT, LLC,)
Trading as BUTLER MOBILITY,)
Suspension and Investigation of)
Revocation of Certificate No. 1748)

Case No. MP-2017-037

Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 1748 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 Regulation No. 67-03(c), \$100 is due and payable upon the failure of a carrier to timely file an acceptable WMATC Insurance Endorsement.

On April 5, 2016, RLI Insurance Company filed on respondent's behalf a \$3 million primary WMATC Insurance Endorsement with an effective date of April 1, 2016, and an expiration date of April 1, 2017. On March 31, 2017, Old Republic Insurance Company filed on respondent's behalf a \$1 million primary WMATC Insurance Endorsement with an effective date of September 1, 2016, and an expiration date of June 1, 2017.

Commission Regulation No. 58-07 governs commencement and termination of WMATC Insurance Endorsements, as follows:

Coverage under a WMATC Insurance Endorsement shall commence on the specified effective date and continue until the earliest of:

(a) the specified expiration date;

(b) the effective date specified in a notice of cancellation or thirty (30) days after the notice is received by the Commission, whichever is later;

(c) thirty (30) days after receipt by the Commission of an acceptable application from the insured for voluntary termination of WMATC operating authority;

(d) thirty (30) days after revocation by the Commission; or

(e) the effective date of a later-executed replacement Endorsement.

Commencement and termination shall occur at 12:01 a.m. Eastern Standard Time or Eastern Daylight Time, as applicable.

Under Regulation No. 58-07(e), the filing of the Old Republic Endorsement on March 31 caused the RLI Endorsement to stand terminated as of September 1, 2016, causing Certificate No. 1748 to become automatically suspended under Regulation No. 58-12 as of that date.¹ Certificate No. 1748 may be revoked if respondent fails to file the necessary WMATC Insurance Endorsement(s) and pay the \$100 late fee within 30 days.

THEREFORE, IT IS ORDERED:

1. That respondent shall not transport passengers for hire under Certificate No. 1748, unless and until otherwise ordered by the Commission.

2. That Certificate No. 1748 shall be subject to revocation pursuant to Article XI, Section 10(c), of the Compact, if respondent fails to file the necessary WMATC Insurance Endorsement(s) and pay \$100 by money order, check, or online by credit card, within 30 days.

FOR THE COMMISSION:



William S. Morrow, Jr.
Executive Director

¹ See *In re Challenger Transp., Inc.*, No. MP-14-139, Order No. 15,293 (Jan. 6, 2015) (applying Reg. No. 58-07(e)).