

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 17,517

IN THE MATTER OF:

Served March 27, 2018

ELITE MEDICAL TRANSIT PROFESSIONAL )  
L.L.C., Revocation of WMATC )  
Insurance Endorsement and )  
Investigation of Suspension and )  
Revocation of Certificate No. 2956 )

Case No. MP-2018-034

Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 2956 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. Tiered or layered coverage is permitted, "provided that not more than one policy may be obtained for any one tier or layer."<sup>1</sup> It would appear that respondent is in violation of the one policy per tier rule.

Elite has a valid \$1.5 million primary WMATC Certificate of Insurance and Policy Endorsement on file with the Commission, as required by Regulation No. 58. The underlying policy was issued by Gateway Insurance Company. All six of Elite's vehicles have been reported to Gateway. However, according to records obtained from the District of Columbia Department of Motor Vehicles, five of Elite's vehicles are covered by a second insurance policy issued by Garrison Property and Casualty Insurance Company. The vehicles and policies at issue are as follows:

Year	Make	VIN	Plate	State	Insurance Co. Reported to DC DMV
2012	Honda	5FNRL5H62CB072635	B49390	DC	Gateway Insurance Company
2008	Honda	5FRNL38928B095015	B49407	DC	Garrison Property and Casualty Insurance Co.
2007	Honda	5FRNL38637B436216	B45347	DC	Garrison Property and Casualty Insurance Co.
2015	Ford	1FBZX2ZM5FKA38135	B45791	DC	Garrison Property and Casualty Insurance Co.
2015	Ford	NMOGE9F7XF1201736	B47074	DC	Garrison Property and Casualty Insurance Co.
2008	Ford	1FTSS34L98DA32331	B49406	DC	Garrison Property and Casualty Insurance Co.

Normally, the WMATC Insurance Endorsement acts as a backstop since it provides coverage even in the event a vehicle is not identified in the policy, but the Endorsement is of little value if a claimant is not given accurate policy information.<sup>2</sup> On the facts in this record, claimants seeking insurance information from DCDMV on five of Elite's

<sup>1</sup> Commission Regulation No. 58-02.

<sup>2</sup> *In re Fekadu Shapa Hybano, t/a Gadosolo Transp.*, No. MP-16-040, Order No. 16,290 (Apr. 5, 2016).

six vehicles will not be informed of the \$1.5 million WMATC Endorsement issued by Gateway. Thus, until respondent reports to DCDMV the WMATC insurance company of record for all six vehicles, the public will remain at risk.<sup>3</sup>

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."

The Commission has revoked the WMATC Insurance Endorsements of other carriers in the past under similar circumstances.<sup>4</sup> Accordingly, we will revoke respondent's WMATC Insurance Endorsement, effective 30 days from the date of this order. Respondent shall have 30 days to replace the current WMATC Endorsement, file evidence that all duplicative policies have been canceled, and submit proof that the policy underlying the WMATC Endorsement on file with the Commission has been reported to DCDMV for all vehicles operated under WMATC Certificate No. 2956.

THEREFORE, IT IS ORDERED:

1. That the \$1.5 million WMATC Insurance Endorsement issued by Gateway Insurance Company and currently on file for respondent is hereby revoked, effective 30 days from the date of this order.

2. That respondent shall have 30 days from the date of this order to: (a) file the necessary replacement WMATC Endorsement(s); (b) file proof that all duplicative policies have been cancelled; and (c) submit proof that the policy underlying the WMATC Endorsement on file with the Commission has been reported to DCDMV for all vehicles operated under WMATC Certificate No. 2956.

3. That Certificate No. 2956 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

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<sup>3</sup> *Id.*

<sup>4</sup> See e.g., *id.* (revoking WMATC Endorsement where WMATC insurance company of record not reported to DCDMV for five vehicles with DC for-hire plates); *In re C.P.R. Med. Transp. LLC*, No. MP-10-053, Order No. 12,454 (June 23, 2010) (revoking WMATC Endorsement where one policy reported to WMATC another policy reported to Md. Motor Vehicle Admin.).