

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 18,434

IN THE MATTER OF:

Served October 16, 2019

BUMA MEDICAL TRANSPORT LLC,                    )  
Suspension and Investigation of                )  
Revocation of Certificate No. 2861            )

Case No. MP-2018-014

This matter is before the Commission on respondent's response to Order No. 17,597, served May 1, 2018.

**I. BACKGROUND**

Under the Compact, a WMATC carrier may not engage in transportation subject to the Compact if the carrier's certificate of authority is not "in force."<sup>1</sup> A certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.<sup>2</sup>

Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 2861 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.

Certificate No. 2861 was rendered invalid on February 8, 2018, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 17,452, served February 8, 2018, noted the automatic suspension of Certificate No. 2861 pursuant to Regulation No. 58-12, directed respondent to cease transporting passengers for hire under Certificate No. 2861, and gave respondent 30 days to replace the terminated endorsement and pay a \$100 late fee due under Regulation No. 67-03(c) or face revocation of Certificate No. 2861.

Respondent did not respond, and Certificate No. 2861 was revoked in Order No. 17,503 on March 13, 2018, pursuant to Regulation No. 58-15(a). Respondent thereafter submitted the necessary WMATC Insurance Endorsement, paid the late fee, and filed a timely application for reconsideration of Order No. 17,503, and Certificate of Authority No. 2861 was reinstated in Order No. 17,522, served March 29, 2018, in accordance with Regulation No. 58-15(b). However, because the effective date of the new endorsement was March 28, 2018, instead of

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<sup>1</sup> Compact, tit. II, art. XI, § 6(a).

<sup>2</sup> Compact, tit. II, art. XI, § 7(g).

February 8, 2018, leaving a 48-day gap in required insurance coverage, the order gave respondent 30 days in accordance with Regulation No. 58-14(a) to: (1) verify cessation of operations as of February 8, 2018; and (2) produce copies of respondent's pertinent business records from December 1, 2017, to March 29, 2018. Respondent did not timely produce a statement or any pertinent business records. Therefore, in accordance with Regulation No. 58-14(b), Order No. 17,597 gave respondent 30 days to show cause why the Commission should not assess a civil forfeiture against respondent, and/or suspend or revoke Certificate No. 2861, for knowingly and willfully violating Regulation No. 58 and the orders issued in this proceeding.

While this proceeding was pending, on January 31, 2019, respondent filed an application seeking voluntary termination of Certificate No. 2861. The Commission granted the application and Certificate No. 2861 was terminated effective January 31, 2019.<sup>3</sup>

## II. RESPONSE AND FINDINGS

On May 29 and May 30, 2018, respondent belatedly produced statements of its president, Adedayo Ladelokun, and copies of various business records, including: (a) copies of respondent's bank statements for the period beginning December 1, 2017, and ending April 30, 2018; and (b) a 2018 annual report filed with the Maryland State Department of Assessments and Taxation.

According to respondent's statement, the "company did not operate the business to carry anybody or a group of persons during the period of February 8 through March 28, 2018." Respondent's bank statements and other business records show little activity during the months of February and March, consistent with a halt in operations during the period when Certificate No. 2861 was suspended.

Based on the evidence, we find that respondent has demonstrated cessation of operations during the suspension period. But we further find that respondent's failure to timely respond to Order No. 17,522 warrants assessment of a civil forfeiture in the amount of \$250.<sup>4</sup>

THEREFORE, IT IS ORDERED:

1. That pursuant to Article XIII, Section 6(f), of the Compact, the Commission hereby assesses a civil forfeiture against respondent in the amount of \$250 for knowingly and willfully violating Regulation No. 58-14(a) and Order No. 17,522.

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<sup>3</sup> *In re Buma Med. Transp. LLC*, No. AP-19-015, Order No. 18,021 (Jan. 31, 2019).

<sup>4</sup> See *Vanmar, Inc.*, No. MP-17-100, Order No. 17,337 (Dec. 5, 2017) (assessing \$250 for failing to produce documents in timely fashion); *In re Dafre, Inc., t/a Dafre Transp.*, No. MP-16-088, Order No. 17,110 at 3 (July 20, 2017) (same).

2. That respondent is hereby directed to pay to the Commission within 30 days of the date of this order, by check or money order, the sum of two hundred fifty dollars (\$250).

BY DIRECTION OF THE COMMISSION; COMMISSIONERS MAROOTIAN, HOLCOMB, AND RICHARD:

A handwritten signature in blue ink that reads "Jeffrey M. Lehmann". The signature is fluid and cursive, with the first name "Jeffrey" being the most prominent part.

Jeffrey M. Lehmann  
Executive Director