

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 19,458

IN THE MATTER OF:

Served July 28, 2021

JP-LOGAN.COM, JOSHUA P. LOGAN'S)
VISIONS LLC, Trading as A1) Case No. MP-2019-195
EXECUTIVE LIMOUSINES, Suspension)
and Investigation of Revocation of)
Certificate No. 3242)

This matter is before the Commission on the response of respondent to Order No. 18,578, served December 19, 2019.

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."¹ A certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.²

Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 3242 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. 3242 was automatically suspended on November 29, 2019, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 18,525, served November 29, 2019, noted the automatic suspension of Certificate No. 3242 pursuant to Regulation No. 58-12, directed respondent to cease transporting passengers for hire under Certificate No. 3242, and gave respondent 30 days to replace the terminated endorsement and pay the \$100 late fee due under Regulation No. 67-03(c) or face revocation of Certificate No. 3242.

Respondent thereafter paid the late fee and submitted a \$1.5 million primary WMATC Insurance Endorsement, and the suspension was lifted in Order No. 18,578. However, because the effective date of the new endorsement is December 12, 2019, instead of November 29, 2019, leaving a 13-day gap in required insurance coverage, the order gave respondent 30 days in accordance with Regulation No. 58-14(a) to: (1)

¹ Compact, tit. II, art. XI, § 6(a).

² Compact, tit. II, art. XI, § 7(g).

verify cessation of operations as of November 29, 2019; and (2) produce copies of respondent's pertinent business records from September 1, 2019, to December 19, 2019.

II. RESPONSE TO ORDER NO. 18,578

On January 30, 2020, respondent produced a statement of its owner, Joshua Logan, asserting that respondent "has not been doing business during the September - December 2019 period." In support of this statement, respondent has produced a copy of a certificate of liability insurance, copies of its correspondence with Commission staff, and copies of the owner's personal bank statements for the period beginning September 1, 2019, and ending December 31, 2019.

We find respondent's response lacking. First, Mr. Logan's statement that respondent has not been doing business between September 2019 and December 2019 is not supported by respondent's bank statements which show deposits between November 29 and December 19, 2019, including a \$325 deposit on November 29, a \$550 deposit on December 1, a \$4,899.76 deposit on December 13, a \$365 deposit from Paypal on December 16, and a \$700 deposit on December 16. The records produced by respondent do not contain information sufficient to determine whether these transactions were payments for transportation services within the Metropolitan District. Second, respondent paid the late fee in this proceeding with a MasterCard, but respondent has not produced any credit card statements reflecting that transaction.

III. ORDER TO SHOW CAUSE

Considering that respondent has failed to produce all pertinent business records, and because the documents respondent has produced suggest respondent may have received payments for transportation services while Certificate No. 3242 was suspended, respondent shall have 30 days to show cause why the Commission should not assess a civil forfeiture against respondent, and/or suspend or revoke Certificate No. 3242, for knowingly and willfully conducting operations under an invalid/suspended certificate of authority and failing to produce documents as directed.³

THEREFORE, IT IS ORDERED:

1. That respondent shall have 30 days to show cause why the Commission should not assess a civil forfeiture against respondent, and/or suspend or revoke Certificate No. 3242, for knowingly and willfully violating Article XI, Section 6(a), of the Compact, Regulation Nos. 58, and the orders issued in this proceeding.

2. That respondent may submit within 15 days from the date of this order a written request for oral hearing, specifying the grounds

³ See *In re Daniel M Manna, t/a Daniel Manna Limo Serv.*, No. MP-14-027, Order No. 15,267 (Dec. 30, 2014) (show cause order issued where not all documents produced and documents produced were non-supportive).

for the request, describing the evidence to be adduced and explaining why such evidence cannot be adduced without an oral hearing.

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



Jeffrey M. Lehmann
Executive Director