

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 20,221

IN THE MATTER OF:

Investigation of Failure to Comply) Served June 1, 2023
with Regulation Nos. 60 and/or 67,)
Governing Annual Reports, Annual)
Fees and Late Fees, Directed to:)

A-FAIR TRANSPORTATION INC, WMATC) Case No. MP-2023-026
No. 539)

KRE DIVINE TRANSPORTATION, LIMITED) Case No. MP-2023-032
LIABILITY COMPANY, WMATC No. 3505)

This matter is before the Commission on the response, or failure to respond, of the above named respondents to Order No. 20,174, served May 1, 2023.

I. BACKGROUND

Commission Regulation No. 60-01 provides that each carrier holding a certificate of authority on the first day of the calendar year shall file an annual report on or before January 31 of that year. Regulation No. 67-02 provides that each carrier holding a certificate of authority on the first day of the calendar year shall pay an annual fee of \$175 on or before January 31 of that year.

Each of the above-captioned respondents held a certificate of authority on January 1, 2023. Each failed to comply with Regulation No. 60-01 and/or Regulation No. 67-02 on or before January 31. As a result, each was automatically assessed \$150 or \$300 in late fees pursuant to Regulation No. 67-03(a), (b).

Regulation No. 60-03 provides that a carrier's operating authority shall stand suspended upon the carrier's failure to file an annual report on or before April 30 of the year the fee is due. Regulation No. 67-04 provides that a carrier's operating authority shall stand suspended upon the carrier's failure to pay an annual fee, or late fee under 67-03(a) or (b), on or before April 30 of the year the fee is due.

Each respondent failed to fully comply with Regulation No. 60-01, Regulation No. 67-02, and/or Regulation No. 67-03 on or before April 30, 2023, and each respondent's certificate of authority was automatically suspended as a result, as noted in Order No. 20,174. The order gave each respondent 30 days to file any outstanding 2023 annual reports, pay

any outstanding 2023 annual fees, and pay any associated outstanding late fees or face revocation of WMATC operating authority.

II. RESPONSES

None of the above-captioned respondents have responded by filing an outstanding 2023 annual report or paying an outstanding 2023 annual fee or associated outstanding late fee.

III. REVOCATION

Regulation Nos. 60-05(a) and 67-09(a) provide that upon a carrier's failure to respond to a suspension order issued under Regulation No. 60-04 or 67-06, respectively, and as soon as practicable thereafter, the Executive Director shall issue an order revoking the carrier's operating authority or shall refer the matter for consideration by the Commissioners.

Because each above-named respondent still owes an annual report, annual fee, and/or associated late fees, as indicated in the table appended to this order, the certificate of authority of each shall be revoked.

THEREFORE, IT IS ORDERED:

1. That Certificate Nos. 539 and 3505 are hereby revoked pursuant to Article XI, Section 10(c), of the Compact, for respondents' failure to comply with Regulation No. 60 and/or 67.

2. That within 30 days from the date of this order each above-named respondent shall:

- a. remove from respondent's vehicle(s) the identification placed thereon pursuant to Commission Regulation No. 61;
- b. file a notarized affidavit and supporting photograph(s) with the Commission verifying compliance with the preceding requirement; and
- c. surrender its Certificate of Authority to the Commission.

3. That the annual reports, annual fees, and late fees listed in the table appended to this order shall remain due.

FOR THE COMMISSION:



Jeffrey M. Lehmann
Executive Director

WMATC CARRIER REPORT/FEE STATUS

As of June 1, 2023

WMATC No.	Name	Annual Report Filed/Due	Annual Fee Paid/Due	Late Fees Due	Total Fees Due
539	A-FAIR TRANSPORTATION INC	Due	Due	\$300	\$475
3505	KRE DIVINE TRANSPORTATION, LIMITED LIABILITY COMPANY	Filed	Due	0	175