WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 21,445

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| IN THE MATTER OF: | Served August 5, 2025 |
| Application of PSALMS MEDICAL TRANSPORTATION LIMITED LIABILITY COMPANY for a Certificate of Authority -- Irregular Route Operations | Case No. AP-2025-092 |

Applicant seeks a certificate of authority to transport passengers in irregular route operations between points in the Metropolitan District, restricted to transportation in vehicles with a seating capacity of less than 16 persons only, including the driver. The application is unopposed.

The Compact, Title II, Article XI, Section 7(a), authorizes the Commission to issue a certificate of authority if it finds that the proposed transportation is consistent with the public interest and that the applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission. If an applicant does not make the required showing, the application must be denied under Section 7(b).

An applicant for a certificate of authority must establish financial fitness, operational fitness, and regulatory compliance fitness.[1] A determination of compliance fitness is prospective in nature.[2] The purpose of the inquiry is to protect the public from those whose conduct demonstrates an unwillingness to operate in accordance with regulatory requirements.[3] Past violations do not necessarily preclude a grant of authority but permit the inference that violations will continue.[4]

Applicant verifies that: (1) applicant owns or leases, or has the means to acquire through ownership or lease, one or more motor vehicles meeting the Commission's safety requirements and suitable for the transportation proposed in this application; (2) applicant owns, or has the means to acquire, a motor vehicle liability insurance policy that provides the minimum amount of coverage required by Commission

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[1] *In re Osalo Transp. LLC,* No. AP-24-084, Order No. 21,004 (Nov. 7, 2024).

[2] *Id.*

[3] *Id.*

[4] *Id.*

regulations; and (3) applicant has access to, is familiar with and will comply with the Compact, the Commission's rules, regulations and orders, and Federal Motor Carrier Safety Regulations as they pertain to transportation of passengers for hire.

Normally, such evidence would establish an applicant's fitness, but applicant's CEO and co-owner has a history of controlling a company with regulatory violations.

**I. HISTORY OF VIOLATIONS**

Applicant's CEO and co-owner, Godwin Mbahnwie, was previously the CEO, manager, and co-owner of Alwin Health Care LLC, (Alwin). Alwin was issued WMATC Certificate of Authority No. 3123 on March 7, 2018, and last held authority on April 30, 2025, when it was revoked for Alwin's failure to comply with the Commission's insurance requirements in Regulation No. 58.[5]

Prior to the events in 2025, Certificate No. 3123 was suspended eight other times for insurance violations.[6] Two of those proceedings resulted in revocation of Certificate No. 3123,[7] but the certificate was subsequently reinstated each time after Alwin belatedly filed the necessary WMATC Insurance Endorsement(s) and/or paid a $100 late fee assessed under Regulation No. 67-03(c).[8]

**II. LIKELIHOOD OF FUTURE COMPLIANCE**

When an applicant or a person controlling an applicant has a record of regulatory violations, or a history of controlling companies with such a record, the Commission considers the following factors in assessing the likelihood of applicant's future compliance: (1) the nature and extent of the violations, (2) any mitigating circumstances, (3) whether the violations were flagrant and persistent, (4) whether the controlling party has made sincere efforts to correct past mistakes, and (5) whether the controlling party has demonstrated a willingness and

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[5] *In re Alwin Health Care LLC*, No. MP-25-032, Order No. 21,299 (Apr. 30, 2025).

[6] *In re Alwin Health Care LLC*, No. MP-19-011, Order No. 18,020 (Jan. 31, 2019); *In re Alwin Health Care LLC*, No. MP-19-109, Order No. 18,268 (July 15, 2019); *In re Alwin Health Care LLC*, No. MP-19-168, Order No. 18,426 (Oct. 15, 2019); *In re Alwin Health Care LLC*, No. MP-20-017, Order No. 18,650 (Jan. 31, 2020); *In re Alwin Health Care LLC*, No. MP-20-159, Order No. 18,942 (Aug. 12, 2020); *In re Alwin Health Care LLC*, No. MP-21-014, Order No. 19,235 (Feb. 1, 2021); *In re Alwin Health Care LLC*, No. MP-23-012, Order No. 20,120 (Mar. 31, 2023); *In re Alwin Health Care LLC*, No. MP-24-026, Order No. 20,669 (Apr. 1, 2024).

[7] *In re Alwin Health Care LLC*, No. MP-19-168, Order No. 18,504 (Nov. 15, 2019); *In re Alwin Health Care LLC*, No. MP-20-017, Order No. 18,697 (Mar. 3, 2020).

[8] *In re Alwin Health Care LLC*, No. MP-19-168, Order No. 18,532 (Dec. 3, 2019); *In re Alwin Health Care LLC*, No. MP-20-017, Order No. 18,702 (Mar. 6, 2020).

ability to comport with the Compact and rules and regulations thereunder in the future.[9]

Alwin's failure to maintain compliance with Regulation No. 58 warranted revocation of Certificate No. 3123. Moreover, Alwin's repeated violations of the Commission's insurance requirements occurred with such a frequency, nine times in just over 6 years, that they qualify as persistent, if not necessarily flagrant. No mitigating circumstances are cited in the latest revocation order, and applicant has brought none to our attention in this proceeding. Alwin's timely response to the latest revocation order, which directed it to surrender Certificate No. 3123 and submit a notarized statement and supporting photographs evidencing removal of WMATC markings from Alwin's vehicles, is some evidence of an effort to correct past mistakes. However, applicant's assurances of future compliance are entitled to little or no weight in light of Alwin's prior demonstrated behavior and we see little evidence that applicant's CEO has "put in place personnel and/or process sufficient to prevent recurring violations of routine regulatory requirements."[10]

Consequently, we cannot say that applicant has carried its burden of establishing regulatory compliance fitness. Accordingly, we will deny this application, with leave to reapply after 180 days.[11]

THEREFORE, IT IS ORDERED:

1. the application of Psalms Medical Transportation Limited Liability Company for a certificate of authority, irregular route operations, is hereby denied.

2. That Psalms Medical Transportation Limited Liability Company is hereby granted leave to reapply for operating authority after 180 days from the date of this order.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS LACKEY, ROGERS, AND LINTON:

Jeffrey M. Lehmann
Executive Director

[9] Order No. 21,004.

[10] *See id.* (denying application where CEO controlled carrier that had been suspended seven times for insurance violations in under eight years); *In re HP Transp. Servs., Inc.*, No. AP-07-257, Order No. 11,242 (Mar. 31, 2008) (finding little comfort in assurances of future compliance made by president of company suspended six times in the past for insurance violations).

[11] *See* Order No. 21,004 (granting leave to reapply 180 days after denial of application for lack of regulatory compliance fitness).