WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 21,692

IN THE MATTER OF:	Served December 8, 2025
Application of LIFELINE INC. for a Certificate of Authority -- Irregular Route Operations	Case No. AP-2025-243

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 was issued WMATC Certificate of Authority No. 2463 on June 18, 2014, and last held authority on December 23, 2016, when the Commission assessed a $750 civil forfeiture against applicant and revoked Certificate No. 2463 for operating on one day while suspended and uninsured in knowing and willful violation of Article XI, Section 6(a) of the Compact and for applicant's failure to produce documents as directed.[5]

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[1] *In re EMK Servs. Inc.*, No. AP-05-005, Order No. 8921 (Aug. 19, 2005).

[2] *Id.*

[3] *Id.*

[4] *Id.*

[5] *In re Lifeline Inc.*, No. MP-16-101, Order No. 16,760 (Dec. 23, 2016).

In that proceeding, the Commission observed:

> As respondent's statement makes clear, rather than ceasing to furnish for-hire passenger transportation while its certificate of authority was suspended and no insurance was in place, respondent continued transporting the same five passengers for hire by directing its staff to use their personal vehicles. Far from mitigating the problem, this response raises numerous additional serious issues, including whether staff's personal vehicles had passed a safety inspection (Regulation No. 64-02(b)), whether the vehicles were registered for-hire (Regulation No. 64-04), and whether the vehicles were properly marked to identify respondent's operations to the public (Regulation No. 61).
>
> In addition, respondent has yet to produce any business records as directed by Order No. 16,498.[6]

The Commission based a finding of one day of operations while suspended and uninsured on applicant's own admission. However, due to applicant's failure to produce business records as directed by the Commission, the full extent of applicant's unauthorized operations in 2016 was never determined. As the Commission explained in that proceeding:

> Respondent's statement does not specify the exact number of days it operated, but admits that passengers were transported in staff vehicles while its certificate "was suspended." The suspension period ran from May 28, 2016, until the certificate was revoked on July 11, 2016. According to the WMATC Insurance Endorsements on file, respondent had no insurance coverage in effect during the entire suspension period. Accordingly, we shall assess a civil forfeiture of $500 for operating while suspended and uninsured on one day.[7]

Applicant reapplied for operating authority in February 2017, but the application was dismissed without prejudice for want of prosecution[8] after applicant failed to produce business records from March 1, 2016, to February 28, 2017. That period included the time when applicant's operating authority was suspended and applicant was uninsured and such records would have revealed the extent of applicant's

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[6] *Id.* at 2.

[7] *Id.* at 3.

[8] *In re Lifeline Inc.*, No. AP-17-036, Order No. 16,894 (Mar. 20, 2017).

unauthorized operations, and potentially supported the assessment of additional civil forfeitures against applicant.

When an applicant has a record of violations, 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 applicant has made sincere efforts to correct past mistakes, and (5) whether applicant has demonstrated a willingness and ability to comport with the Compact and rules and regulations thereunder in the future.[9]

We do not view one day of unlawful operations as persistent or flagrant, but applicant's ongoing failure to produce all of the 2016 business records as directed by Order No. 16,498 renders it impossible to determine the full extent of the violations in 2016 and leaves open the possibility that these violations were, in fact, persistent. No mitigating circumstances were cited in the order revoking Certificate No. 2463, and applicant has brought none to our attention in this proceeding. We acknowledge that applicant promptly paid the $750 civil forfeiture, which may be viewed as some evidence of correcting a past mistake.

On the other hand, operating while suspended and uninsured is a serious offense.[10] When the signatories and Congress approved the Compact, they designated noncompliance with Commission insurance requirements as the single offense that would automatically invalidate a certificate of authority. They could not have sent a clearer message that maintaining proper insurance coverage is of paramount importance under the Compact.[11]

This brings us to applicant's willingness and ability to comply with Commission requirements in the future. We find applicant's pledge to adhere to all Commission requirements unconvincing in light of applicant's prior unauthorized operations and ongoing failure to produce business records as directed by Order No. 16,498.[12]

Consequently, we cannot say that applicant has carried its burden of establishing regulatory compliance fitness.

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[9] Order No. 8921.

[10] *In re HP Transp. Servs., Inc.*, No. AP-07-257, Order No. 11,242 (Mar. 31, 2008).

[11] *Id.*

[12] *See In re 3MH Servs. Ltd.*, No. AP-16-011, Order No. 16,721 (Dec. 7, 2016) (denying application where applicant had yet to produce records requested in insurance gap investigation).

THEREFORE, IT IS ORDERED that the application of Lifeline Inc. for a certificate of authority, irregular route operations, is hereby denied without prejudice.

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

Jeffrey M. Lehmann
Executive Director