

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2791

IN THE MATTER OF:

Served November 19, 1985

Investigation of Compliance and Order to Show Cause Directed to:)	
)	
BLUE LINES, INC., Certificate No. 10	)	Case No. MP-85-21
)	
GOLD LINE, INC., Certificate No. 14	)	Case No. MP-85-22
)	
McMICHAEL SCHOOL BUS SERVICE, INC., Certificate No. 24	)	Case No. MP-85-23
)	
NATIONAL COACH WORKS, INC., Certificate No. 26	)	Case No. MP-85-24
)	
WASHINGTON AREA MINI-BUS TOURS, INC., Certificate No. 28	)	Case No. MP-85-25
)	
IRONSIDES MEDICAL TRANSPORTATION CORPORATION, Certificate No. 31	)	Case No. MP-85-26
)	
WILLIAMS BUS LINES, INC., Certificate No. 64	)	Case No. MP-85-27
)	
JAPAN TRAVELERS SERVICE, INC., Certificate No. 74	)	Case No. MP-85-28
)	
ARROWHEAD BUS AND LIMOUSINE EQUIPMENT, INC., Certificate No. 75	)	Case No. MP-85-29
)	
FUJI INTERNATIONAL TRAVEL AGENCY, INC., Certificate No. 76	)	Case No. MP-85-30
)	
NIPPON TRAVEL, LTD., Certificate No. 77	)	Case No. MP-85-31
)	
FREEWAY ENTERPRISES, INC., Certificate No. 78	)	Case No. MP-85-32
)	

CONGRESSIONAL TOURS, INC., Certificate No. 94	)	Case No. MP-85-33
)	
AL'S TRAVEL SERVICE, INC., Certificate No. 101	)	Case No. MP-85-34
)	
ANTULIO ARIAS AND MERCEDES ARIAS T/A A.M.A. TOURS, Certificate No. 104	)	Case No. MP-85-35
)	
T & S BUS SERVICE, INC., Certificate No. 109	)	Case No. MP-85-36
)	
PHOENIX TOURS, INC., Certificate No. 110	)	Case No. MP-85-37
)	
CLARENCE B. NELSON T/A MINI-BUS LIMOUSINE AND SCHOOL BUS SERVICE, Certificate No. 120	)	Case No. MP-85-38
)	
LEATHERWOOD MOTOR COACH CORPORATION, Special Authorization No. SP-121-01	)	Case No. MP-85-39
)	

The Compact, Title II, Article XII, Section 9(a) mandates that no certificate of public convenience and necessity issued under Section 4 of said Article ". . . shall remain in force unless the person . . . holding such certificate complies with such reasonable regulations as the Commission shall prescribe governing the filing and approval of surety bonds, policies of insurance, [and] qualifications as a self-insurer . . . in such reasonable amount as the Commission may require"

By Order No. 2721, served June 19, 1985, the Commission amended its Regulation No. 62-03, increasing the minimum liability insurance requirements in two stages. The first increase became effective November 19, 1985, as follows:

TYPE OF AUTHORITY	VEHICLES SEATING 16 PERSONS OR MORE	VEHICLES SEATING 15 PERSONS OR LESS
REGULAR ROUTE	\$5,000,000 CSL	\$750,000 CSL or \$750,000/\$50,000
CHARTER	\$5,000,000 CSL	\$750,000 CSL or \$750,000/\$50,000
SPECIAL	\$5,000,000 CSL	\$750,000 CSL or \$750,000/\$50,000

NOTES:

1. CSL = Combined Single Limit for all personal injuries, deaths, and property damage resulting from one occurrence.
2. \$750,000/\$50,000 = \$750,000 for all personal injuries and deaths, and \$50,000 for all property damage, resulting from one occurrence.
3. For carriers holding more than one type of authority, the higher limit applies.
4. "Persons" includes the driver.

A copy of Order No. 2721 was served on each WMATC certificated carrier on June 19, 1985. On July 22, 1985, the Commission's Executive Director sent a memorandum to each certificated carrier reiterating the new insurance requirements and reminding all carriers that no operating authority could remain in force unless appropriate evidence of insurance was filed and approved by November 19, 1985.

A similar memorandum was sent on October 18, 1985, to all carriers, including each of the above-captioned carriers, whose insurance would not meet Commission requirements on November 19, 1985.

As of the date of this order, the above-named carriers do not have on file appropriate certificates of insurance. For purposes of this order, the above-captioned carriers are divided into two groups: (1) those who do not have on file evidence of insurance in the minimum amounts required by Commission Regulation No. 62-03, and (2) those whose coverage meets the minimum dollar amounts but whose certificates of insurance contain technical defects such as an unacceptable cancellation clause. An investigation of each carrier will be instituted and scheduled for public hearing, each carrier will be named a party respondent, and each carrier will be assessed an amount preliminarily estimated to cover hearing costs pursuant to Title II,

Article XII, Section 19 of the Compact. In addition, the Certificates of Public Convenience and Necessity belonging to the carriers in group (1) will be suspended until further order of the Commission.

THEREFORE, IT IS ORDERED:

1. That the above-captioned proceedings are hereby instituted pursuant to Title II, Article XII, Section 4(g) of the Compact for the purpose of determining whether each indicated Certificate of Public Convenience and Necessity and Special Authorization shall be revoked.

2. That the holder of each such Certificate of Public Convenience and Necessity or Special Authorization is made a party respondent to the proceeding relating to that Certificate or Special Authorization.

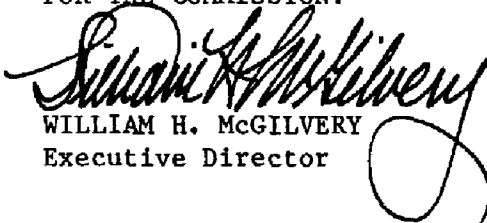
3. That each party respondent is directed, within 30 days from the date of service hereof, fully to comply with the provisions of the Compact, Title II, Article XII, Section 9(a) and Commission Regulation No. 62, and is further directed within the same 30 days to file with the Commission an appropriate certificate of insurance or such other evidence, in writing and under oath, as it may deem pertinent to show good cause why its Certificate of Public Convenience and Necessity or Special Authorization should not be revoked.

4. That each of the above-captioned cases is hereby scheduled for public hearing on Friday, December 20, 1985, at 9:30 a.m., in Room 314, 1625 I Street, N.W., Washington, D.C. 20006.

5. That each party respondent is hereby assessed and directed to deliver \$100 to the office of the Commission, 1625 I Street, N.W., Suite 316, Washington, D.C. 20006, no later than Wednesday, December 11, 1985.

6. That Certificate of Public Convenience and Necessity Nos. 10, 24, 28, 31, 64, 74, 75, 76, 77, 78, 94, 104, 109, 110, and 120 and Special Authorization No. SP-121-01 are hereby suspended until further order of the Commission, and the holder of each such Certificate or Special Authorization is hereby directed to cease and desist from transportation subject to the Compact, until further order of the Commission.

FOR THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director