

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5569

IN THE MATTER OF:

Served March 31, 1999

BYRON LAMONT MCDADE, Trading as)
FAMILY TRANSPORTATION, Revocation)
of Certificate of Insurance and)
Investigation of Suspension and)
Revocation of Certificate No. 352)

Case No. MP-99-19

On August 14, 1998, Burns & Wilcox, Ltd., filed a WMATC Certificate of Insurance and Policy Endorsement (WMATC policy endorsement) on behalf of WMATC Carrier No. 352, Byron L. McDade, trading as Family Transportation. The WMATC policy endorsement identifies National Casualty as the insurer, lists the policy number as CA041313, and extends \$1.5 million in liability coverage to any vehicle operated by the insured, whether or not the vehicle is described in the policy.

On March 8, 1999, Burns & Wilcox, Ltd., filed a non-WMATC certificate of insurance (Burns & Wilcox insurance certificate) in support of an application to transfer Certificate No. 352 to Family Transportation, Inc. The Burns & Wilcox insurance certificate likewise identifies National Casualty as the insurer of Carrier No. 352 and likewise lists the policy number as CA041313. Unlike the WMATC policy endorsement, however, the Burns & Wilcox insurance certificate states that liability coverage under the policy only applies to scheduled vehicles.

Under Regulation No. 58-09, the Commission may, upon thirty (30) days' notice, revoke its approval of any WMATC Certificate of Insurance and Policy Endorsement if, in the judgment of the Commission, such security does not comply with the Commission's regulations or for any reason fails to provide satisfactory or adequate protection for the public. Accordingly, we will revoke respondent's WMATC Certificate of Insurance and Policy Endorsement, effective thirty days after the date of this order. Respondent shall have until then to file a newly executed WMATC Certificate of Insurance and Policy Endorsement, plus evidence that the Burns & Wilcox insurance certificate was issued in error.

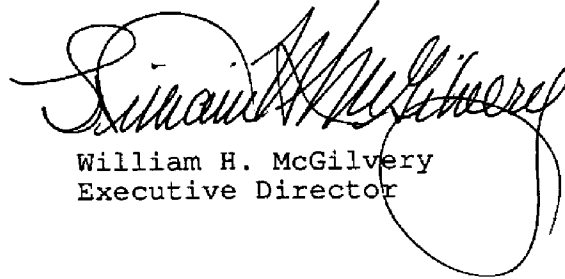
THEREFORE, IT IS ORDERED:

1. That respondent's certificate of insurance is hereby revoked, effective thirty days after the date of this order.
2. That respondent shall have thirty days from the date this order is issued to file a newly executed WMATC Certificate of Insurance and Policy Endorsement, plus evidence that the Burns & Wilcox insurance certificate was issued in error.

3. That unless respondent complies with the requirements of this order within the time allowed, Certificate of Authority No. 352 shall be invalid and stand automatically suspended pursuant to Article XI, Section 7(g), of the Compact and Commission Regulation No. 58-02 and shall be subject to immediate revocation without further proceedings.

4. That respondent may file within fifteen days from the date of this order a request for oral hearing, indicating the grounds for the request, describing the evidence to be adduced and explaining why such evidence cannot be adduced without an oral hearing.

FOR THE COMMISSION:



William H. McGilvery
Executive Director