

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 7760

IN THE MATTER OF:

Served February 20, 2004

BABIKIR IBRAHIM ELHAG, Trading as)
"BTS" BABCARE TRANSPORT SERVICES,)
Suspension and Investigation of)
Revocation of Certificate No. 672)

Case No. MP-2004-01

~~This matter is before the Commission on respondent's response to Order No. 7648, served January 7, 2004.~~

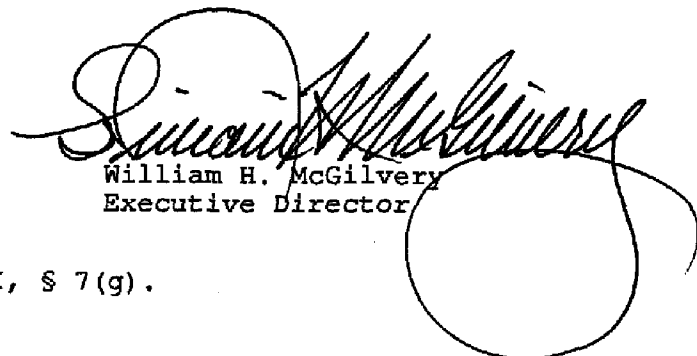
Under the Compact, a certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements. Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 672 for a minimum of \$1.5 million in combined-single-limit liability coverage and maintain on file with the Commission at all times proof of coverage in the form of a WMATC Certificate of Insurance and Policy Endorsement (WMATC Insurance Endorsement) for each policy comprising the minimum.

Certificate No. 672 became invalid on January 6, 2004, when the \$1.5 million WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 7648 noted the automatic suspension of Certificate No. 672 pursuant to Regulation No. 58-02, directed respondent to cease transporting passengers for hire under Certificate No. 672, and gave respondent thirty days to replace the expired endorsement or face revocation of Certificate No. 672. Respondent submitted a \$1.5 million replacement endorsement on February 11, 2004. The effective date of the new endorsement is January 11, 2004. This means that respondent was without insurance coverage for five days, from January 6, 2004, through January 10, 2004.

Under Commission Rule No. 28, respondent is required to verify that it ceased transporting passengers for hire under Certificate No. 672 as commanded by Order No. 7648. We will give respondent thirty days to furnish proof that respondent ceased operations as of January 7, 2004. Inasmuch as respondent's only tariff is for service rendered to clients of the District of Columbia Department of Health, Medical Assistance Administration, (DC Medicaid), such proof shall include confirmation from DC Medicaid.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES, MILLER, AND MCDONALD:


William H. McGilvery
Executive Director

¹ Compact, tit. II, art. XIII, § 7(g).