
Washington Metropolitan Area Transit Commission

Insurance Filing: Frequently Asked Questions (FAQs)

Carriers holding a WMATC Certificate of Authority must maintain proof of adequate insurance coverage on file with WMATC at all times.

Q. How much insurance coverage must a WMATC carrier have?

A. Carriers holding a restricted WMATC Certificate of Authority must maintain \$1.5 million in combined single limit (CSL) coverage. Carriers holding an unrestricted WMATC Certificate of Authority must maintain \$5 million in CSL coverage for all vehicles, regardless of actual vehicle size.

Q. What constitutes acceptable proof of coverage?

A. Only an original WMATC Certificate of Insurance and Policy Endorsement (hereinafter Endorsement) signed by an underwriter of an authorized insurance company is effective. The Endorsement is available in the forms section of the WMATC website at www.wmatc.gov. Certificates of Insurance, ACORD forms, and Form E's are not acceptable.

Endorsements filed through WMATC's insurance e-filing system by an insurance company with a username and password are considered originals. Faxed or e-mailed Endorsements are temporarily accepted, but must be replaced by an original paper or e-filed Endorsement within 15 days.

Q. Why does WMATC require use of its Endorsement form?

A. The Endorsement amends the underlying insurance policy to ensure that passengers and members of the public will be compensated for injuries and damages even if an incident involves a vehicle not listed on the carrier's insurance policy. The Endorsement also amends the insurance policy to ensure that coverage cannot be cancelled except on 30 days written notice to WMATC.

Q. Why might an Endorsement not be accepted by WMATC?

A. Common reasons for rejection of an Endorsement are: 1) the carrier name on the Endorsement does not match the name of the carrier approved by WMATC; 2) the carrier address on the Endorsement does not match the carrier address on file with WMATC; 3) the dates on the Endorsement indicate an obvious clerical error (e.g., the effective and expiration dates are the same); 4) the filer is not an insurance company authorized to file Endorsements with WMATC; and 5) the Endorsement was not signed by an authorized underwriter.

Q. May a carrier have multiple insurance policies comprising the minimum amount of coverage?

A. Carriers can satisfy the required amount of coverage through a combination of primary and excess insurance policies, but a separate Endorsement must be submitted for each policy. For example, a carrier required to have \$5 million in CSL coverage could submit a \$1 million primary Endorsement and a separate \$4 million excess Endorsement.

Q. Where can a carrier obtain insurance coverage?

A. Carriers are advised to contact an insurance agent or broker in the state where the vehicles will be garaged to help them find suitable coverage. For a list of some agents and brokers, see page 3.

Q. Once accepted, how long is an Endorsement effective?

A. An Endorsement terminates upon the earliest of the following events: 1) the Endorsement expires; 2) the effective date of a written notice of cancellation filed by the carrier or insurance company; 3) the Endorsement is replaced by an acceptable later-executed Endorsement; 4) 30 days after WMATC receives a carrier's written request to terminate its WMATC Certificate of Authority; 5) 30 days after WMATC revokes a carrier's WMATC Certificate of Authority; or 6) WMATC revokes the Endorsement because in its judgment the Endorsement fails to provide satisfactory or adequate protection to the public.

Q. What if the Endorsement on file with WMATC terminates without replacement?

A. A carrier's authority to operate within the Metropolitan District is automatically suspended once a WMATC Endorsement comprising the minimum required level of insurance coverage terminates without replacement. Upon termination of an Endorsement, a carrier must cease operations within the Metropolitan District immediately. On the Endorsement's termination date, or the first business day

following termination, WMATC routinely issues a suspension order and notifies any government or private entities that have transportation contracts with the carrier.

Q. What if a carrier did not know its Endorsement terminated?

A. Carriers are responsible for ensuring their Endorsements are in effect at all times. If a carrier is unsure when its Endorsement is scheduled to terminate, it should check the carrier insurance information displayed on the WMATC website or contact WMATC.

Q. What if a carrier mistakenly believed its terminating Endorsement was replaced by a new Endorsement?

A. Carriers have a duty to obtain written confirmation from WMATC that an acceptable replacement Endorsement is on file before operating on or after an Endorsement's termination date.

Q. If a carrier has been suspended by a WMATC order, when can it resume operations?

A. Once a suspension order has been issued by WMATC, a carrier may not resume operations until WMATC has issued a second order lifting the carrier's suspension. An acceptable replacement Endorsement must be filed and the carrier must pay any outstanding fees, including a \$100 insurance late filing fee, before WMATC will issue an order lifting the suspension. Carriers that operate within the Metropolitan District while suspended are subject to fines up to \$5,000 per day.

Q. What if a carrier fails to replace its insurance coverage or pay any outstanding fees?

A. A carrier that fails to replace an Endorsement or pay any outstanding late fees within 30 days of a suspension order is subject to revocation of its WMATC Certificate of Authority.

Q. What if a carrier's WMATC Certificate of Authority has been revoked?

A. A carrier has 30 days to request reconsideration of a WMATC order revoking its Certificate of Authority. After 30 days, a carrier wishing to resume operations must re-apply for a Certificate of Authority.

Q. Can a carrier temporarily suspend operations to avoid the WMATC insurance requirements?

A. A carrier may apply to temporarily suspend its WMATC Certificate of Authority. However, a carrier that fails to maintain an Endorsement on file for 30 consecutive days is subject to revocation of its WMATC Certificate of Authority.

Q. What if the replacement Endorsement reveals a gap in insurance coverage?

A. If a replacement Endorsement specifies an effective date after the previous Endorsement terminated, WMATC demands copies of a carrier's business records to ensure the carrier did not operate without adequate insurance coverage. Evidence that a carrier placed the public at risk by operating while suspended and without adequate insurance routinely results in revocation of that carrier's WMATC Certificate of Authority.

Q. How does an insurance company obtain authorization to file Endorsements with WMATC?

A. The insurance company must demonstrate it is licensed to offer insurance in one of the 50 states or the District of Columbia and provide a list of underwriters authorized to amend policies and bind the insurance company.

Q. How does an insurance company gain access to the WMATC insurance e-filing system?

A. Once an insurance company is authorized to file Endorsements at WMATC, it may request an e-filing username and password by submitting a written request on company letterhead, signed by the head of underwriting. The request must contain specific language. For more information, contact WMATC's insurance compliance specialist at insurance@wmatc.gov.

Q. Can an insurance agent or broker file an Endorsement on behalf of an insurance company?

A. An insurance agent or broker may not file an Endorsement on behalf of an insurance company unless the insurance company's head of underwriting has authorized the agent or broker to amend policies and bind the company.

Q. Can a carrier self-insure?

A. Carriers may apply to self-insure, which if approved, eliminates the need to maintain an Endorsement on file with WMATC. The application fee is \$5,000. Carriers are encouraged to contact WMATC before submitting an application for self-insurance.

District of Columbia

Howard Eales Inc.
John Luhman
5157 MacArthur Blvd., N.W.
Washington, DC 20016-3315
(202) 363-4088

Lockhart's Insurance Services
Leyla Lockhart
3907 Georgia Avenue, N.W.
Washington, DC 20011-5860
(202) 829-6222

Minus & Associates
Reggie Minus
6230 3rd Street, N.W., #15
Washington, DC 20011-1300
(202) 722-0377

Maryland

Martens-Johnson Insurance
Bryan Johnson
6227 Executive Boulevard
Rockville, MD 20852-3906
(301) 231-5447

Sackett Cook & Associates/TIB
Benjamin Cook
600 Fairmount Avenue, #106
Towson, MD 21286-1000
(410) 828-7076

Virginia

Harrison Brand
Chris & Terry Pattavina
1436 Duke Street
Alexandria, VA 22314-3453
(703) 739-2190

Kundra Insurance Agency Inc.
Vipen Kundra
5600 Gosling Court
Clifton, VA 20124-1086
(703) 222-3672

Stathis Insurance
Peter Stathis
117 East Annandale Road, #E
Falls Church, VA 22046
(703) 532-0777

This is a list of some insurance agents and brokers that conduct business with WMATC carriers. Inclusion on this list does not constitute a recommendation or endorsement by WMATC.