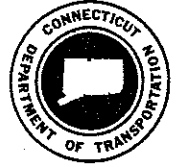




STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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Phone:

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DOCKET NUMBER 0608-C-30-L

IN THE MATTER OF THE CITATION OF PHOENIX  
LIMOUSINE SERVICE, INC.

Final Decision

January 29, 2007

## I. INTRODUCTION

### A. Background

By citation dated December 28, 2006, issued by the Department of Transportation (hereinafter "Department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Phoenix Limousine Service, Inc. (hereinafter "respondent"), and holder of Livery Permit Number 2463, was ordered to come before the department to answer the allegations made therein.

Pursuant to said citation, the respondent was directed to appear at the Newington office of the Department of Transportation to show cause why Livery Permit Number 2463, issued for the operation of intrastate livery service and for the registration of interstate livery service, should not be suspended or revoked or a civil penalty imposed for violation of its permit pursuant to Connecticut General Statutes Section 13b-102, et seq.

More specifically, it is alleged that the respondent violated its permit as issued pursuant to Connecticut General Statutes Sections 13b-103(a) by failing to maintain a motor vehicle in general livery service and for failing to register a vehicle for interstate livery service since March 31, 2004, for which authority was requested and issued.

The citation was served upon the respondent by first class and certified mail and recited the department's reasons for issuing same.

### B. Hearing Held

Pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on January 23, 2007.

Notice of the citation and the hearing to be held thereon was given to the respondent and to such other parties as required by Connecticut General Statutes Section 13b-103(a) and Section 4-182(c), as amended.

The hearing on this matter was conducted by a hearing officer designated by the Commissioner of Transportation, pursuant to Section 13b-17 of the Connecticut General Statutes.

### C. Appearances

The respondent failed to appear for the instant hearing. The respondent's mailing address is 666 Main Avenue, #201, Norwalk, Connecticut.

Robert Colucci, special investigator with the Regulatory and Compliance Unit of the department presented the evidence on behalf of the department.

## II. FINDINGS OF FACT

1. The respondent is the holder of Livery Permit Number 2463, standing in the name of Phoenix Limousine Service, Inc. and is authorized to operate motor vehicles in intrastate and interstate livery service from a headquarters in Norwalk, Connecticut.

2. The respondent has not registered any vehicles for livery operation since March 31, 2004.
3. The Notice of Hearing issued by certified mail to the respondent by the department was returned to the department on January 9, 2007 with a notation on it stating "Return to Sender – Forwarding Order Expired".
4. The respondent failed to appear at the hearing.

### III. CONCLUSIONS OF LAW

The Department of Transportation has jurisdiction over matters pertaining to the operation of motor vehicles in livery service in the State of Connecticut accordance with Connecticut General Statutes Section 13b-102, as amended.

Pursuant to Connecticut General Statutes Section 13b-103, the department may amend or for sufficient cause suspend or revoke any such permit. Further, the department may impose a civil penalty on any person who violates any provision of the governing chapter or any regulation adopted under Section 13b-102 through 13b-109, as amended, with respect to fares, service, operation or equipment, in an amount not to exceed one thousand dollars per day for each violation.

The evidence shows that the respondent has not registered a vehicle for the livery service since March 31, 2004, in violation of its permit as issued in accordance with Connecticut General Statutes Section 13b-103. The respondent failed to accept its mail; moreover, the respondent is no longer at its mailing address of record. The evidence supports the conclusion that the respondent is in violation of Section 13b-102 and 13b-103 of the Connecticut General Statutes.

### IV. ORDER


Based on the evidence, Livery Permit Number 2463, standing in the name of Phoenix Limousine Service, Inc. for the operation of intrastate livery service and for the registration of interstate livery authority, is hereby revoked.

Said revocation shall become effective fifteen (15) days from the date of this final decision, without further proceeding.

This final decision constitutes notice in accordance with Connecticut General Statutes Section 4-182(c).

Dated at Newington, Connecticut on this the 29th day of January 2007.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

  
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Laila A. Mandour  
Staff Attorney III  
Administrative Law Unit  
Bureau of Finance and Administration