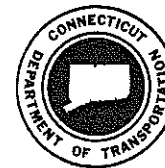


STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546  
NEWINGTON, CONNECTICUT 06131-7546

Phone:

(860) 594-2875

DOCKET NUMBER 0608-C-38-L

IN THE MATTER OF THE CITATION OF ESCALEIRA, PAULO  
DBA PAUL'S TRANSPORTATION.

Final Decision

February 22 , 2007

## I. INTRODUCTION

### A. Background

By citation dated January 19, 2007, issued by the Department of Transportation (hereinafter "Department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Escalera, Paulo dba Paul's Transportation (hereinafter "respondent"), and holder of Livery Permit Number 2605, 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 2605, issued for the registration of interstate livery service, should not be suspended or revoked or a civil penalty imposed for violation of its permit issued 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 12b-102 and 13b-103(a) by failing to maintain a motor vehicle registered in livery service and for failing to register a vehicle for interstate livery service since March 31, 2003, 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

Pursuant to Section 13b-103(a) of the Connecticut General Statutes, as amended, the public hearing for this citation was held on January 30, 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 Sections 13b-103(a) and 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 26 Church Street, Naugatuck, Connecticut.

Eugene Morris, transportation inspector 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 2605 and is authorized to operate motor vehicles in interstate livery service from a headquarters in Naugatuck, Connecticut.
2. The respondent has not registered any vehicles for livery operation since March 31, 2003.
3. The Notice of Hearing issued by the department, by certified mail, to the respondent was received by "John Pinho" at the respondent's address of record on January 25, 2007.
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 livery service since March 31, 2003, nor has the respondent maintained service for which it was authorized, in violation of its permit as issued in accordance with Connecticut General Statutes Section 13b-103. The record shows that the respondent received notice of hearing and chose not to appear, nor did the respondent contact the department.

Accordingly, the evidence supports the conclusion that the respondent is in violation of its permit which was issued pursuant to Connecticut General Statutes Section 13b-103(a).

IV. ORDER

Based on the evidence, Livery Permit Number 2605, standing in the name of Escaleira, Paulo dba Paul's Transportation, 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 22<sup>nd</sup> day of February 2007.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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