

File



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone: (860) 594-2875

DOCKET NUMBER 0610-C-48-L

RE: IN THE MATTER OF THE CITATION OF STONY
CREEK CARRIAGE CO., LLC.

Final Decision

July 6, 2007

I. INTRODUCTION

A. Background

By citation dated March 30, 2007, issued by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Stony Creek Carriage Co., LLC (hereinafter "respondent"), holder of Livery Permit Number 73, was ordered to come before the department to answer 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 Permit Number 73, for the operation of 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-103 for failure to maintain a motor vehicle in general livery service with a valid registration and failing to provide adequate service 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 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on June 5, 2007.

Notice of the citation and of the hearing to be held thereon was given to the respondent and to such other parties as required by General Statutes Section 13b-103, 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 General Statutes.

C. Appearances

The respondent failed to appear at this hearing. The respondent's mailing address of record is 172 Thimble Island Road, Stony Creek, Connecticut.

Eugene Morris, public transportation inspector with the Regulatory and Compliance Unit of the Department of Transportation presented the department's evidence.

II. FINDINGS OF FACT

1. The respondent is holder of Livery Permit Number 73 and is authorized to operate motor vehicles in general livery service to all points in Connecticut from a headquarters in Stony Creek, Connecticut.
2. The respondent has not registered a vehicle since March 2005.
3. The respondent has not provided service since March 2005.
4. The respondent's notice of hearing was returned to the department by the United States Postal Service, marked "Return to Sender – Not Deliverable as Addressed – Unable to Forward."
5. The respondent did not appear at the hearing.

III. DEPARTMENT DISCUSSION AND 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 in this matter shows that the respondent is holder of Permit Number 73. The evidence further shows that the respondent has not registered a vehicle for livery service since March 2005, in violation of its permit issued pursuant to Connecticut General Statutes Section 13b-103. The evidence of record supports the conclusion that the respondent is no longer active or in business.

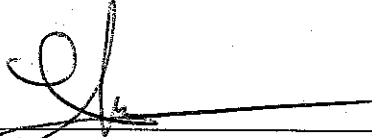
VI. ORDER

Based on the above, livery permit number 73, standing in the name of Stony Creek Carriage Co., LLC, is hereby revoked. Said revocation shall become effective fifteen (15) days from the date of this final decision.

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

Dated in Newington, Connecticut this 6th day of July 2007.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

A handwritten signature in black ink, appearing to read 'Laia A. Mandour', is written over a horizontal line. The signature is stylized with a large loop at the beginning and a long horizontal stroke extending to the right.

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