

File

STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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Phone: (860) 594-2875

DOCKET NUMBER 0610-C-49-L  
(Complaint No. LV-06-2406-76)

RE: IN THE MATTER OF THE CITATION OF CHIEPPO  
CHARTERS, INC.

Final Decision

July 6, 2007

## I. INTRODUCTION

### A. Background

By citation dated April 24, 2007, issued by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Chieppo Charters, Inc. (hereinafter "respondent"), holder of Livery Permit Number 2437, 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 2437 for the operation of livery services should not be suspended or revoked or a civil penalty imposed for violation of Connecticut General Statutes Section 13b-102, et seq. for operating a motor vehicle registered to Chieppo Charters, Inc. bearing New York Bus Marker Plate No. 47984BA in intrastate livery service without an intrastate livery permit and without intrastate livery marker plates on June 9, 2006.

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 appeared through its owner, Timothy Chieppo, owner of the respondent. The respondent's mailing address of record is P.O. Box 501, Ansonia, Connecticut.

Robert Colucci, special investigator with the Regulatory and Compliance Unit of the Department of Transportation, presented the department's evidence in this matter.

## II. FINDINGS OF FACT

1. The respondent is holder of Livery Permit Number 2437 and is authorized to operate bus type motor vehicles in livery service to all points in Connecticut from a headquarters in East Haven, Connecticut.
2. The respondent was booked to provide a trip for a client.
3. The respondent hired a bus and driver to provide that trip.
4. The trip was completed by a bus that was registered to Unlimited Stage Coach, Inc. from Mount Vernon, New York and displayed New York marker plate number 47984BA.
5. The trip provided by the New York registered bus was for hire from West Haven, Connecticut to Mystic, Connecticut.
6. The bus had no Connecticut authorization to operate to all points in Connecticut.
7. The respondent received the compensation for the trip.

## 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 livery Permit Number 2437 and is authorized to operate bus type vehicles in livery service within the State of Connecticut from a headquarters in East Haven, Connecticut. The evidence further shows that on June 9, 2006, the respondent violated its permit by allowing a bus with New York registration and marker plates to provide an intrastate trip from West Haven to Mystic, in violation of Connecticut General Statutes Section 132b-102 and 13b-103.

The respondent's owner, William Chieppo, confirmed that the company hired the New York bus to provide the service and that the respondent received the compensation for it.

It has long been established that a company owner is responsible for the actions of their companies and they are charged with keeping up with the statutes and regulations. A livery service provider may, when unable to provide the service itself, hire a company to provide the service, but the company must hold a State of Connecticut permit to provide said service. By failing to do so, one operates without a permit and is in violation of Connecticut General Statutes Section 13b-103(a), as is this respondent.

#### IV. ORDER


Based on the above, the respondent is hereby ordered to pay to the Department of Transportation a civil penalty in the amount of ONE THOUSAND DOLLARS (\$1,000), by certified check, bank check or money order made payable to the "Treasurer, State of Connecticut," within thirty days from the date of the final decision.

Failure to comply with this order may result in further citations and may subject the respondent to suspension or revocation.

This final decision constitutes notice within the meaning of Connecticut General Statutes Section 4-182(c).

Dated in Newington this 6<sup>th</sup> day of July 2007.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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Bureau of Finance and Administration