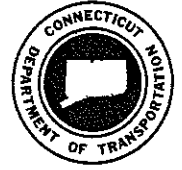


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STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone: (860) 594-2875

DOCKET NUMBER 0610-C-52-L

RE: IN THE MATTER OF THE CITATION OF BOND
LIMOUSINE, LLC.

Final Decision

June 5, 2007

I. INTRODUCTION

A. General

By citation dated March 27, 2007, issued by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Bond Limousine, LLC (hereinafter "respondent"), holder of Livery Permit Number 2794 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 2794 for the operation of vehicles in livery service should not be suspended or revoked or a civil penalty imposed for violation of Connecticut General Statutes Section 13b-102, et seq. for allowing a motor vehicle bearing Connecticut marker plate number 584RZO to operate in intrastate livery service without an intrastate permit in violation of Connecticut General Statutes Section 13b-103(a) and without intrastate livery marker plates in violation of Connecticut General Statutes Section 14-27(d).

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 May 8, 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 member, Earl Mellow, Jr. without counsel. The respondent's mailing address is 77 Nautilus Road, Bridgeport, Connecticut.

Robert Colucci, with the Regulatory and Compliance Unit of the Department of Transportation, presented the evidence in this matter.

II. FINDINGS OF FACT

1. The respondent is holder of Livery Permit Number 2794 and is authorized to operate interstate and intrastate livery service from a headquarters in Bridgeport, in accordance with its permit.

2. On May 2, 2006, a vehicle bearing Connecticut marker plate number 584RZO, was carrying a passenger in the back seat to the passenger's destination at USAir's terminal at Bradley International Airport in Windsor Locks, Connecticut.

3. The owner of the vehicle, Michael Porter, discharged the passenger, who had arranged with Bond Limousine, LLC for livery trip.

4. The passenger paid Bond Limousine, LLC for the ride.

5. Earl Mellow, Jr. is a member, and management, of the respondent company.

6. The respondent's intrastate livery plates are not currently in use. Mellow had returned the plates to the Department of Motor Vehicles for a duration of time. He has not been able to access his marker plates over the past year or year and a half.

7. Mellow, farmed the job in question to Michael Porter, who held himself out to be a licensed company.

8. Porter provided the trip with a passenger plated vehicle.

9. Porter paid a fine in settlement of the misdemeanor summons and complaint.

10. The respondent does not have any vehicles registered in intrastate livery service.

III. DEPARTMENT ANALYSIS 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 2794 and is authorized to operate livery vehicles in inter and intrastate livery service. The evidence shows that the respondent did not have livery vehicles registered on May 2, 2006. The respondent farmed out a trip to Michael Porter. Porter held himself out to have a livery company, but did not. Porter provided the referred trip for the respondent with a passenger plated vehicle. Porter was stopped by state police at Bradley International Airport in Windsor Locks for motor vehicle infractions. Porter advised the State police that he worked for the respondent company.

Mellow testified that he has been trying to get his marker plates back; that he was told he could retire the plates and retrieve them after a certain period of time. Be that as it may, the respondent failed to follow-up to reinstate the marker plates for which he has been authorized. While the bureaucracy may require more time than one would think to accomplish certain tasks, it is unreasonable, and unpersuasive for the respondent to argue that it could not get its plates back for almost two years.

Mellow testified that he seeks to reinstate his business and that he has been unable to do so because he cannot retrieve his intrastate marker plates. Regardless, Mellow's inability to follow through is no excuse for allowing an unlicensed person to operate in livery service. It is incumbent on any livery provider management to ensure that they are referring livery calls to companies who hold legitimate authority to operate. Based on the evidence, the respondent hired a company that did not have authority to provide intrastate livery service.

Although the respondent has previously been the subject of a citation, the citation was resolved in 2002 and thus, will not be used to enhance a civil penalty. However, the respondent should be aware that allowing a person or company to provide livery service when that person or company is not authorized to do so may endanger the public, since, in the event of an accident, the driver or passenger may not be covered by proper insurance.

Based on the above, the respondent will be assessed a civil penalty. The respondent is ordered to re-instate its livery marker plates if it intends to provide intrastate livery service in the future as delineated below.

IV. ORDER

The respondent is hereby ordered to pay to the Department of Transportation a civil penalty in the amount of FIVE HUNDRED DOLLARS (\$500), by certified check, bank check or money order made payable to the "Treasurer, State of Connecticut" within thirty days from the date of this final decision.

The respondent is further hereby ordered make application to the Department of Motor Vehicles to have its intrastate marker plates reinstated within 30 days of the date of receipt of this final decision and to provide proof to the Regulatory & Compliance Unit of such action.

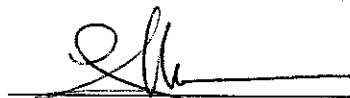
If the respondent is unable to retrieve and register its intrastate marker plates, then the respondent is ordered to either submit an application to the Department of Transportation for intrastate authority or request a re-issuance of this permit to exclude intrastate authority.

Failure to timely comply with this order will initiate a citation matter and may result in the suspension or revocation of Permit No. 2794.

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

Dated in Newington, Connecticut this 5th day of June 2007.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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