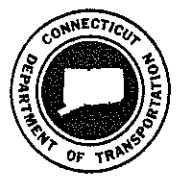


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**STATE OF CONNECTICUT**  
DEPARTMENT OF TRANSPORTATION



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DOCKET NO. 0703-N-59-L

RE: APPLICATION OF DOREL RADU DBA D.R. TAXI TO OPERATE ONE (1) MOTOR VEHICLE HAVING A SEATING CAPACITY TEN (10) ADULTS OR LESS, IN GENERAL LIVERY SERVICE BETWEEN, ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN STAMFORD.

FINAL DECISION

August 28, 2007

## I. INTRODUCTION

### A. Application

By application filed on March 23, 2007 with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Dorel Radu dba D.R. Limo (hereinafter "applicant") located at 109 Tresser Blvd., Apt. 14G, Stamford, Connecticut, seeks authorization to operate one (1) motor vehicle, having a seating capacity of ten (10) adults or less, in general livery service between all points in Connecticut from a headquarters in Stamford, Connecticut.

### B. Hearing

Pursuant to Connecticut General Statutes, Section 13b-103(a), as amended, a public hearing on this application was held on June 12, 2007.

Notice of the application and of the hearing to be held thereon was given to the applicant and to such other parties as required pursuant to General Statutes Section 13b-103(a)(1), as amended. Legal notice to the public was given by publication in the Stamford Advocate, a newspaper having a circulation in the area of concern.

A hearing officer designated by the Commissioner, pursuant to Connecticut General Statutes Section 13b-17 conducted the hearing on this matter.

### C. Appearances

Dorel Radu appeared on behalf of his sole proprietorship, Dorel Radu dba D.R. Limo. Radu was not represented by counsel. The business mailing address is 109 Tresser Blvd., Apt. 14G, Stamford, Connecticut.

Sheldon Lubin, utilities examiner for the department, appeared at the hearing.

No opposition was presented to the application.

## II. FINDINGS OF FACT

1. The applicant currently holds Livery Permit No. 3138 for the operation of motor vehicles as a common carrier of passengers in charter and special operations in interstate commerce under authorization from the Federal Motor Carrier Safety Administration in the issuance of Certificate No. MC-433887-C.

2. The applicant owns a 2005 Lincoln Town Car, which he owns outright and which has a market value of \$24,900.

3. The applicant's livery vehicle is registered, insured and in use in interstate service. The applicant receives referrals from Prime Time Limousine, Inc.

4. The applicant's yearly insurance premium for the vehicle is \$6,035.

5. The applicant's estimated fuel costs are \$350 per week and the maintenance costs are approximately \$1,500 to \$2,000, annually.

6. The applicant has a cash balance available to him in the approximate amount of \$33,300.

7. The applicant has no criminal conviction history, nor does he have citations against his business.

8. The applicant seeks to provide intrastate livery service to customers referred to him from Prime Time Limousine, Inc.

9. The applicant will begin his own company in the future. Presently, he remains a subcontractor with Prime Time Limousine, Inc.

10. Prime Time Limousine, Inc. has an abundance of intrastate calls and is able and would like to refer intrastate calls to the applicant.

11. No opposition was presented to the application.

### III. DEPARTMENT DISCUSSION

The department has jurisdiction over each person, association, limited liability company or corporation owning or operating a motor vehicle in livery service, pursuant to General Statutes Section 13b-102, as amended.

In determining whether a livery permit should be granted, the department shall take into consideration the present or future public convenience and necessity. The applicant must prove that the public's convenience and necessity will be improved by the proposed service. Additionally, the applicant must show the suitability of the applicant or the suitability of the management if the applicant is a limited liability company or corporation, the financial responsibility of the applicant, the ability of the applicant efficiently and properly to perform the service for which authority is requested and the fitness, willingness

and ability of the applicant to conform to the provisions of the statutes and the requirements and regulations of the department thereunder, in accordance with General Statutes Section 13b-103.

With regard to the improvement of the public's convenience and necessity, the applicant is a sub-contractor for an established limousine company, Prime Time Limousine, Inc., for whom he has worked since receiving authority for interstate livery service. The applicant seeks to provide intrastate work for the same company, however, does not have the authority to do so. The dispatcher for Prime Time Limousine, Inc. testified that the company has many intrastate calls that it would like to refer to the applicant. Prime Time has not referred any intrastate calls to the applicant because the applicant does not hold authority to provide intrastate livery service.

While the applicant will not become independent in the near future, applying for authority for intrastate service is a natural progression of the operation, for both companies. More important is the fact that there will be another vehicle able to provide livery services to members of the general public, thereby improving the public's convenience and necessity. Members of the general public may use one provider for both intrastate and interstate livery. Based on the evidence presented, the public convenience and necessity will be improved by the operation of the proposed service.

In support of suitability, the applicant filed with the department a criminal conviction history form, dated February 20, 2007, which shows no record for Dorel Radu. Radu further testified that he has had no criminal involvement since the date of the criminal conviction results. In addition, Radu has had no citations filed against him since his inception of interstate livery business. Accordingly, the applicant is suitable to operate the proposed business.

Lastly for a grant of authority, the applicant must prove his financial wherewithal to operate the proposed service. The applicant is currently authorized to operate in interstate livery service. The grant of intrastate authority is a natural extension of the established service. The applicant's vehicle is insured and currently in use with an established source of business, therefore, the cost of operating the proposed intrastate service will be minimal. The applicant has financial resources in the amount of \$10,000 cash on hand in a money market, approximately \$46,000 in several joint bank accounts (half of which would be qualifying funds for the business) and equity in two real properties. The applicant's financial resources are sufficient to continue operating his business.

#### IV. CONCLUSION

Based upon the totality of the record and pursuant to Connecticut

General Statutes Section 13b-103(b), as amended, I conclude, as a matter of law, that the applicant possesses the financial wherewithal, the suitability to operate the proposed service. Furthermore, granting the application will improve the public convenience and necessity of the area of concern.

V. ORDER

The application of Dorel Radu dba D.R. Limo is hereby granted and Permit Number 3138, standing in the name of Dorel Radu dba D.R. Limo is hereby amended and reissued as follows:

LIVERY PERMIT NO. 3138  
FOR THE OPERATION OF LIVERY SERVICE

Dorel Radu dba D.R. Limo, is hereby permitted and authorized to operate ONE (1) motor vehicle, having a seating capacity of less than ten (10) adults, in GENERAL LIVERY SERVICE between all points in Connecticut from a headquarters in Stamford, Connecticut.

Dorel Radu dba D.R. Limo is further permitted and authorized to operate motor vehicles as a common carrier of passengers, in charter and special operations in interstate commerce, under such authorization as issued or amended by the Federal Motor Carrier Safety Administration in the issuance of Certificate No. MC-433887-C.

This Permit may not be sold or transferred until it has been operational, i.e., a vehicle registered with the livery plates thereunder, for not less than twenty-four (24) consecutive months.

This Permit shall remain in effect until it is amended, suspended or revoked by the Department. Failure of the Permit holder to maintain proper insurance and/or comply with all pertinent motor vehicle laws and other State statutes and/or the rules, regulations and orders of the Department shall be considered sufficient cause to amend, suspend or revoke this Permit.

This Permit is transferable only with the approval of the Department and is issued subject to compliance by the holder hereof with all motor vehicle laws of the State of Connecticut, and with such rules, regulations and orders as this Department may from time to time prescribe.

A memorandum of this Permit, bearing the seal of the Department, shall be kept conspicuously posted in the motor vehicles operated under this Permit.

Dated at Newington, Connecticut, this August 28, 2007.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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