



File
STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546
Phone: (860) 594-2875

DOCKET NUMBER 0707-C-97-L

RE: IN THE MATTER OF THE CITATION OF REGAL
STAGEWAYS, INC.

Final Decision

July 2, 2008

I. INTRODUCTION

A. Background

By citation dated May 19, 2008 issued by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Regal Stageways, Inc. (hereinafter "respondent"), holder of Livery Permit Number 2499, 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 2499 for the registration of livery authority and the operation of livery service should not be suspended or revoked or a civil penalty imposed for violation of its permit, issued in accordance with Connecticut General Statutes Section 13b-102, et seq.

More specifically, the respondent was issued a summons, on March 15, 2007, for operating intrastate livery service without a permit at Bradley International Airport in Windsor Locks, Connecticut.

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 19, 2008.

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.

Wayne Sinclair and Eugene Morris, of the Regulatory and Compliance Unit of the Department of Transportation, presented the evidence and testified as a witness, respectively.

II. FINDINGS OF FACT

1. The respondent is holder of Livery Permit Number 2499 and is authorized to operate motor vehicles in livery service to all points in Connecticut from a headquarters in Hartford, Connecticut.

2. Eugene Morris, Transportation Inspector with the Regulatory and Compliance Unit of the department, works with Connecticut state troopers on enforcement actions regarding taxicab and livery issues.

3. On March 20, 2007, Morris received a faxed copy of an officer's report and misdemeanor summons and complaint from Troop W regarding unauthorized intrastate livery service that the officer issued to Regal Stageways, Inc. on March 15, 2007.

4. The respondent allowed its vehicle, registered for interstate livery service, to provide an intrastate livery trip – from Hartford, Connecticut to Windsor Locks, Connecticut.

5. On March 21, 2007, Morris sent a warning letter to the respondent by certified mail, which was unclaimed by the respondent and returned, unopened, to the department.

6. On May 19, 2008, a notice of the citation hearing was sent by certified mail to the respondent, but unclaimed by the respondent and returned, unopened, to the department.

7. On December 14, 2007, the respondent appeared in court on the misdemeanor summons and compliant, pleaded no contest to the charges and was assessed a \$2000 fine by the court.

8. The respondent has failed to contact the department regarding the allegations made by the Regulatory and Compliance Unit.

9. On January 25, 2005, in a final decision issued by the department to the respondent for operating intrastate livery service without authority (using an Z plate instead of a L plate) and providing a trip from Avon, Connecticut to East Hartford, Connecticut with a vehicle registered for interstate livery service. In The Matter Of The Citation Of Regal Stageways, Inc., Connecticut Department of Transportation, Final Decision Docket No. 0407-C-77-L (January 25, 2005).

10. On October 11, 2005, in a final decision issued by the department to the respondent for failing to maintain liability insurance was settled with the payment by the respondent of a civil penalty in the amount of \$5,000. In The Matter Of The Citation Of Regal Stageways, Inc., Connecticut Department of Transportation, Final Decision Docket No. 0501-C-11-L (October 11, 2005).

11. On January 4, 2006, in a final decision issued by the department to the respondent for failing to display a front marker plate and for overcrowding, the respondent was assessed a civil penalty. In The Matter Of The Citation Of Regal Stageways, Inc., Connecticut Department of Transportation, Final Decision Docket No. 0508-C-20-L (January 4, 2006).

12. The respondent has not communicated with the Regulatory and Compliance Unit of the department since the issuance of the misdemeanor summons and complaint.

III. DISCUSSION

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 2499 and is authorized to operate motor vehicles in livery service. The evidence further shows that the respondent's vehicle was dispatched to pick up a customer from Hartford and drop off the customer at Bradley International Airport in Windsor Locks. The evidence shows that the respondent has blatant disregard for the regulations and statutes that govern livery service in the State of Connecticut. This disregard is supported by the actions of the respondent if failing to claim its mail issued from the Department of Transportation. Moreover, the respondent has had several citations in the recent past. The evidence supports two conclusions - either the respondent has no regard for its business or is out of business. Accordingly, the department has no choice but to revoke Permit Number 2499.

IV. CONCLUSIONS OF LAW

The respondent is in violation of Connecticut General Statutes Section 13b-103 in that the respondent was providing a livery trip with a vehicle registered to its company for interstate livery service.

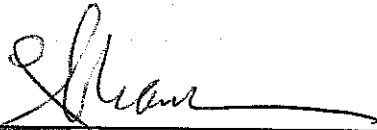
V. ORDER

Based on the above, Livery Permit Number 2499, standing in the name of Regal Stageways, Inc., is hereby revoked.

Said revocation shall become effective fifteen (15) days from the date of this final decision.

Dated at Newington, Connecticut on this the 2nd day of July 2008.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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