



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

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DOCKET NUMBER 1108-N-89-L

RE: APPLICATION OF ELITE LIMO, LLC. 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 NEW BRITAIN.

FINAL DECISION

December 6, 2011

I. INTRODUCTION

A. General

By application filed on August 25, 2011, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Elite Limo, LLC (hereinafter "applicant"), with a mailing address of 125 Thornley Street, 2nd floor, 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 the town of New Britain.

B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-103(a), as amended, a public hearing on this application was held on November 3, 2011.

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 the Connecticut General Statutes Section 13b-103. Legal notice to the public was given by publication on the department's website.

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

C. Appearances

Bartlomiej Hachlica appeared pro se on behalf of the applicant. Mr. Hachlica's mailing address is 125 Thornley Street, 2nd floor, New Britain 06051.

Sheldon Lubin appeared as a member of the department's staff.

II. FINDINGS OF FACT

1. The applicant seeks to operate one (1) motor vehicle in livery service from a headquarters in New Britain.

2. The applicant currently operates in interstate livery service with a Mercedes and has done so for several months.

3. Wojciech Grochot wanted to use the applicant's service to go to the casino because he wants to support a Polish company since his English is not that great. He tried to hire other livery companies but the price was cost prohibitive. He needs a livery service approximately once per month.

4. Marcin Biadun wanted to use the applicant's livery service to go to the casino but was unable to do so because the applicant does not have authority. He was forced to use a bus service because he could not get a livery service. Mr. Biadun has the need for livery service approximately once per month.

5. Derek Jurczwski wanted to hire the applicant to provide transportation to the casino for an event but was unable to utilize the service. Mr. Jurczwdki has the need for approximately four intrastate trips per year. The applicant's ability to speak polish is a plus since Mr. Jurczwski is also polish.

6. The applicant will have polish speaking drivers on staff including his father who drove for a livery company in the past.

7. Customers of the applicant have requested casino trips and nights on the town which the applicant is unable to perform with its current authority.

8. The applicant has an auto loan with a monthly payment of \$1,020 and a principal balance of \$54,649.

9. The applicant's annual insurance premium is \$5,820.

10. The applicant has a monthly fuel expense of \$800.

11. The applicant's cash balance is approximately \$16,500.

III. DEPARTMENT ANALYSIS

The department has jurisdiction over each person, association, limited liability company or corporation owning or operating a motor vehicle in livery service, pursuant to Connecticut 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 Connecticut General Statutes Section 13b-103.

In support of financial wherewithal the applicant has an auto loan with a monthly payment of \$1,020 and a principal balance of \$54,649. The applicant's annual insurance premium is \$5,820.

The applicant has a monthly expense for fuel of \$800 and the applicant's cash balance is approximately \$16,500. Based on the evidence presented, the applicant is financially suitable to operate the proposed business.

With regard to suitability, the applicant provided the requisite criminal conviction history forms for Bartlomiej Hachlica which showed no criminal record. Mr. Hachlica has recently come

into the livery business but has knowledge of the rules and regulations concerning livery service and he appears willing to abide by the rules and regulations. Based on the evidence presented; the applicant has proven its suitability to operate the proposed livery service.

The applicant also has to prove that public convenience and necessity would be improved by the proposed service. With regard to this criteria, the applicant presented several witnesses in support of its application. The witnesses spoke about difficulty getting livery service and their desire to utilize the applicant since they are polish and the applicant is as well which is helpful to them and their families in communicating.

Taking all of the factors into consideration, the applicant will be approved to operate one livery vehicle in intrastate livery service.

IV. CONCLUSION AND ORDER

Based upon the above and pursuant to Connecticut General Statutes Section 13b-103, as amended, the application of Elite Limo, LLC hereby granted and Livery Permit Number 3260 is granted in part as follows:

LIVERY PERMIT NO. 3260 FOR THE OPERATION OF LIVERY SERVICE

Elite Limo, LLC is hereby permitted and authorized 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 New Britain.

RESTRICTIONS:

The applicant must register the one vehicle granted under this decision within thirty days from the date of this decision.

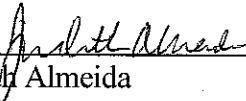
The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates there under for not less than twenty-four (24) months.

This permit shall remain in effect until 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 may from time to time prescribe thereunder.

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 on this 6th day of December 2011.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Judith Almeida
Staff Attorney III
Administrative Law Unit
Bureau of Finance and Administration