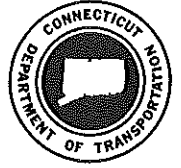


STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NUMBER 1201-C-108-L

RE: IN THE MATTER OF THE CITATION OF NATION LIVERY
TRANSPORTATION SERVICES, LLC.

ERRATA FOR DATE CHANGE
Reissued Final Decision

March 27, 2013

I. INTRODUCTION

A. General

By citation dated September 13, 2012, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Nation Livery Transportation Services, LLC. (hereinafter "respondent"), holder of Permit Number 2882, was ordered to come before the department to answer the 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 2882, issued for the operation of livery service, should not be suspended or revoked or a civil penalty imposed for violation of its certificate pursuant to Connecticut General Statutes Section 13b-103, et seq.

More specifically, it is alleged that the respondent violated Connecticut General Statute Section 13b-103 for failure to have an active headquarters and the following Sections of Connecticut State Agencies: Section 16-325-1 for failure to have an active headquarters, Section 16-325-4 for change of address and Section 16-325-5 for availability of records.

The citation was served upon the respondent by first class and certified mail and recited the department's reasons for issuing it.

B. Hearings Held

Pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on December 13, 2012. The respondent failed to appear at the hearing and the permit was revoked. Subsequently, the respondent filed paperwork to reopen the matter which was acknowledged by department's letter of January 8, 2013. A second hearing was scheduled for January 15, 2013. At that hearing, the manager of the company, Olatunji Aiwinilomo, appeared and asked for an extension of time so the owner of the company, Mohamed Awadalla, could come from Africa to attend the hearing. The hearing was then rescheduled for March 21, 2013. The owner again failed to appear at that hearing. The manager, Olatunji Aiwinilomo, asked for another extension of time which was denied.

Notice of the citation and the hearing to be held thereon was given to the respondent and to such other parties as required by Connecticut 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 Connecticut General Statutes.

C. Appearances

The respondent owner, Mohammed Awadalla, failed to appear at three citation hearings. The respondent's mailing address is P.O. Box 125, Hartford, Connecticut 06105.

Eugene Morris, Transportation Public Transit Inspector with the Regulatory and Compliance Unit, presented evidence on behalf of the department.

II. FINDING OF FACT

1. The respondent filed an application for additional vehicles without a hearing.
2. A part of the application process requires that the department perform a headquarters check. As a result of that headquarters check performed by Inspector Richard Majka on July 18, 2012, it was found that respondent did not maintain a headquarters at 100 Farmington Avenue, Hartford 06105.

3. The citation notice of hearing was returned to the department stamped with the words PO Box closed.
4. The respondent failed to appear at the hearing on December 13, 2013 and the permit was revoked.
5. After the revocation the manager of the company, Olatunji Aiwinilomo, filed paperwork requesting a reopening of the hearing.
6. A second hearing date was set for January 15, 2013. The owner, Mohamed Awadalla, again failed to appear and the manager asked for more time for the owner to appear which was granted.
7. A third hearing was held on March 21, 2013 in which the owner, Mr. Awadalla, failed to appear. The manager, Olatunji Aiwinilomo, again asked for another continuance which was denied.
8. The department has heard nothing from the owner of respondent company, Mohamed Awadalla.

III. CONCLUSION

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-103, 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 respondent owner failed to appear at the hearing on three different occasions. The manager for the company is the only one who has made an appearance before the department and it appears that there has been an attempt to make an illegal transfer of the company from the true owner to the manager without going through the proper sale and transfer process required by the department. Since the true owner of the company, Mohamed Awadalla, has made no attempt to resolve this matter or make an appearance, livery permit number 2882 is hereby revoked.

IV. ORDER

Based on the above, the livery permit in the name of Nation Livery Transportation Services, LLC, Permit Number 2882, is hereby revoked effective immediately. The company is hereby ordered to return its livery plates to the Department of Motor Vehicles.

Dated at Newington, Connecticut on this the 27th day of March 2013.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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