



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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DOCKET NUMBER 1201-C-9-L
(Case No. LV01-1712-7)

RE: IN THE MATTER OF THE CITATION OF COSMOPOLITAN
LIMOUSINES, INC.

Final Decision

March 5, 2012

I. INTRODUCTION

A. General

By citation dated January 27, 2012, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Cosmopolitan Limousine, LLC (hereinafter "respondent"), holder of Livery Permit Number 2551, 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 Livery Permit Number 2551, issued for the operation of livery service, should not be suspended or revoked or a civil penalty imposed for violation of its livery permit pursuant to Connecticut General Statutes Section 13b-102, et seq.

More specifically, it is alleged that the respondent violated Section 13b-103 of the Connecticut General Statutes in that it failed to maintain an active headquarters.

The citation was served upon the respondent at P.O. Box 42, Northford, Connecticut by first class and certified mail and recited the department's reasons for issuing it.

B. Hearing Held

Pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on February 28, 2012.

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. Notice to the public was made on the department's website.

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 failed to appear at the hearing. The respondent's mailing address is P.O. Box 42, Northford, Connecticut 06472.

Eugene Morris, Public Transportation Transit Inspector with the Regulatory and Compliance Unit, was the case presenter in this matter.

II. FINDING OF FACTS

1. The respondent filed a transfer of headquarters application on July 21, 2011. The respondent was seeking to move from 1071 Middletown Avenue, Northford to 4 Northfield Road, Wallingford.

2. As the result of the respondent's application, the department was required to perform a headquarters inspection.

3. An inspection of the respondent's headquarters revealed that they were no longer at their legal address of record.

4. The respondent later indicated to the department that they had moved to 109 Reeds Gap Road East, Northford, Connecticut.

5. On January 25, 2012, an inspection was done at the Reeds Gap Road address and the Wallingford address at 4 Northfield Road, which the respondent used in their transfer of headquarters application.

6. The property owner at the Wallingford address told DOT investigators that the respondent had been at the Wallingford address since spring 2011. A review of the office location revealed trip records from October, November and December.

7. The respondent recently told the department that they were going out of business. All of their vehicle registrations were cancelled as of February 16, 2012.

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 in 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 department's review of the respondent's headquarters of record reveals that the respondent was not located in the legal address of record. The respondent subsequently notified the department that it would not be continuing in business any longer and cancelled the last of its vehicle registrations.

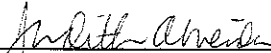
Since the respondent is clearly out of business and did not make an appearance at the hearing, the department must revoke this authority.

IV. ORDER

Based on the above, the respondent's livery permit number 2551 in the name of Cosmopolitan Limousines, Inc. is hereby revoked.

Dated at Newington, Connecticut on this the 5th day of March 2012.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Judith Almeida
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