

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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Phone:

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DOCKET NUMBER 1202-C-28-HG

RE: IN THE MATTER OF THE CITATION OF S.B.J MOVING
CORPORATION.

Final Decision

June 13, 2012

I. INTRODUCTION

A. General

By citation dated March 26, 2012, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-410c(b) as amended, S.B.J. Moving Corporation ("respondent"), holder of Certificate Number 1617, 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 Certificate Number 1617, issued for the operation of a household goods motor carrier, should not be suspended or revoked or a civil penalty imposed for violation of its household certificate pursuant to Connecticut General Statutes Section 13b-410.

More specifically, it is alleged that on December 31, 2011, the certificate holder failed to file a 2012 annual intrastate permit fee for each vehicle that such household goods motor carrier intended to operate under authority of the Connecticut Department of Transportation in violation of Connecticut General Statutes Section 13b-410c (b).

The citation was served upon the respondent at 302 Wilson Avenue, South Norwalk, Connecticut by first class and certified mail and recited the department's reasons for issuing it.

B. Hearing Held

Pursuant to Section 13b-410 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on June 12, 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-410, 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

No one appeared on behalf of the respondent, S.B.J. Moving Corporation. The respondent's mailing address is 302 Wilson Avenue, South Norwalk, Connecticut 06854.

Cheryl Christian, Secretary 2 with the Regulatory and Compliance Unit, presented the department's case in this matter.

II. FINDINGS OF FACT

1. The respondent is the holder of Certificate 1617 in the name of S. B. J. Moving Corporation.
2. In October 2011, the department sent a letter to the respondent asking for intrastate permit fees to be paid by December 31, 2011.

3. On December 31, 2011, the certificate holder failed to file a 2012 annual intrastate permit fee for each vehicle that such household goods motor carrier intended to operate under authority of the Connecticut Department of Transportation in violation of Connecticut General Statutes Section 13b-410c (b).

4. A first Notice of Hearing was mailed on March 7, 2012 for a hearing to be held on March 27, 2012. The department continued the matter after receiving notice on March 22, 2012, from the respondent that one of the principles was in the hospital.

5. On March 26, 2012, a second Notice of Hearing was sent to the respondent at its legal mailing address of 302 Wilson Avenue, South Norwalk, Connecticut 06854.

6. The Notice of Hearing was unclaimed and returned to the department on March 22, 2012.

7. The respondent failed to appear at the citation hearing on June 12, 2012.

III. DEPARTMENT ANALYSIS AND CONCLUSIONS OF LAW

The Department of Transportation has jurisdiction over matters pertaining to the operation of motor vehicles in household goods service in the State of Connecticut accordance with Connecticut General Statutes Section 13b-410, as amended.

Pursuant to Connecticut General Statutes Section 13b-410, 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-389 through 13b-415, as amended, with respect to fares, service, operation or equipment, in an amount not to exceed one hundred dollars per day for each violation.

The respondent failed to file its intrastate permit application and fee for 2012 as required. Since the respondent failed to appear at the hearing, respondent's certificate will be revoked.


IV. ORDER

Based on the above, Certificate Number 1617, standing in the name of S.B.J Moving Corporation is hereby revoked. The revocation shall become effective fifteen (15) days from the date of this final decision.

This final decision constitutes notice in accordance with Connecticut General Statutes Section 4-182(c).

Dated at Newington, Connecticut on this the 13th day of June 2012.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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