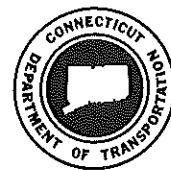




STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NUMBER 1203-C-33-L

RE: IN THE MATTER OF THE CITATION OF HOYT LIVERY, INC.

Final Decision

October 16, 2012

## I. INTRODUCTION

### A. General

By citation dated August 14, 2013, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Hoyt Livery, Inc. (hereinafter "respondent"), holder of Certificate Number 2328, 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 2328, 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 on February 27, 2012, the respondent violated Connecticut General Statute 13b-103 for operating in intrastate livery service without a permit.

It is also alleged that on May 31, 2012, the respondent violated Connecticut General Statute Section 13b-103 for operating intrastate livery service without a permit and Regulations of Connecticut State Agencies Section 14-27(d) for failure to display proper registration.

The citation was served upon the respondent 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 October 2, 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.

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

Santo Silvestro appeared pro se on behalf of the respondent. The respondent's mailing address is 21 Cross Street, New Canaan, CT 06840.

Dennis King, Manager of the Regulatory & Compliance Unit, testified in this matter.

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

## II. FINDINGS OF FACT

1. The respondent is the holder of livery permit 2328 in the name of Hoyt Livery, Inc.
2. The respondent was stopped on February 27, 2012, for operating in intrastate livery service without a permit.
3. The respondent was also stopped on May 31, 2012, for operating in intrastate livery service without a permit.

Hoyt Livery, Inc.

### 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 has violated the Connecticut General Statutes Section 13b-103 for operating on two occasions with a vehicle which was not authorized to perform intrastate livery service.

The Regulatory and Compliance Unit has recommended suspending this operator's ability to file expedited applications for two years. Given the fact that the applicant has operated in intrastate service two times with interstate plates, the respondent will receive a one (1) year prohibition on filing any expedited applications. Any application this respondent has submitted for expedited authority without a hearing will be placed on hold for one year to run from the date of this decision. The applicant will not receive any expedited authority before October 16, 2013.

For the violations the respondent will be assessed a civil penalty of \$500 for each violation for a total civil penalty of \$1,000.

### IV. ORDER

Based on the above, the respondent is hereby ordered to pay to the Department of Transportation, a civil penalty in the amount of ONE THOUSAND DOLLARS (\$1,000), by certified check, bank check or money order made payable to the "Treasurer, State of Connecticut," within sixty (60) days from the date of this final decision.

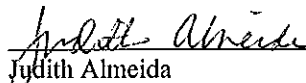
Further the respondent will not be granted any additional vehicles without hearing until after October 16, 2013.

Failure of the respondent to comply with this order shall result in revocation without further proceeding.

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

Dated at Newington, Connecticut on this the 16<sup>th</sup> day of October 2012.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

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

Hoyt Livery, Inc.

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