

STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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

Phone:  
(860) 594-2875

DOCKET NUMBER 1205-C-80-L

RE: IN THE MATTER OF THE CITATION OF ADVANCE LUXURY LIMOUSINE, LLC

Final Decision

October 15, 2012

## I. INTRODUCTION

### A. General

By citation dated August 2, 2013, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Advanced Luxury Limousine, LLC. (hereinafter "respondent"), holder of Certificate Number 2797, 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 2797, issued for the operation of livery service, should not be suspended or revoked or a civil penalty imposed for violation of its permit pursuant to Connecticut General Statutes Section 13b-103, et seq.

More specifically, it is alleged that the respondent violated two counts of the following Regulations of Connecticut State Agencies:

1. 13b-103 Operating a vehicle intrastate without a permit
2. 13b-106 Failure to register (414 days)
3. 16-325-3 Failure to notify change of address
4. 16-325-4 Failure to notify change of headquarters outside specified town
5. 16-325-6 Failure of operator to have proper license endorsement

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 September 27, 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

Derick Subramani appeared pro se on behalf of the respondent. The respondent's mailing address is 66 South Street, Waterbury, CT 06795.

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 2797 in the name of Advance Luxury Limousine, LLC.
2. The respondent was stopped on May 19, 2012 for operating a vehicle without the proper registration which had expired on March 31, 2011. In addition, the driver did not have the proper license.
3. On June 28, 2012, the respondent's headquarters in Waterbury was inspected and it was discovered that the respondent had relocated to an unauthorized location at 175 Bryant Road, Watertown, Connecticut some five years before.
4. The respondent claims he notified the department as to the change of address but he still never filed a change of headquarters application.

Advance Luxury Limousine, LLC

Docket No. 1205-C-80-L

Page 2 of 3

### III. DEPARTMENT ANALYSIS

The Department of Transportation has jurisdiction over matters pertaining to the operation of motor vehicles in livery service in the State of Connecticut accordance with Connecticut General Statutes Section 13b-103, 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-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 several statutes and regulations including failure to register its vehicle for over 400 days, failure to use a proper licensed driver and failure to have a correct headquarters.

The respondent will be assessed a civil penalty of \$7,200 total for all of the violations. For not having a proper headquarters, the respondent will receive a civil penalty of \$5,000. For failure to have the proper endorsement the respondent will pay a civil penalty of \$200. For failure to register its vehicle for over 1 year, the respondent will receive a civil penalty of \$2000 for a total civil penalty of \$7,200.

The high amount of the civil penalty is justified given the length of time the respondent did not register a vehicle which was over 400 days and the fact that its headquarters was in the wrong town for over five years.

### IV. ORDER

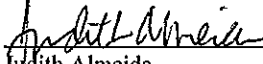
Based on the above, the respondent is hereby ordered to pay to the Department of Transportation, a civil penalty in the amount of SEVEN THOUSAND TWO HUNDRED DOLLARS (\$7,200), by certified check, bank check or money order made payable to the "Treasurer, State of Connecticut," within sixty (60) days from the date of this final decision.

The respondent must re-establish a proper headquarters in Waterbury within thirty (30) days of the date of this decision. 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 15<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

Advance Luxury Limousine, LLC

Docket No. 1205-C-80-L

Page 3 of 3