



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NUMBER 1206-C-87-L

RE: IN THE MATTER OF THE CITATION OF AVANTI MILLENIUM,
LIMOUSINE, LTD.

Final Decision

October 17, 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, Avanti Millennium Limousine, LTD. (hereinafter "respondent"), holder of Certificate Number 3244, 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 3244, 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 June 1, 2012, the respondent violated Connecticut General Statute Section 14-44 for allowing a driver to drive its vehicle who was not properly licensed.

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 11, 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

Alan Pesce appeared pro se on behalf of the respondent. The respondent's mailing address is 31 Edgewood Avenue, Greenwich, Connecticut 06830.

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 3244 in the name of Avanti Millennium Limousine, LTD.
2. The respondent was stopped on June 1, 2012, for allowing a driver who was not properly licensed to drive its livery vehicle.
3. The respondent loaned the vehicle to another individual, VIP Exclusive, who then allowed his unlicensed driver to operate the vehicle.
4. According to the department's records, VIP Exclusive does not have a valid intrastate livery authority.

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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 14-44 by allowing a driver without the proper license to drive its livery vehicle. Since the respondent has not had any citation actions before, it will be assessed a minimal civil penalty of \$200.

The respondent is hereby placed on notice that the company it loaned its vehicle to, VIP Exclusive, is not a valid intrastate livery company. The respondent shall cease allowing this unlicensed company to use its livery vehicles or be subject to future harsher penalties including suspension or revocation.

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 TWO HUNDRED DOLLARS (\$200), by certified check, bank check or money order made payable to the "Treasurer, State of Connecticut," within fourteen (14) days from the date of this final decision.

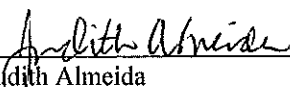
The respondent is hereby placed on notice that the company it loaned its vehicle to, VIP Exclusive, is not a valid intrastate livery company. The respondent shall cease allowing this unlicensed company to use its livery vehicles.

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 17th day of October 2012.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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

Avanti Millennium Limousine, LTD