



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 1306-NGOV-263-L

RE: APPLICATION OF MASONICARE CORPORATION D.B.A. MASONICARE TO OPERATE FOUR (4) MOTOR VEHICLES, HAVING A SEATING CAPACITY TEN (10) ADULTS OR LESS, FOR THE TRANSPORTATION OF PASSENGERS FOR HIRE BY VIRTUE OF A CONTRACT WITH, OR A LOWER TIER CONTRACT FOR ANY FEDERAL, STATE OR MUNICIPAL AGENCY BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN WALLINGFORD.

---

FINAL DECISION

November 26, 2013

## I. INTRODUCTION

### A. APPLICATION

By application filed on June 25, 2013, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Masonicare Corporation d.b.a. Masonicare (hereinafter "applicant") located at 22 Masonic Avenue, Wallingford, Connecticut seeks authorization to operate four (4) motor vehicles, each having a seating capacity of ten (10) adults or less, for the transportation of passengers for hire by virtue of a contract with, or a lower tier contract for, any federal, state or municipal agency between all points in Connecticut from a headquarters in Wallingford.

### B. HEARING

Pursuant to Connecticut General Statutes, Section 13b-103(a)(3), as amended, a public hearing on this application was held on November 5, 2013.

Notice of the application and of the hearing to be held thereon was given to the applicant and to such other parties as required pursuant to Connecticut General Statutes Section 13b-103(a)(1), as amended. Legal notice to the public was given by publication on the department's website.

A hearing officer designated by the Commissioner pursuant to Connecticut General Statutes Section 13b-17 conducted the hearing on this matter.

### C. APPEARANCES

Jon-Paul Venoit, Senior Vice President, appeared on behalf of Masonicare Corporation d.b.a. Masonicare. The applicant was represented by Attorney Robert Guinta with a mailing address of City Place 1, 185 Asylum Street, Hartford, Connecticut 06103.

## II. FINDINGS OF FACT

1. The applicant is seeking to perform contract work to provide livery trips for Logisticare, a transportation broker in Connecticut. The applicant currently does not hold any livery authority.
2. The applicant has not yet submitted a sign executed contract with Logisticare to provide medical transportation services. Logisticare does not want to issue a contract unless the Department grants livery authority to the applicant first.
3. Claude Bisson, Transportation Manager for Logisticare, testified that he supports the applicant's request to have four (4) livery vehicles available to provide transportation for Logisticare.
4. The four (4) vehicles requested will service the Newtown and Wallingford areas of the state.

5. The Affordable Care Act will add an estimated 55,000 additional members to Logisticare's network that will need transportation services in Connecticut.

6. The applicant is currently providing transportation to its clients free of charge.

7. The applicant has purchased three (3) 2013 Ford Flex vehicles that cost \$30,075 each. The company also owns a 2007 Ford E-250 Econoline Van with a fair market value of between \$9,401 and \$11,326.

8. The annual insurance premium is \$15,000 per vehicle.

9. The applicant's expenses for the next six months total \$1,000.

10. The company provided interim financial statements for the eight months ending on May 31, 2013, which included information that the net income was \$14,707,538 and the total revenue was \$119,475,543.

### III. DISCUSSION

The department has jurisdiction over each person, association, limited liability company or corporation owning or operating a motor vehicle in livery service, pursuant to Connecticut General Statutes Section 13b-102, as amended.

In determining whether a livery permit should be granted, the department shall take into consideration the present or future public convenience and necessity. The applicant must prove that the public's convenience and necessity will be improved by the proposed service. Additionally, the applicant must show the suitability of the applicant or the suitability of the management if the applicant is a limited liability company or corporation, the financial responsibility of the applicant, the ability of the applicant efficiently and properly to perform the service for which authority is requested and the fitness, willingness and ability of the applicant to conform to the provisions of the statutes and the requirements and regulations of the department thereunder, in accordance with Connecticut General Statutes Section 13b-103.

To show financial support the applicant submitted information showing that the applicant has purchased three (3) 2013 Ford Flex vehicles that cost \$30,075 each. The company also owns a 2007 Ford E-250 Econoline Van with a fair market value of between \$9,401 and \$11,326. The annual insurance premium is \$15,000 per vehicle. The applicant's maintenance expenses for the next six months total \$1,000. The company provided interim financial statements for the eight months ending on May 31, 2013, that included information that the net income was \$14,707,538 and the total revenue was \$119,475,543. Based on the evidence presented, the applicant is financially viable to operate the proposed livery service.

Regarding the applicant's suitability, a criminal record check for Jon-Paul Venoit was submitted showing no criminal record. The applicant has been transporting its clients for free for many years as part of its assisted living services. There was testimony that the applicant's clients have encountered problems in receiving transportation from Logisticare. As a result of these problems the applicant has decided to do these trips for Logisticare with their own vehicles. The applicant has the requisite suitability to be granted a livery permit.

The final element that needs to be proven is that there is an executed contract from Logisticare. There was witness testimony from Claude Bisson, a Manager at Logisticare, as to the need for this livery service and the fact that an executed contract will be forthcoming once the department grants the livery application.

Based on the evidence presented, the applicant will be granted the authority to operate the four (4) vehicles requested. The applicant must submit to the hearing officer an **executed contract with Logisticare within ninety (90) days** from the date of this decision or the durational authority will be revoked automatically.

VI. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application is hereby granted. Accordingly, Livery Permit Number 3356, standing in the name of Masonicare Corporation d.b.a. Massonicare hereby issued as follows:

**LIVERY PERMIT NO. 3356**

**DURATIONAL LIVERY SERVICE  
UNDER CONTRACT WITH LOGISTICARE, INC.  
DOCKET NO. 1306-NGOV-263-L-GRANTED NOVEMBER 25, 2013**

---

Masonicare Corporation d.b.a. Massonicare is authorized to operate four (4) motor vehicles, having a seating capacity of less than ten (10) adults, for the provision of transportation for hire by virtue of a contract with Logisticare, Inc. from a headquarters in Wallingford.

**RESTRICTIONS:**

The applicant must submit an executed contract with Logisticare within ninety (90) days of the date of this decision or the authority contained herein will be automatically revoked.

The applicant must register and insure all of the motor vehicles granted in this docket within forty-five (45) days from the date of this final decision. Any vehicles not registered or insured within the forty-five (45) day period will be revoked.

The authority for the four (4) vehicles granted in Docket No. 1306-NGOV-263-L, shall be durational in nature and shall exist only for the period of time that the permit holder has a current and continuing contract in effect for the provision of service with Logisticare.

The permit holder shall notify the department of any termination of its contract with Logisticare or the cessation of the active provision of service there under. The permit holder shall file with the department on an annual basis, upon registration or re-registration of the motor vehicle authorized in this decision, a current, executed copy of the extension of said contract. Failure to file an extension of the contract, or a new executed contract with Logisticare, shall void the authority for the vehicle authorized pursuant to this contract.


Masonicare Corporation DBA Massonicare  
Docket No. 1306-NGOV-263-L

This permit is not transferable and shall remain in effect until revoked by the department or until the contract under which this authority is granted has expired. Failure of the permit holder to maintain proper insurance and/or comply with all pertinent motor vehicle laws and other State statutes and/or rules, regulations and orders of the department shall be considered sufficient cause to amend, suspend or revoke said permit.

A memorandum of this permit, bearing the seal of the department, shall be conspicuously posted in each motor vehicle operated under this permit.

Dated at Newington, Connecticut on this 26<sup>th</sup> day of November 26, 2013.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

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