



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
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Phone:

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DOCKET NO. 1410-AVG0V-172-L

RE: APPLICATION OF MID-FAIRFIELD CHILD GUIDANCE CENTER, INC. TO OPERATE TWO (2) ADDITIONAL MOTOR VEHICLES, HAVING A SEATING CAPACITY OF LESS THAN ELEVEN (11) ADULTS, IN 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 NORWALK.

FINAL DECISION

June 8, 2015

I. INTRODUCTION

A. Application

By application filed on August 26, 2014 with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103(a)(3) of the Connecticut General Statutes, as amended, Mid-Fairfield Child Guidance Center, Inc. (hereinafter "applicant") located at 100 East Avenue, Norwalk, Connecticut 06851, seeks authorization to operate two (2) additional motor vehicles, having a seating capacity of less than eleven (11) adults, in 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 the town of Norwalk.

B. Hearing

Pursuant to Connecticut General Statutes, Section 13b-103(a)(3), as amended, a public hearing on this application was held on June 2, 2015.

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 General Statutes Section 13b-103(a)(1), as amended. Legal notice to the public was given by publication on the department's website at www.ct.gov/dot.

A hearing officer was designated by the Commissioner of Transportation to conduct the hearing on this matter, pursuant to Connecticut General Statutes Section 13b-17.

C. Appearances

Stuart Greenbaum, Executive Director of the applicant company appeared on behalf of the applicant without counsel.

No opposition was filed to this application.

II. FINDINGS OF FACT

1. Mid-Fairfield Child Guidance Center, Inc. is a non-profit organization that operates an extended day treatment program, funded by the State of Connecticut Department of Children and Families and the Department of Social Services.

2. Mid-Fairfield Child Guidance Center, Inc. serves as a psychiatric clinic and provides outpatient services to children with a history of psychiatric hospitalization and residential treatment.

3. The applicant's mandate includes providing safe door to door transportation to and from program sites.

4. Mid-Fairfield Child Guidance Center, Inc. provides its own transportation for its clients. This transportation is funded by the Department of Social Services.

5. Logisticare Solutions, LLC is a transportation broker that provides transportation for Department of Social Services clients. Logisticare supports the grant of the two additional vehicles to the applicant to enable the applicant to provide its own transportation to its clients.

6. The applicant must provide services through Logisticare to enable payment by the State for the transportation services. Approval for the two additional vehicles will lessen the burden on Logisticare to find appropriate transportation for Mid-Fairfield's clients since the requirement for transportation for children has increased from 400 per month in 1999 to 600 per day in 2015.

7. The applicant is party to a contract with Logisticare Solutions, LLC.

8. The criminal conviction history form for the applicant's management is current and on file and shows no record.

9. The applicant has capital in the amount of \$691,415 as of February 2015. Its net income for the 8 months ending February 2015 was \$61,488. Its net assets as of June 2014 were \$586,675 and the applicant ended February 2015 over budget by \$61,437.

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 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 General Statutes Section 13b-103.

To satisfy the public convenience and necessity requirement, the applicant provided an executed contract with Logisticare Solutions, LLC to provide non-emergency transportation to the clients of its facility. The applicant provided its financial information showing that it is a viable company that has sustained itself since its inception in 2005. The management of the applicant has no criminal conviction history and the evidence and testimony of the applicant shows that it is willing and able to continue to conform to the regulations and orders of the department.

IV. CONCLUSIONS OF LAW

Based upon the evidence of record, the applicant is suitable to provide the proposed service, possesses the wherewithal to operate within the confines of the statutes and regulations and is a party to a contract with Logisticare Solutions, LLC and thus meets the statutory criteria to receive a grant of the requested vehicles.

V. ORDER

Accordingly, the application of Mid-Fairfield Child Guidance Center, Inc. is hereby approved in accordance with Connecticut General Statutes Section 13b-103, as amended, Permit Number 3019, standing in the name of Mid-Fairfield Child Guidance Center, Inc. is hereby amended and reissued as follows:

LIVERY PERMIT NO. 3019

FOR THE PROVISION OF DURATIONAL TRANSPORTATION OF PASSENGERS FOR HIRE BY VIRTUE OF A CONTRACT WITH LOGISTICARE, INC.

Mid-Fairfield Child Guidance Center, Inc. is hereby permitted and authorized to operate five (5) motor vehicles, having a seating capacity of less than eleven (11) adults, for the provision of livery service under contract with Logisticare Solutions, LLC. from a headquarters in Norwalk, Connecticut.

RESTRICTIONS:

Mid Fairfield Child Guidance Center, Inc. shall register the vehicles authorized herein within twelve (12) months from the date of this final decision.

Mid-Fairfield Child Guidance Center, Inc. is permitted to provide said transportation services to its clients only.

If the Mid-Fairfield Child Guidance Center, Inc. utilizes a vehicles it received pursuant to Title 49 USC Section 5310, then Mid-Fairfield Child Guidance Center, Inc. must comply with the requirements as set forth in Title 49 USC Section 5310 and in accordance with the policy determinations of the Department of Transportation Office of Transit and Ridesharing, the administering body of the Section 5310 Program.

The authority granted in this Permit 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 Solutions, LLC.

The permit holder shall notify the department of any termination of its contract with Logisticare Solutions, LLC or the cessation of the active provision of service thereunder. The permit holder shall file with the department on an annual basis, upon registrations or re-

registration of the motor vehicles 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 Solutions, LLC shall void the authority for the vehicles authorized pursuant to this contract.

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 of the department shall be considered sufficient cause to amend, suspend or revoke said permit.

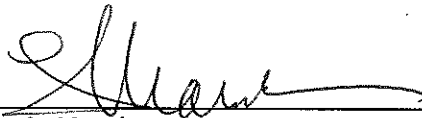
Failure to comply with the restrictions in the order contained in this final decision may result in the commencement of revocation proceedings.

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

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

Dated at Newington, Connecticut, this 8th day of June 2015.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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