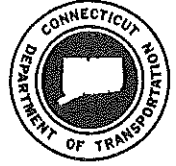




STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546  
NEWINGTON, CONNECTICUT 06131-7546  
Phone: (860) 594-2875

DOCKET NUMBER 1412-C-203-L  
(Case No. LB12-1614-21)

RE: IN THE MATTER OF THE CITATION OF SHOWTIME  
ON WHEELS, INC.

Final Decision

February 27, 2015

## I. INTRODUCTION

### A. Background

By citation dated January 9, 2015, issued by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Showtime on Wheels, Inc. (hereinafter "respondent"), holder of Bus Permit Number 532 was ordered to come before the department to answer allegations made therein.

Although the respondent holds charter bus authority, the citation directed the respondent to appear at the Newington office of the Department of Transportation to show cause why Permit Number 532 for the registration of interstate authority should not be suspended or revoked or a civil penalty imposed for violation of Connecticut General Statutes Section 13b-102, et seq.

This case is unusual in that the respondent actually holds charter bus authority, but was licensed (marker plates) for service bus authority, which is not regulated by the Department of Transportation. Because a complaint was filed by a member of the general public having used the bus for a livery trip, the complaint was brought under the livery statute.

The allegations include failure to have insurance as required by Connecticut General Statutes Section 14-29 and operating a vehicle in charter operations without the proper registration in violation of Connecticut General Statutes Section 13b-83.

The citation was served upon the respondent by first class and certified mail and recited the department's reasons for issuing same.

### B. Hearing

Pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on February 19, 2015.

Notice of the citation and of the hearing to be held thereon was given to the respondent and to such other parties as required by General Statutes Section 13b-103, as amended.

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

Showtime on Wheels, Inc. appeared through its owner/director Christian Santamaria, without counsel.

Richard Majka, inspector with the Regulatory and Compliance Unit of the department presented the evidence in this matter.

## II. FINDINGS OF FACT

1. The respondent's director, Christopher Santamaria, rehabilitated an old school bus in 2009 to use for a soccer team to which he belonged.
2. The respondent learned that he would need a permit for this bus and applied for, and was granted, charter bus authority under Bus Permit Number 532 pursuant to Connecticut General Statutes Section 13b-94a on April 22, 2013.
3. Santamaria did not understand the process and went to the Department of Motor Vehicles to have his bus inspected and licensed. He received service bus marker plates when he registered his bus.
4. On three of four occasions, the respondent was asked by friends of members of the soccer team for rides, such as to the casinos in Connecticut.
5. On one of these occasions, some of the riders of the bus became upset at the driver and thought the driver was sleeping and they asked to be let off the bus so they could secure their own rides home.
6. A complaint was made by one of these riders and the police investigated the company and found that the company did not carry the requisite bus insurance and that the bus had service bus marker plates, not livery or bus marker plates.
7. Although Santamaria did not have insurance with coverage of 5 million dollars, as required, he had the bus insured for two million dollars – the bus was insured when Santamaria used it to transport people.
8. Santamaria did not use the bus after the complaint was filed with the department.
9. Santamaria voluntarily returned the service bus marker plates to the Department of Motor Vehicles.
10. Santamaria voluntarily surrendered Bus Permit No. 532.

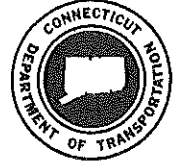
## III. DISCUSSION

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-102, 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



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This case is unusual in that the respondent actually holds charter bus authority, but was licensed (marker plates) for service bus authority, which is not regulated by the Department of Transportation. Because a complaint was filed by a member of the general public having used the bus for a livery trip, the complaint was brought under the livery statute.

The allegations include failure to have insurance as required by Connecticut General Statutes Section 14-29 and operating a vehicle in charter operations without the proper registration in violation of Connecticut General Statutes Section 13b-83.

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1. The respondent's director, Christopher Santamaria, rehabilitated an old school bus in 2009 to use for a soccer team to which he belonged.
2. The respondent learned that he would need a permit for this bus and applied for, and was granted, charter bus authority under Bus Permit Number 532 pursuant to Connecticut General Statutes Section 13b-94a on April 22, 2013.
3. Santamaria did not understand the process and went to the Department of Motor Vehicles to have his bus inspected and licensed. He received service bus marker plates when he registered his bus.
4. On three of four occasions, the respondent was asked by friends of members of the soccer team for rides, such as to the casinos in Connecticut.
5. On one of these occasions, some of the riders of the bus became upset at the driver and thought the driver was sleeping and they asked to be let off the bus so they could secure their own rides home.
6. A complaint was made by one of these riders and the police investigated the company and found that the company did not carry the requisite bus insurance and that the bus had service bus marker plates, not livery or bus marker plates.
7. Although Santamaria did not have insurance with coverage of 5 million dollars, as required, he had the bus insured for two million dollars – the bus was insured when Santamaria used it to transport people.
8. Santamaria did not use the bus after the complaint was filed with the department.
9. Santamaria voluntarily returned the service bus marker plates to the Department of Motor Vehicles.
10. Santamaria voluntarily surrendered Bus Permit No. 532.

## III. DISCUSSION

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-102, 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-102 through 13b-109, 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 circumstances of this case are a little unusual. The respondent holds a bus permit and was charged with livery violations. The evidence shows that the respondent did not fully comprehend the ramifications of getting a bus permit. He wanted to rehabilitate an old school bus for his soccer team to use on the road. He was told that he needed a bus permit. He did not get the bus inspected by the department, but rather, he went to the Department of Motor Vehicles for an inspection and was wrongly given service bus plates.

The respondent's director did not knowingly fail to have insurance; he had insurance coverage when transporting passengers, although it was not the requisite amount required by statute.

Santamaria requested that he be afforded the opportunity to voluntarily revoke the bus permit he holds. This hearing officer agreed to accept the voluntary revocation.

Based on the voluntary revocation, the citation filed against the respondent will be dismissed.

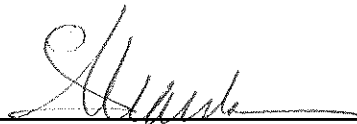
#### IV. ORDER

Based on the voluntary revocation by the respondent of Bus Permit No. 532, the citation filed against Showtime on Wheels is hereby dismissed and the voluntary revocation of Bus Permit No. 532 is hereby accepted.

Should the director of the respondent company wish to begin a livery services or another bus service, it is strongly recommended that he investigate and become knowledgeable about the mode of transportation he seeks to provide.

Dated at Newington, Connecticut on this 27<sup>th</sup> day of February 2015.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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Laila A. Mandour  
Staff Attorney III  
Administrative Law Unit  
Bureau of Finance and Administratio