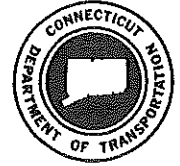




STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 1412-N-205-L

RE: APPLICATION OF PIGGYBACK RIDES, LLC TO OPERATE SIX (6) MOTOR VEHICLES, HAVING A SEATING CAPACITY OF ELEVEN (11) ADULTS OR LESS, IN GENERAL LIVERY SERVICE BETWEEN ALL POINTS IN CONNETICUT FROM A HEADQUARTERS IN HAMDEN.

FINAL DECISION

June 2, 2015

I. INTRODUCTION

A. APPLICATION

By application filed on August 19, 2014, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Piggyback Rides, LLC (hereinafter "applicant") located at 60 Connelly Parkway, Building 11A, Room 201, Hamden, Connecticut seeks authorization to operate six (6) motor vehicles, each having a seating capacity of eleven (11) adults or less, in general livery service between all points in Connecticut from a headquarters in Hamden.

B. HEARING

Pursuant to Connecticut General Statutes, Section 13b-103(a)(3), as amended, a public hearing on this application was held on May 28, 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 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

Jasmine Sampson and Tatiana Dukes appeared pro se on behalf of the applicant. The applicant's address is 60 Connelly Parkway, Building 11A, Room 201, Hamden, Connecticut 06103.

D. UNREGISTERED VEHICLES REVOKED

The applicant received governmental livery authority for seven (7) vehicles on November 6, 2014, pursuant to Docket Number 1407-NGOV-135-L. The applicant was required under that decision to register all seven (7) vehicles within forty-five (45) days of the final decision. As of the date of the hearing, the applicant had only registered five (5) of the vehicles.

Due to the applicant's failure to register the last two (2) vehicles as required by its livery permit, the authority for the two (2) vehicles not currently registered will be revoked leaving the applicant with five (5) vehicles in governmental livery service prior to any changes made to the permit as a result of this hearing.

II. FINDINGS OF FACT

1. The applicant is seeking to perform general livery service with six (6) vehicles.
2. The vehicles the applicant is seeking to use are the exact same vehicles that the applicant is currently using for its governmental livery service.

3. The applicant is currently performing work for the Department of Children and families. As a result of performing this work, some parents and organizations have approached the applicant to provide private pay trips for their children that include trips to and from school, camps, and doctor appointments. The applicant gets 30-40 requests per month for private pay work.

4. The applicant has been approached by the Yale Child Study Program to transport students from an after school program to their homes.

5. Monique Brunson, Assistant Principal at the Brennan Rogers Magnet School, detailed the need for student transportation to and from the Yale after school program. Several of the students who attend the program do not have transportation to their homes. Transportation performed by the applicant will be less expensive than retaining a bus service to transport the children.

6. The applicant does not seek to provide the usual general livery trips such as to the airport or weddings.

7. The applicant does want to transport any passengers over 18 years old. Both of the members of the applicant Limited Liability Corporation are social workers by training and seek to operate a transportation that specializes in young people.

8. The applicant's financial review reveals that the applicant has gross revenue of \$526,535, accounts receivable of \$93,490 and cash of \$20,736.79.

9. The applicant's expenses include insurance of \$41,314 annually, marketing expenses of \$250 and property tax of \$2,880.

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.

Some factors to consider in granting a livery permit are whether the service will benefit the relevant class of users, whether the proposed service is more efficient, more economical, more convenient, more satisfactory, or different than the services offered by the existing service providers, whether the new service would create a potentially beneficial effect upon rates and customer service and whether the acquisition of equipment would be more suitable to customer needs, whether the population in the area that the applicant proposes to service is increasing, whether potential customers have requested a service like

that suggested by the applicant, whether the proposed service will improve the existing mode of transportation as recently defined in Steve Martorelli v. Department of Transportation (SC19307).

With regard to these considerations, the applicant has shown that it is providing a transportation service for children that does not appear to be handled by the operators in that area. The members of the applicant have special skills as both of the members are social workers. Some parents and organizations have increasingly been asking the applicant to provide private pay transportation for their children.

The applicant estimates that it gets thirty to forty requests per month to provide this transportation for students. These requests could be handled by the five vehicles the applicant already has in livery service. Having the applicant transport the children in the Yale Study will also be more economical than hiring a bus service. The applicant's service would be an improvement on the existing livery service for the public and improve public convenience and necessity.

To show financial support, the applicant submitted information showing that it has gross revenue of \$526,535, income receivables of \$93,490 and cash of \$20,736.79. The applicant's expenses include annual insurance of \$41,314, marketing expenses of \$250 and property tax of \$2,880. Based on the evidence presented, the applicant is financially suitable to be granted this livery authority.

Regarding the applicant's suitability, a criminal record check for both members of the LLC is on file and each shows no convictions. The applicant has been in business for the last three years providing transportation to children for the State of Connecticut. The applicant has shown the requisite suitability to be granted a livery permit.

As noted earlier, the applicant has not registered all of its governmental livery authorizations within the forty-five (45) days allotted in the final decision. As a result, two of these unregistered authorizations will be revoked. Since the applicant wants to use the same vehicles to provide both the general livery service and governmental livery service, the remaining five authorizations will be converted from governmental livery authorizations to general livery authorizations restricted to transportation of persons eighteen (18) years old and younger which is the type of service the applicant wants to provide.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, this application is hereby granted. Accordingly, Livery Permit Number 3461, standing in the name of Piggyback Rides, LLC hereby reissued as follows:

LIVERY PERMIT NO. 3461

Piggyback Rides, LLC is authorized to operate **five (5)** motor vehicles, having a seating capacity of eleven (11) adults or less, in general livery service, **limited to transporting persons eighteen (18) years old and younger**, between all points in Connecticut from a headquarters in Hamden.

RESTRICTIONS0:

All five (5) vehicles the applicant is operating must be registered and insured within 14 days of the date of this decision. Any vehicles not registered or insured within fourteen days from the date of this final decision will be revoked.

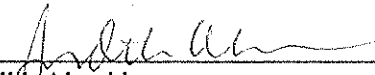
This permit may not be sold or transferred until it has been operation, i.e., a vehicle registered with livery plates thereunder, for not less than twenty-four (24) consecutive months.

This permit shall remain in effect until it is amended, suspended or revoked by the department. 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 2nd day of June 2015.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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