



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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DOCKET NUMBER 1508-C-94-L
(Case No. LV08-0415-25)

RE: IN THE MATTER OF THE CITATION OF
CONNECTICUT EXPRESS LIVERY, LLC.

Final Decision

September 22, 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, Connecticut Express Livery, LLC (hereinafter "respondent"), holder of livery Permit Number 2924 was ordered to come before the department to answer allegations made therein.

The respondent was directed to appear at the Newington office of the Department of Transportation to show cause why Permit Number 2924, for the operation of bus type motor vehicles and 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.

The allegations against the respondent are:

1. The respondent failed to register vehicles in violation of its permit and Connecticut General Statutes Section 13b-106;
2. The respondent failed to maintain a headquarters as required by Regulations of Connecticut State Agencies Section 16-325-1;
3. The respondent failed to maintain its Federal Motor Carrier Safety Administration's permit current, thereby violating Connecticut General Statutes Section 13b-102(a)(2)(b);
4. The respondent failed to maintain insurance in violation of Connecticut General Statutes Section 14-29.

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 September 15, 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

Connecticut Express Livery, LLC failed to appear at the citation hearing. The notice issued to the respondent by certified mail was undeliverable.

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

II. FINDINGS OF FACT

1. The respondent is holder of Livery Permit No. 2924.
2. On August 3, 2015, during a routine vehicle records check, the Regulatory and Compliance Unit staff found that the respondent had no vehicles registered under its authority.
3. As a result of the failure to find registered vehicles under the respondent's permit, Carlos Reddick, inspector with the Regulatory and Compliance Unit conducted a headquarters check.
4. Reddick found that the headquarters of record was a residential home with no one present. Upon speaking to a neighbor, Reddick learned that there had been a limousine company there several years prior.
5. Reddick researched the records for the Federal Motor Carrier Safety Administration and found that the respondent's federal permit for the provision of transportation for charter and interstate livery was revoked on October 8, 2013.
6. The respondent's federal authorization for the transportation of passengers was revoked for failure to maintain insurance.
7. The respondent failed to appear at the hearing.

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 evidence shows that the respondent does not have any vehicles registered under its livery permit. The evidence further shows that the respondent's motor carrier authority is revoked, the respondent maintains no insurance. It is reasonable to conclude, therefore, that the respondent is no longer in business.

IV. CONCLUSIONS OF LAW

The respondent is in violation of its permit, issued pursuant to Connecticut General Statutes Section 13b-103, which requires the permit holder to comply with the laws, regulations and rules governing livery service, to wit: the respondent failed to maintain a headquarters in violation of Regulations of Connecticut State Agencies Section 16-325-1; the respondent failed to maintain, in good standing, its federal motor carrier authorization in violation of Connecticut General Statutes Section 13b-102(a)(2)(b). Its federal authority was revoked; and lastly, the respondent has no insurance on file, in violation of Connecticut General Statutes Section 14-29.

IV. ORDER

Based on the evidence of record, Permit No. 2924, standing in the name of Connecticut Express Livery, LLC, is hereby revoked.

Dated at Newington, Connecticut on this 22nd day of September 2015.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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