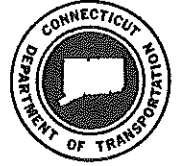




STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 1704-GOV-28-L

RE: APPLICATION OF GRIFFIN TRANSPORT, LLC. TO OPERATE THREE (3) WHEELCHAIR ACCESSIBLE VEHICLES, HAVING A SEATING CAPACITY OF LESS THAN ELEVEN (11) ADULTS, 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 NEW LONDON.

DECISION

JUNE 28, 2017

## I. INTRODUCTION

### A. APPLICATION

By application filed on April 13, 2017, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Griffin Transport, LLC (hereinafter "applicant") located at 40 Richards Avenue, 3<sup>rd</sup> Floor, Norwalk, Connecticut seeks authorization to operate three (3) motor vehicles, having a passenger seating capacity of less than eleven (11) adults, 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 New London.

### B. HEARING

Pursuant to Connecticut General Statutes, Section 13b-103(a) (3), as amended, a public hearing on this application was held on June 22, 2017.

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

George Kollie appeared pro se on behalf of the applicant. The applicant's address is 40 Richards Avenue, Suite 300, Norwalk, Connecticut 06854.

Claude Bisson, Transportation Manager for Logisticare Solutions, LLC appeared as a witness. His mailing address is 127 Washington Avenue, 5<sup>th</sup> Floor, North Haven, CT 06473.

Bethel Ambulette applied for party/intervenor status in this matter on June 15, 2017 which was denied because its headquarters in Stratford is not contiguous to that of the application in New London. Bethel Ambulette is represented by Attorney Stephanie Laska from the law firm Harris, Harris and Schmid located at 101 Merritt Seven Corporate Park, Suite 300, Norwalk, CT 06851.

## II. FINDINGS OF FACT

1. The applicant seeks to operate three (3) wheelchair accessible vehicles under contract with Logisticare.

2. The applicant currently operates four (4) wheelchair accessible vehicles for Logisticare.

3. Claude Bison from Logisticare supports the application because Logisticare needs more wheelchair accessible vehicles in the New London area. Each day twenty (20) people who need wheelchair transportation in the New London area do not get livery service. Of particular concern are the bariatric clients whose wheelchairs will not fit into the smaller wheelchair vans.

4. The applicant currently owns three (3) Ford transit vehicles.

5. The applicant also operates an additional livery service for Logisticare in Rhode Island.

6. The applicant has \$38,938 in a Bank of America account.

7. The applicant's first six months of expenses include insurance of \$16,130, maintenance of \$4,000, property tax of \$675, communication of \$825 and miscellaneous expenses of \$3,000 for a total of \$24,630.

8. Bethel Ambulette is headquartered in Stratford which is not contiguous to either the headquarters the applicant has currently in Norwalk or the additional headquarters applied for in this application in New London.

9. The applicant currently has an executed contract with Logisticare.

### 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 has presented evidence that the applicant's first six months of expenses include insurance of \$16,130, maintenance of \$4,000, property tax of \$675, communication of \$825 and miscellaneous costs of \$3,000 for a total of \$24,630. The

applicant has \$38,938 in a Bank of America account which will cover these expenses. Based on the evidence presented, the applicant is financially viable to operate the proposed livery service.

Regarding the applicant's suitability, Mr. Kollie submitted a criminal record check which disclosed no convictions. Mr. Kollie is already working under contract with Logisticare in both Connecticut and Rhode Island and has the experience to operate this business. Based on this evidence, the applicant is suitable.

Mr. Bisson testified that Logisticare needs wheelchair accessible vehicles in New London especially the kind that will accept larger wheelchairs. On an average day, twenty (20) Logisticare clients will not receive livery service due to the lack of vehicles.

Based on all of the evidence presented, the applicant will be granted a governmental livery permit.

#### IV. 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 3563, standing in the name of Griffin Transport, LLC is hereby reissued as follows:

#### **LIVERY PERMIT NO. 3563**

#### **DURATIONAL LIVERY SERVICE UNDER CONTRACT WITH LOGISTICARE DOCKET NO. 1704-GOV-28-L-GRANTED ON JUNE 28, 2017**

Griffin Transport, LLC is authorized to operate three (3) wheelchair accessible motor vehicles, having a seating capacity of less than eleven (11) adults or less, for the provision of transportation for hire by virtue of a contract with Logisticare from a headquarters in New London.

#### **RESTRICTIONS:**

**The three (3) vehicles granted in this decision must be wheelchair accessible. The applicant must register and insure all of the motor vehicles granted in this docket within sixty (60) days from the date of this final decision. Any vehicles not registered or insured within the sixty (60) day period will be revoked automatically.**

The applicant must submit an executed contract with Logisticare within sixty (60) days of the date of this final decision or the authority contained herein will be automatically revoked. This decision constitutes notice pursuant to Connecticut General Statute Section 4-182.

The authority for the three (3) vehicles granted in Docket No. 1704-GOV-28-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 thereunder. The permit holder shall file with the department on an annual basis, upon registration 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 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, 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.

**DURATIONAL LIVERY SERVICE  
UNDER CONTRACT WITH LOGISTICARE  
DOCKET NO. 1606-NGOV-68-L-GRANTED ON OCTOBER 26, 2016**

Griffin Transport, LLC is authorized to operate four (4) motor vehicles, having a seating capacity of less than eleven (11) adults, for the provision of transportation for hire by virtue of a contract with Logisticare from a headquarters in Norwalk.

**RESTRICTIONS:**

Two of the vehicles granted in this decision must be wheelchair accessible. The applicant must register and insure all of the motor vehicles granted in this docket within sixty (60) days from the date of this final decision. Any vehicles not registered or insured within the sixty (60) day period will be revoked automatically.

The applicant must submit an executed contract with Logisticare within sixty (60) days of the date of this final decision or the authority contained herein will be automatically revoked. This decision constitutes notice pursuant to Connecticut General Statute Section 4-182.

The authority for the four (4) vehicles granted in Docket No. 1606-NGOV-68-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

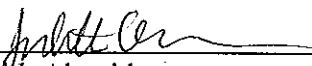
Logisticare or the cessation of the active provision of service thereunder. The permit holder shall file with the department on an annual basis, upon registration or re-registration of the motor vehicles authorized in this decision, a current, executed copy of the extension of said contract. Failure to file an extension of the contract, or a new executed contract 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, 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 June 28, 2017.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

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