



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 1704-N-31-L

RE: APPLICATION OF MATTHEW HOUSER DBA A TAXI
ALTERNATIVE TO OPERATE ONE (1) MOTOR VEHICLE, HAVING
A SEATING CAPACITY OF LESS THAN ELEVEN (11) ADULTS, IN
GENERAL LIVERY SERVICE BETWEEN ALL POINTS IN
CONNECTICUT FROM A HEADQUARTERS IN COVENTRY.

DECISION

JUNE 21, 2017

I. INTRODUCTION

A. APPLICATION

By application filed on April 19, 2017, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Matthew Houser dba A Taxi Alternative (hereinafter "applicant") with a mailing address of 1558 South Street, Coventry, Connecticut 06238 seeks authorization to operate one (1) motor vehicle, having a passenger seating capacity of less than eleven (11) adults, in general livery service between all points in Connecticut from a headquarters in Coventry.

B. HEARING

Pursuant to Connecticut General Statutes, Section 13b-103(a) (3), as amended, a public hearing on this application was held on June 20, 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

Matthew Houser appeared pro se on behalf of the applicant. The applicant's mailing address is 1558 South Street, Coventry, Connecticut 06238.

II. FINDINGS OF FACT

1. The applicant seeks to operate one (1) 2016 Kia Sedona van in general livery service.

2. The applicant currently performs various livery and school transportation services in both Michigan and South Carolina.

3. The applicant will specialize in transporting the handicapped and elderly to various locations in the northeast corner of the state.

4. Laurie McElwee is a Mobility Information Specialist for the Eastern Connecticut Transportation Consortium, Inc. Her organization wants to include the applicant in its voucher program to provide transportation for the elderly and disabled. She estimates that she will refer between two to five trips to the applicant a day. The northeast corner of the state has limited transportation options and the two providers she currently uses cannot handle all of her calls.

5. William Hall is an archery coach based in Willington who requires livery service for his archery students to get to and from events. He wants to hire the applicant to transport the students on the weekends.

6. The applicant's first six months of expenses includes insurance of \$2,065, maintenance of \$300, communication of \$300 and lease payments of \$3,000 for a total expense of \$5,665.

7. The applicant has \$6,917 in a United Bank account.

8. This application was not opposed.

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 first six months of expenses includes insurance of \$2,065, maintenance of \$300, communication of \$300 and lease payments of \$3,000 for a total expense of \$5,665. The applicant has \$6,917 in a United Bank account which is sufficient to cover these costs.

Regarding the applicant's suitability, Mr. Houser submitted a criminal record check which disclosed no convictions. Mr. Houser is currently operating two livery companies in Michigan and South Carolina and has acquired the business acumen to operate this livery service. Based on the evidence presented, applicant is suitable to perform the proposed livery service.

On the issue of public convenience and necessity, the applicant presented two witnesses who wish to use his livery service. The first witness McElwee testified that she needs transportation for her elderly and handicapped clients because of the limited service in the northeast corner of the state. The applicant also presented the testimony of Mr. Hall who needs transportation for his archery students. Based on all of the evidence presented, the applicant will be granted a 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 3591, standing in the name of Matthew Houser dba A Taxi Alternative is hereby issued as follows:

LIVERY PERMIT NO. 3591

Matthew Houser dba A Taxi Alternative is hereby permitted and authorized to operate one (1) motor vehicle, having a seating capacity of less than eleven (11) adults, in general livery service from a headquarters in Coventry.

RESTRICTIONS:

The applicant must register the one (1) vehicle granted under this decision within sixty (60) days from the date of this final decision.

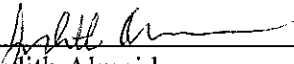
The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates thereunder for not less than twenty-four (24) months.

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 June 21, 2017.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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