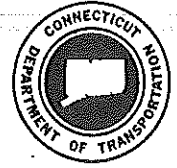


STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 1707-N-47-L

RE: APPLICATION OF NEILE PRESSMAN, LLC TO OPERATE ONE (1) MOTOR VEHICLE, HAVING A SEATING CAPACITY OF LESS THAN ELEVEN (11) PASSENGERS, IN LIVERY SERVICE FOR THE ELDERLY AND HANDICAPPED, BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN NORTH HAVEN.

DECISION

AUGUST 14, 2017

I. INTRODUCTION

A. APPLICATION

By application filed on June 13, 2017, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-105 of the Connecticut General Statutes, as amended, Neile Pressman (hereinafter "applicant") with a mailing address of 85D State Street, North Haven, Connecticut 06473 seeks authorization to operate one (1) motor vehicle, having a seating capacity of less than eleven (11) passengers, in livery service to serve elderly and handicapped persons, between all points in Connecticut from a headquarters in North Haven.

B. HEARING

Pursuant to Connecticut General Statutes, Section 13b-103, as amended, a public hearing on this application was scheduled for August 10, 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

Neile Pressman appeared pro se on behalf of the applicant. The applicant's mailing address is 85D State Street, North Haven, Connecticut 06473.

II. FINDINGS OF FACT

1. The applicant seeks to operate one (1) motor vehicle in livery service from a headquarters in North Haven.
2. Neile Pressman is a therapist at Mindful Meditation which provides outpatient therapy for substance abuse and mental health clients.
3. Seventy percent of her client appointment cancellations are due to transportation issues.
4. The applicant only wants to service her clients and anticipates performing approximately four to six trips per day.
5. The applicant has a \$6,132 bank balance.

6. The applicant's first six months of expenses includes insurance of \$988, maintenance of \$240 and property tax of \$192 for a total expense of \$1,420.

7. Christine Meyer is a clinical case manager at Mindful Meditation. She sees first-hand how transportation problems cause her clients to not get the treatment they need. Many of the clients can't utilize public transportation due to the nature of their illness.

8. The applicant will be utilizing a 2002 Dodge van for the transportation which is fully paid for.

9. 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-105, as amended.

The department may issue a permanent livery permit to applicants for the express purpose of providing reasonable livery service to handicapped and elderly persons where the department finds that there is no existing service or that the existing service is not adequate to properly serve the special needs of elderly or handicapped persons. In determining the special needs of the handicapped and elderly the department may take into consideration the convenience and the physical and mental frailties of, the care, and safety and protection necessary for the best interest of, the handicapped and elderly and the general public.

To show financial suitability, the applicant submitted information that the applicant's first six months of expenses which includes of \$988, maintenance of \$240 and property tax of \$192 for a total expense of \$1,420. The applicant has a bank balance of \$6,132 which is more than sufficient to cover these costs. Based on the evidence presented, the applicant is financially viable to operate the proposed livery service.

Regarding the applicant's suitability, a criminal record check was performed for Ms. Pressman which shows no convictions. Ms. Pressman is a therapist who will be providing her clients with transportation to and from their therapy sessions. As the only driver of the van, Ms. Pressman must get a public service license to drive a motor vehicle in livery service. There were no issues which came to light to reflect negatively on the applicant's ability to perform this livery service.

As far as public convenience and necessity is concerned, both Ms. Pressman and Ms. Meyer agree that the client cancellation rate is a function of their inability to get to the therapy session. Seventy percent of the appointments cancelled involve the client's inability to get to the actual appointment. Many of the clients have mental health or substance abuse issues which prevent

them from utilizing public transportation thereby severely restricting their ability to get the treatment they need.

Based on the evidence presented, the applicant has shown that there is a need for the livery service and that it is financially able and suitable to operate the proposed livery service.

VI. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-105, as amended, the application is hereby granted. Accordingly, Livery Permit Number 3602, standing in the name of Neile Pressman is hereby issued as follows:

LIVERY PERMIT NO. 3602

Neile Pressman is authorized to operate one (1) motor vehicle, having a seating capacity of less than eleven (11) passengers, in livery service to transport elderly and handicapped persons from a headquarters in North Haven.

RESTRICTIONS:

The applicant must register and insure the one (1) motor vehicle granted in this decision within sixty (60) days from the date of this decision.

The applicant must also secure a driver with a public service license to drive the livery vehicle.

If the applicant decides to incorporate or become a Limited Liability Company, the applicant must submit an application to change the name of the business with the department.

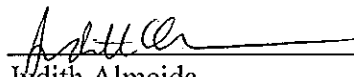
The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates thereunder for not less than twenty-four (24) months.

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 August 14, 2017.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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