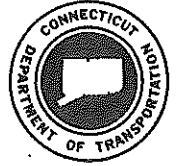




STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

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DOCKET NO. 1708-N-70-L

RE: APPLICATION OF MAMMADOV ALLAHVERDI TO OPERATE ONE  
(1) MOTOR VEHICLE, HAVING A SEATING CAPACITY OF LESS  
THAN ELEVEN (11) PASSENGERS, IN GENERAL LIVERY SERVICE  
BETWEEN ALL POINTS IN CONNECTICUT FROM A  
HEADQUARTERS IN MANCHESTER.

DECISION

November 2, 2017

## I. INTRODUCTION

### A. APPLICATION

By application filed on August 8, 2017, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Mammadov Allahverdi (hereinafter "applicant") with a mailing address of 345 Buckland Hills, Apt. 9233, Manchester, Connecticut 06042 seeks authorization to operate one (1) motor vehicle, having a seating capacity of less than eleven (11) passengers, in general livery service between all points in Connecticut from a headquarters in Manchester.

### B. HEARING

Pursuant to Connecticut General Statutes, Section 13b-103, as amended, a public hearing on this application was held on October 19, 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, 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

Mammadov Allahverdi appeared pro se on behalf of the applicant. The applicant's mailing address is 345 Buckland Hills Drive, Apt. 9233, Manchester, Connecticut 06042.

## II. FINDINGS OF FACT

1. The applicant seeks to operate one (1) motor vehicle in livery service from a headquarters in Manchester.

2. The applicant works for UBER as a driver and also transports goods and employees.

3. The applicant is seeking an intrastate Connecticut authorization so he can work for UBER Black which is a more expensive, upscale livery service which requires the applicant to acquire a certificate.

4. The applicant is going to continue working for UBER if this application is granted.

5. The applicant's first six months of expenses includes insurance of \$2,543, maintenance of \$420, property tax of \$950, vehicle payments of \$2,700, communication costs of

\$240 for a total expense of \$6,853.

6. The applicant has \$7,513 in a bank account.

7. Mahir Teghiyez uses the applicant to deliver cell phone parts in Massachusetts and provide transportation for him and his family to Boston.

8. Sadig Verdiyev owns a cell phone store in a mall in New Hampshire. The applicant transports parts and employees to and from the mall in New Hampshire.

9. Elshan Afandiyev owns a Phone Doctor store in Manchester. He uses the applicant to transport parts and customers to his store.

10. All of the witnesses of the applicant attest to the applicant's reliability and good customer service.

11. 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.

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 and whether the proposed service will improve the existing mode of transportation as defined in Martorelli v. Department of Transportation 316 Conn. 538 (2015).

To show financial support, the applicant submitted information that the applicant's first six months of expenses includes insurance of \$2,543, maintenance of \$420, property tax of \$950, vehicle payments of \$2,700, communication costs of \$240 for a total of \$6,853. The applicant has \$7,513 in the bank which is sufficient to cover the initial expenses.

Regarding the applicant's suitability, a criminal record check was performed for Mammadov Allahverdi which shows no criminal record. The applicant has been an UBER driver for several years so he has acquired professional driving experience. The applicant has the fitness, willingness and ability to conform to the provisions of the statutes and the requirements and regulations of the department.

To prove public convenience and necessity, the applicant presented the testimony of three customers who use his transportation service. Two of the applicant's customers who use the applicant's driving service to transport cell phone parts and employees are from out of state. These witnesses live in either Massachusetts or New Hampshire so the transportation the applicant performs is in those states, not in Connecticut. This out of state transportation does not provide proof of the need for intrastate Connecticut livery service so that testimony won't be considered.

Connecticut livery licenses are granted to companies that want to provide intrastate livery service in Connecticut. Having a Connecticut intrastate authority requires that the applicant to hold itself out to persons being transported within the state of Connecticut and to adhere to its department accepted tariff for those trips. The applicant did present one witness who uses his transportation service in Connecticut to transport parts and customers to a Manchester store so that evidence can be used to show need for his livery service. The applicant clearly provides good customer service which would improve public convenience and necessity.

## VI. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application, standing in the name of Mammadov Allahverdi, is hereby granted.

### LIVERY PERMIT NO. 3616

Mammadov Allahverdi is authorized to operate one (1) motor vehicle, having a seating capacity of less than eleven (11) passengers, in general livery service from a headquarters in Manchester.

### RESTRICTIONS:

**The applicant must register and insure the one (1) additional vehicle granted under this decision within forty-five (45) days from the date of this decision.**

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. If at any time

during the twenty-four consecutive month period the applicant enters into a contract for the sale of the vehicle authorized under livery permit number 3616, the authority granted herein for the one (1) additional vehicle will be revoked.

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.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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Administrative Law Unit  
Bureau of Finance and Administration