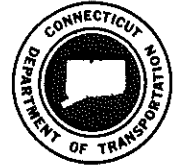




STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 1812-NGOV-159-L

RE: APPLICATION OF EAGLE MEDICAL TRANSPORT, LLC TO OPERATE TWO (2) MOTOR VEHICLES, HAVING A SEATING CAPACITY OF LESS THAN ELEVEN (11) PASSENGERS, 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 WATERTOWN.

DECISION

MARCH 21, 2019

I. INTRODUCTION

A. APPLICATION

By application filed on December 26, 2018, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Eagle Medical Transport, LLC (hereinafter "applicant") with a mailing address of 336 Rear French Street, Watertown, Connecticut 06745 seeks authorization to operate two (2) 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 Watertown.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on March 5, 2019.

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

Besmir Zaku appeared pro se on behalf of the applicant. The applicant's mailing address is 336 Rear French Street, Watertown, Connecticut 06745.

Nick Serjerman, Supply Supervisor, appeared on behalf of Veyo in support of the application.

II. FINDINGS OF FACT

1. The applicant seeks to operate two (2) motor vehicles under contract with Veyo to provide non-emergency medical transportation.
2. Nicholas Serjerman, Supply Supervisor, appeared on behalf of Veyo in support of the application.
3. Veyo needs handicapped accessible vehicles in New Haven and Middlesex County.

4. The applicant has \$8,005 in a Bank of America account.
5. The first six months of the applicant's expenses includes insurance of \$1,788, vehicle financing of \$2,400, maintenance of \$1,000 and property tax of \$113.
6. The applicant and his wife will be the drivers of the vehicles. Mrs. Zaku is in the process of getting a public service license.
7. Mr. Zaku has worked for several years for his brother-in-law in New York driving an ambulance. He is also part owner of a landscaping business with his brother. He will stop working in the landscaping business if the livery permit is granted.
8. Mr. Zaku purchased a 2001 Ford Van for \$3,200 that he plans to use in the business.
9. This application is 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 presented evidence that the first six months of expenses includes insurance of \$1,788, vehicle financing of \$2,400, maintenance of \$1,000 and property tax of \$113 for a total expense of \$5,301. The applicant has \$8,005 in a bank account, which is sufficient to cover these initial costs and therefore financially suitable.

Regarding the applicant's suitability, a criminal record check was performed for Mr. Zaku which shows no criminal record. Mr. Zaku has worked with his brother-in-law in his New York ambulance service for several years and learned the business from him. Based on the evidence submitted, the applicant has proven the necessary suitability to be granted a livery permit.

On the issue of public convenience and necessity, the applicant presented the testimony

of Nicholas Sejeran from Veyo who testified in support of the application. Veyo has a need for handicapped accessible vehicles in New Haven and Middlesex County.

Based on all of the evidence presented, this application will be granted.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application of Eagle Medical Transport, LLC is hereby granted. Livery Permit Number 3656 standing in the name of Eagle Medical Transport, LLC is hereby approved and is issued as follows:

LIVERY PERMIT NO. 3656

DURATIONAL LIVERY SERVICE UNDER CONTRACT WITH VEYO DOCKET NO. 1812-NGOV-159-L-GRANTED ON

Eagle Medical Transport, LLC is authorized to operate two (2) motor vehicles, having a seating capacity of less than eleven (11) passengers, for the provision of transportation for hire by virtue of a contract with Veyo from a headquarters in Watertown.

RESTRICTIONS:

The two (2) vehicles granted in this decision must be registered within ninety (90) days from the date of this decision. Failure to do so will result in revocation of this authority.

The authority for the two (2) vehicles granted in Docket No. 1812-NGOV-159-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 Veyo.

The permit holder shall notify the department of any termination of its contract with Veyo 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.

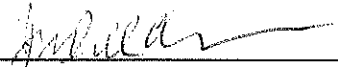
This permit is not transferable and shall remain in effect until revoked by the department or until the contract under which this authority is granted has expired. Failure of the permit holder to maintain proper insurance and/or comply with all pertinent motor vehicle laws and

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 March 21, 2019.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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