



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:
(860) 594-2875

DOCKET NUMBER 1903-C-33-L

RE: IN THE MATTER OF THE CITATION OF WRIGHT TRANSPORTATION,
LLC.

DECISION

APRIL 1, 2019

I. INTRODUCTION

A. General

By citation dated March 12, 2019, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-102, 13b-103 and 4-182 as amended, Wright Transportation, Inc. (hereinafter "respondent"), holder of Intrastate Livery Permit Number 3505, was ordered to come before the department to answer the allegations made therein.

Pursuant to said citation, the respondent was directed to appear at the Newington office of the Department of Transportation to show cause why Livery Permit Number 3505, issued for intrastate livery service should not be suspended or revoked or a civil penalty imposed for violation of its permit pursuant to Connecticut General Statutes Section 13b-103, et seq.

More specifically, Wright Transportation, Inc. did not pay a \$500 civil penalty within thirty (30) days from the January 25, 2019 citation decision ordering its payment.

B. Hearing Held

Pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on March 28, 2018. Notice of the citation and the hearing to be held thereon was given to the respondent and to such other parties as required by Connecticut General Statutes Section 13b-103, as amended.

The hearing on this matter was conducted by a hearing officer designated by the Commissioner of Transportation pursuant to Section 13b-17 of the Connecticut General Statutes.

C. Appearances

Gary Wright appeared on behalf of the respondent in this matter. The respondent's mailing address is 5 Tyler Drive, Unit C, North Franklin, CT 06382.

Felipe Briseno, Staff Attorney 3 with the Regulatory and Compliance Unit, presented evidence in this matter.

Elhassan Aitelqadi, ACT Accounts Examiner, with the Regulatory and Compliance Unit, presented evidence in this matter.

II. FINDINGS OF FACT

1. The respondent is the holder of Livery Permit Number 3505 in the name of Wright Transportation, Inc. operating from a headquarters in Franklin.

2. On January 25, 2019, the department issued a decision in Docket Number 1810-C-122-L ordering the respondent to pay a civil penalty of \$500 for failing to update its address with the FMCSA.

3. The \$500 civil penalty was due thirty (30) days from the decision date or on February 25, 2019.

4. The respondent paid the \$500 civil penalty on February 28, 2019, several days late.

5. The Regulatory & Compliance Unit contacted the respondent several times to get payment.

6. Mr. Wright claims the \$500 sought by the department in February 2019 was a \$500 civil penalty assessed to him in 2017, which he had already paid.

III. DEPARTMENT ANALYSIS

The Department of Transportation has jurisdiction over the registration of motor vehicles in intrastate livery service in the State of Connecticut accordance with Connecticut General Statutes Section 13b-102, as amended.

Pursuant to Connecticut General Statutes Section 13b-103, the department may amend or for sufficient cause suspend or revoke any such permit. Further, the department may impose a civil penalty on any person who violates any provision of the governing chapter or any regulation adopted under Section 13b-103, as amended, with respect to fares, service, operation or equipment, in an amount not to exceed one thousand (\$1,000) dollars per day for each violation.

The January 25, 2019, decision was clear that the respondent owed the civil penalty within thirty (30) days from the date of the decision. That made the civil penalty due on February 25, 2019. The respondent finally paid the civil penalty on February 28, 2019, after receiving several prompts by the department to pay.

Mr. Wright claims that he thought the \$500 civil penalty was from an earlier citation matter in 2017, which he had already paid. Mr. Wright's testimony on this issue is not credible. The previous citation matter was years ago and in no way related to the most recent civil penalty.

Therefore, upon the recommendation of the Regulatory & Compliance Unit, the respondent is assessed another \$500 civil penalty for the late payment. The respondent should note that the department will not continue to show leniency if it does not comply in a timely fashion with all orders.

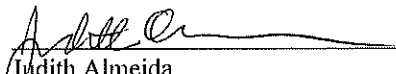
IV. ORDER

Based on the above, the respondent shall pay to the department a \$500 civil penalty by certified check, bank check or money order made payable to the "Treasurer, State of Connecticut on or before **May 6, 2019**. **Failure to pay the civil penalty within the allotted time will result in immediate revocation of its livery permit.**

This final decision constitutes notice in accordance with Connecticut General Statutes Section 4-182(c).

Dated at Newington, Connecticut on this the April 1, 2019.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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