

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

(860) 594-2875

DOCKET NUMBER 1904-N-62-L

RE: APPLICATION OF ALL CONNECTICUT HOME CARE SERVICES
BDA NEARBY TRANSPORTATION, LLC TO OPERATE TWO (2)
MOTOR VEHICLES, HAVING A SEATING CAPACITY OF LESS
THAN ELEVEN (11) ADULTS, IN GENERAL LIVERY SERVICE
BETWEEN ALL POINTS IN CONNECTICUT FROM A
HEADQUARTERS IN WEST HARTFORD.

DECISION

SEPTEMBER 23, 2019

I. INTRODUCTION

A. General

By application filed on April 30, 2019, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, All Connecticut Home Care Services, LLC dba Nearby Transportation, LLC (hereinafter "applicant") with a mailing address of P.O Box 330108, West Hartford, Connecticut 06133, seeks authorization to operate two (2) motor vehicles, having a seating capacity of less than eleven (11) adults, in general livery service between all points in Connecticut from a headquarters in the town of West Hartford.

B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on September 17, 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 the Connecticut General Statutes Section 13b-103. 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

Jean Guerrier, one of the members was pro se at the hearing. The applicant's mailing address is P.O Box 330108, West Hartford, Connecticut 06133.

II. FINDING OF FACTS

1. The applicant seeks to operate two (2) vehicles in intrastate livery service from a headquarters in West Hartford.
2. Mr. Guerrier and his wife, Titik, will be the two drivers. Both have public service licenses.
3. The applicant's assets include cash of \$74,486.
4. The applicant's first six month costs include property tax of \$151, insurance of \$3,250, advertising of \$600, maintenance and repairs of \$1,500 and communication costs of \$420.
5. The applicants are also operating a home care agency which will be operating in conjunction with the livery transportation. Mr. Guerrier is also an insurance agent and a driver of

school children for CTS. His wife worked for an assisted living facility.

6. The applicant plans to approach brokers like CTS or Veyo to seek referrals of work. The applicant will also contact DCF to try to contract their livery service.

7. The applicant will be operating a 2010 and 2016 Dodge Caravan. Both vehicles are fully paid for.

8. No opposition was presented to this application.

III. DEPARTMENT ANALYSIS

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.

In support of financial wherewithal, the applicant presented evidence that its first six months of expenses include property tax of \$151, insurance of \$3,250, advertising of \$600, maintenance and repairs of \$1,500 and communication costs of \$420 for a total expense of \$5,921. The applicant has cash of \$74,486 in its bank account, which is sufficient to cover these costs. Based on the evidence presented, the applicant has proven its financial suitability to operate the requested vehicles.

With regard to suitability, the applicant provided the department with the requisite criminal conviction history forms for the two members of the limited liability corporation which show no convictions. Both members have experience with transportation and one has been a livery driver. Based on the evidence presented, the applicant is suitable to be granted the livery authority.

The applicant is also required to prove that public convenience and necessity would be improved by a grant of this application. Mr. Guerrier and his wife operate a home care agency which will generate livery business from its clientele. In addition, Mr. Guerrier works as a driver for CTS which will refer him livery work. Based on the evidence presented, the applicant has proven public convenience and necessity.

Based upon the above and pursuant to Connecticut General Statutes Section 13b-103, as amended, the application of All Connecticut Home Care Services, LLC dba Nearby Transportation,

LLC is hereby granted and Livery Permit Number 3674 is hereby amended and issued as follows:

LIVERY PERMIT NO. 3674
FOR THE OPERATION OF LIVERY SERVICE

All Connecticut Home Care Services, LLC dba Nearby Transportation, LLC is hereby permitted and authorized to operate two (2) motor vehicles, having a seating capacity of less than eleven (11) adults, in general livery service from a headquarters in West Hartford.

RESTRICTIONS:

The applicant must register the two (2) vehicles granted under this decision within sixty (60) days from the date of this decision.

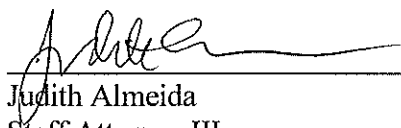
The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates thereunder for not less than twenty-four (24) months.

This permit shall remain in effect until 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 the rules, regulations and orders of the department may from time to time prescribe thereunder may result in a citation action against the permit holder.

A memorandum of this permit, bearing the seal of the department, shall be kept conspicuously posted in the motor vehicles operated under this permit.

Dated at Newington, Connecticut on this 23rd day of September 2019.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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