

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 1905-AV-65-L

RE: APPLICATION OF GENTLE CARE TRANSPORT, LLC TO OPERATE TWO (2) ADDITIONAL 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 EAST WINDSOR.

DECISION

OCTOBER 25, 2019

I. INTRODUCTION

A. APPLICATION

By application filed on May 10, 2019, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Gentle Care Transport, LLC (hereinafter "applicant") with a mailing address of 360 Bloomfield Avenue, Suite 301, Windsor, Connecticut 06095 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 East Windsor.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on October 22, 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

James Wilkins appeared pro se on behalf of the applicant. The applicant's mailing address is 360 Bloomfield Avenue, Suite 301, Windsor, Connecticut 06095.

Mark Davis, Provider Operations Coordinator, appeared on behalf of Veyo in support of the application.

II. FINDINGS OF FACT

1. The applicant seeks to operate two (2) additional motor vehicles under contract with Veyo to provide non-emergency medical transportation from a headquarters in East Windsor.
2. Mark Davis appeared on behalf of Veyo in support of the application.
3. Veyo needs additional bariatric wheelchair accessible vans in the Bristol and Waterbury area.

4. The applicant has \$17,975 in a bank account.
5. The first six months of the applicant's expenses includes vehicle costs of \$10,000, insurance of \$3,636, maintenance of \$600 and property tax of \$242.
6. Mr. Wilkins and will hire additional drivers and his wife, Deviji, may also drive.
7. The applicant plans to operate a 2013 Ford E150 Super Duty Cargo van which has been purchased. The other vehicle to be utilized is a 2010 Ford E150 Super Duty Cargo van.
8. 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 vehicle costs of \$10,000, insurance of \$3,636, maintenance of \$600 and property tax of \$242 for a total expense of \$14,478. The applicant has \$17,975 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 both James and Deviji Wilkins, the two members, which showed no record. The applicants have been operating in livery service successfully for several months. 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 Mark Davis from Veyo who testified in support of the application. Veyo has a need for two (2) additional bariatric wheelchair vans in Bristol and Waterbury. These types of vans are

highest need for Veyo. 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 Gentle Care Transport, LLC is hereby granted. Livery Permit Number 3658 standing in the name of Gentle Care Transport, LLC is hereby approved and is reissued as follows:

LIVERY PERMIT NO. 3658

DURATIONAL LIVERY SERVICE UNDER CONTRACT WITH VEYO DOCKET NO. 1905-AV-65-L-GRANTED ON OCTOBER 25, 2019

Gentle Care 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 East Windsor.

RESTRICTIONS:

The two (2) vehicles granted in this decision must be registered within one hundred twenty (120) days from the date of this decision. Failure to register both vehicles within the time permitted will result in revocation of the authority for any vehicle not registered. The applicant must notify the hearing officer when the second vehicle is registered.

The authority for the two (2) vehicles granted in Docket No. 1905-AV-65-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.

**DURATIONAL LIVERY SERVICE
UNDER CONTRACT WITH VEYO
DOCKET NO. 1812-NGOV-156-L-GRANTED ON MARCH 29, 2019**

Gentle Care 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 East Windsor.

RESTRICTIONS:

The two (2) vehicles granted in that decision must be registered within ninety (90) days from the date of that 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-156-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.

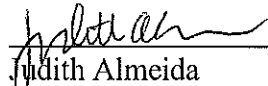
The permit holder shall notify the department of any termination of its contract with Veyo or the cessation of the active provision of service thereunder. The permit holder shall file with the department on an annual basis, upon registration or re-registration of the motor vehicles authorized in this 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 October 25, 2019.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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