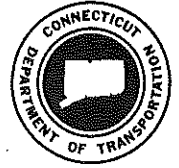


STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NUMBER 1908-C-98-TNC

RE: IN THE MATTER OF THE CITATION OF WMC EXPRESS  
CORPORATION

DECISION

DECEMBER 11, 2019

## I. INTRODUCTION

### A. General

By citation dated September 20, 2019, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-117(a)(4) as amended, WMC Express Corporation (hereinafter "respondent"), holder of Registration Permit TNC6, was ordered to come before the department to answer the allegations made therein.

The records of the Department of Transportation (hereinafter "department") indicate that WMC Express Corporation is the holder of Registration Permit No. TNC6. The records of the department further indicate violations of the Connecticut General Statutes. The three (3) allegations of violation are:

1. Connecticut General Statute Section 13b-117(a)(4), as amended, which states that each TNC Registration Permit shall be renewed annually.
2. Connecticut General Statutes Section 13b-117(c), as amended, which states that any transportation network company (hereinafter "TNC") that operates in this State without a valid registration or when such registration has been suspended shall be fined not more than \$50,000.
3. Connecticut General Statutes Section 13b-117(a)(4), as amended, which states the registrant shall file amendments to the registration reporting to the commissioner any material changes in any information contained in the registration not later than thirty (30) calendar days after the registrant knew or reasonably should have known of the change.

Pursuant to said citation notice, the respondent was directed to appear at the Newington office of the Department of Transportation to show cause why it is not in violation of the above sections of Connecticut General Statutes.

### B. Hearing Held

Pursuant to Section 13b-117 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on December 5, 2019. 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-117, as amended.

The hearing on this matter was conducted by a hearing officer designated by the Commissioner of Transportation pursuant to Section 13b-117 of the Connecticut General Statutes.

### C. Appearances

After receiving notice of the hearing, by certified mail to its mailing address, the respondent, WMC Express Corporation, failed to appear in this matter. The respondent's mailing address is 157 Church Street, 19<sup>th</sup> floor, New Haven, CT 06510.

Felipe Briseno, Staff Attorney 3 with the Regulatory and Compliance Unit, attended the hearing.

Valerie Seery, License and Application Analyst, with the Regulatory and Compliance Unit presented evidence in this matter.

## II. FINDINGS OF FACT

1. The respondent is the holder of Registration Permit TNC6 in the name of WMC Express Corporation, which has been operating as a TNC since February 27, 2018.

2. On October 11, 2018, Valerie Seery emailed all registered TNC companies reminding them that their registration was due by December 31, 2018.

3. On December 31, 2018, WMC Express Corporation's TNC Registration Permit expired. The respondent has not renewed its permit to date.

4. On January 7, 2019, Valerie Seery sent a cease and desist email to the all TNC companies who had failed to register their permit by December 31, 2018.

5. On January 7, 2019, Jonita Vaughn, principal of the respondent, contacted Ms. Seery to say she was going to drop off the renewal form the next week. The renewal was never received.

6. In March 2019, Veyo sent a list of current providers to the Regulatory & Compliance Unit. The respondent was on that list as an active provider.

7. On July 19, 2019, Ms. Seery emailed Nick Sejeran of Veyo to inquire whether the respondent was still working with Veyo. On July 19, 2019, Nick Sejeran confirmed the respondent was still working with Veyo.

8. On July 19, 2019, Elhassan Aitelqadi sent a certified warning letter to the respondent, which came back undeliverable.

9. On July 26, 2019, Ms. Vaughn contacted Carlos Redick, an inspector with the Regulatory & Compliance Unit, to ask questions regarding registering the TNC. On July 29, 2019, Mr. Redick forwarded that email to Ms. Seery.

10. On July 29, 2019, Ms. Seery sent an email to Ms. Vaughn directing her to refer all registration questions to her.

11. On July 31, 2019, Ms. Seery emailed Ms. Vaughn telling her the certified warning letter sent July 19, 2019, had come back undelivered and she had given Ms. Vaughn an extension until August 9, 2019 to submit the renewal.

12. On August 26, 2019, Mr. Sejeran provided a list of Veyo trips, which showed that WMC Express Corporation had been operating as a TNC in the state without a valid TNC registration from January 1, 2019 to July 19, 2019.

13. On September 19, 2019, the Regulatory & Compliance Unit referred the citation matter to the Administrative Law Unit.

### III. DEPARTMENT ANALYSIS

The Department of Transportation has jurisdiction over the registration of TNC in the State of Connecticut accordance with Connecticut General Statutes Section 13b-117, as amended.

Pursuant to Connecticut General Statutes Section 13b-117(b), the department may suspend, revoke or refuse to renew a registration issued pursuant to this subsection if the commissioner determines the transportation network company intentionally: (1) Misled, deceived or defrauded the public or the commissioner; (2) engaged in any untruthful or misleading advertising; (3) engaged in unfair or deceptive business practices; or (4) violated any provisions of this section and sections 13b-118 to 13b-120, inclusive, or any regulations adopted pursuant to subsection (j) of section 13b-118.

Section 13b-117 (c) allows the imposition of a fine not more than \$50,000 if a TNC operates in Connecticut without a valid registration or operates when such registration has been suspended.

This has been a long drawn out matter for the better part of a year. What is clear from the evidence is that the respondent lost its ability to operate as a TNC when it failed to renew its permit back on December 31, 2018. The department contacted the respondent in numerous ways and at numerous times to cajole the respondent into registering its TNC, which the respondent failed to do on each and every occasion. During that time, the respondent

was violating Connecticut General Statute Section 13b-117 by continuing to operate without a registration at least until July 19, 2019, as confirmed by the Veyo trip list.

Based on the evidence presented the respondent is in violation of Connecticut General Statutes Section 13b-117. Section 13b-117 (c) allows the imposition of a fine not more than \$50,000 if a TNC operates in Connecticut without a valid registration or operates when such registration has been suspended.

IV. ORDER

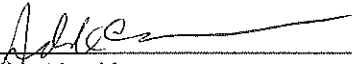
Based on the above, the respondent shall pay to the department a \$50,000 fine by certified check, bank check or money order made payable to the "Treasurer, State of Connecticut on or before February 3, 2020.

Failure to pay the fine within the allotted time will result in the respondent not being able to renew its TNC registration in the future or its principal, Jonita Vaughn, from registering any TNC in either the respondents name or in another name in the future without first paying the imposed civil penalty.

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

Dated at Newington, Connecticut on December 11, 2019.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

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