

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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Phone:

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DOCKET NUMBER 2002-N-23-L

RE: APPLICATION OF SOVEREIGN HOME HEALTHCARE, LLC TO OPERATE TWO (2) MOTOR VEHICLES, HAVING A SEATING CAPACITY OF LESS THAN ELEVEN (11) PASSENGERS, IN GENERAL LIVERY SERVICE BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN EAST HARTFORD.

DECISION

SEPTEMBER 29, 2020

I. INTRODUCTION

A. General

By application filed on February 26, 2020, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Sovereign Home Health Care, LLC (hereinafter "applicant") with a mailing address of 1096 Silver Lane, East Hartford, Connecticut 06118, seeks authorization to operate two (2) motor vehicles, having a seating capacity of less than eleven (11) passengers, in general livery service between all points in Connecticut from a headquarters in the town of East Hartford.

B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on August 27, 2020.

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

Felix and Georgina Effa appeared pro se on behalf of the applicant. The applicant's mailing address is 1096 Silver Lane, East Hartford, Connecticut 06118.

Gary Zaluki, a Zoning Officer from the town of East Hartford, appeared as a witness in this matter. Mr. Zaluki's mailing address is 740 East Main Street, East Hartford, Connecticut 06108.

D. Amended Application

The applicant amended the application on the record to reduce the number of vehicles requested from two (2) to one (1) vehicle.

II. FINDING OF FACTS

1. The applicant seeks to operate one (1) motor vehicle in intrastate livery service from a headquarters in East Hartford.

2. The town of East Hartford is requesting that the applicant not park its commercial vehicle at the 1096 Silver Lane address because it is in a residential zone. The town will allow a home office at the residence as long as it is not more than twenty-five percent of the home, there is no signage at the home and employees and customers do not go to the home.

3. The applicant will park the livery vehicle at its commercial property located at 1227 Burnside Avenue in East Hartford.
4. The applicant's assets include cash of \$176,032.
5. The applicant's first six month of costs includes insurance of \$3,666, vehicle maintenance of \$2,500, vehicle down payment and document fee of \$2,498, vehicle financing costs of \$6,594, property tax of \$639 and advertising costs of \$7,000.
6. The applicant will operate a 2015 Ford E350 which will be financed.
7. The applicant will hire licensed drivers to operate the vehicle.
8. The applicant currently operates a home healthcare agency. Some of the clients for the livery business will be current home health customers who request livery trips to doctors' offices or shopping. Some of the applicant's clients will be from the general public.
9. Mr. Effa and his wife will be managing the business together.
10. No opposition was presented to a grant of 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 of the following: insurance costs of \$3,666, vehicle maintenance costs of \$2,500, vehicle down payment and document fees of \$2,498, vehicle financing of \$6,594, property tax of \$639 and advertising costs of \$7,000 for a total expense of \$22,897. The applicant's assets include cash of \$176,032. Based on the evidence presented, the applicant has proven its financial suitability to operate the requested vehicles.

With regard to suitability, the applicant provided a criminal record check for Felix and

Georgina Effa which shows no criminal record. The applicants will be operating only one (1) vehicle in livery service primarily to serve their home health clients. The applicant members have the business experience to operate the livery service. Based on the evidence presented, the applicant is suitable to be granted livery authority.

The applicant is also required to prove that public convenience and necessity would be improved by a grant of this application. The applicants have a built-in customer base to start their livery service. The clients that they work with need transportation. They will also be servicing the general public in livery service.

Based upon the above and pursuant to Connecticut General Statutes Section 13b-103, as amended, the application of Sovereign Home Health Care, LLC is hereby granted, and Livery Permit Number 3698 is hereby issued as follows:

LIVERY PERMIT NO. 3698
FOR THE OPERATION OF LIVERY SERVICE

Sovereign Home Healthcare, LLC is hereby permitted and authorized to operate one (1) motor vehicle, having a seating capacity of less than eleven (11) passengers, in general livery service from a headquarters in East Hartford.

RESTRICTIONS:

The applicant must register the one (1) vehicle granted under this decision within ninety (90) 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 vehicle operated under this permit.

Dated at Newington, Connecticut on this 29th day of September.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Judith Almeida
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Administrative Law Unit
Bureau of Finance and Administration