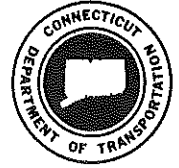




STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 2103-N-16-L

RE: APPLICATION OF EXPRESS PARKING, LLC TO OPERATE THREE
(3) GENERAL LIVERY VEHICLES, WITH A SEATING CAPACITY OF
LESS THAN ELEVEN PASSENGERS, FROM A HEADQUARTERS IN
NEW HAVEN.

DECISION

August 5, 2021

I. INTRODUCTION

A. APPLICATION

By application filed on March 16, 2021, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Express Parking, LLC (hereinafter "applicant") with a mailing address of 96 Orange Street, New Haven, Connecticut 06510 seeks authorization to operate three (3) motor vehicles, having a seating capacity of less than eleven (11) passengers, in general livery service from a headquarters in New Haven.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing by telephone was held on this application on July 29, 2021.

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

Nebyat Shewaye appeared on behalf of the applicant. The applicant was represented by Attorney Leonard Reizfield with a mailing address of 10 Marietta Street, Hamden, Connecticut 06514.

Gamal Kuwa of CT Transportation Services, LLC petitioned for and was granted intervenor status in this matter. CT Transportation Services, LLC was represented by Attorney Mike Stone with a mailing address of 129 Church Street, Suite 806, New Haven, CT 06510.

II. FINDINGS OF FACT

1. The applicant seeks to operate three (3) motor vehicles in general livery service from a headquarters in New Haven.
2. The applicant will operate a 2019 Volkswagen, 2015 Toyota Camry and a 2019 Toyota Sienna in the livery business.

3. The applicant's first six months of expenses includes insurance costs of \$12,361, maintenance costs of \$4,500, communication costs of \$1,800, advertising costs of \$3,000, property tax of \$1,009 and vehicle financing of \$4,606.

4. The applicant has \$89,043 in a business bank account.

5. Mr. Shewaye has a degree in Business Management. He currently operates a valet parking service for clinics, offices and restaurants in New Haven.

6. The applicant has four (4) current employees who will drive in the livery service.

7. While the applicant was performing valet parking services, customers have asked about retaining livery services.

8. CT Transportation Services, LLC operates four (4) general livery vehicles from a headquarters in New Haven.

9. The applicant has also been in contact with Veyo to contract their livery service.

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.

Regarding the applicant's suitability, the applicant submitted a criminal record check for Nebyat Shewaye which disclosed no criminal record. Mr. Shewaye has a business degree and is an experienced businessman operating his valet parking service since 2004. Based on the evidence presented, the applicant is suitable to conduct the proposed intrastate livery business.

As far as the applicant's financial ability is concerned, the applicant presented evidence

that the first six months of expenses includes insurance costs of \$12,361, maintenance costs of \$4,500, communication costs of \$1,800, advertising costs of \$3,000, property tax of \$1,009 and vehicle financing of \$4,606 for a total expense of \$27,276. The applicant has \$89,043 in a bank account to cover these startup expenses and is therefore financially suitable.

On the issue of public convenience and necessity, the applicant has been approached by patients at dialysis clinics at which he operates his valet parking services to provide livery service. The intervenors testimony in opposition to the application was not compelling. Public convenience and necessity is not changed by the fact that the intervenors livery service may be down due to the pandemic. The clinic customers the applicant will transport will still require transportation for their medical needs regardless of the state of the pandemic. Based on the evidence presented, the applicant will receive authorization for intrastate livery transportation.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application in the name of Express Parking, LLC is hereby granted, and Livery Permit Number 3715 is hereby issued as follows:

LIVERY PERMIT NUMBER 3715

Express Parking, LLC is authorized to operate three (3) motor vehicles in general livery service, with a seating capacity of less than eleven passengers, from a headquarters in New Haven.

RESTRICTIONS:

The applicant must register and insure the three (3) general livery vehicles granted in this decision within ninety (90) days. Failure to do so may result in revocation of this authority.

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.

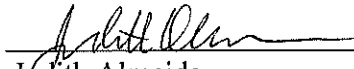
This permit shall remain in effect until it is amended, suspended or revoked by the department. Failure of the permit holder to maintain proper insurance and/or comply with all pertinent motor vehicle laws and other state statutes and/or rules, regulations and orders of the department shall be considered 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 the 5th day of August 2021.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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