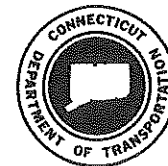


STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 2103-N-20-L

RE: APPLICATION OF KIDS' WHEELS, LLC TO OPERATE THREE (3)
GENERAL LIVERY VEHICLES, WITH A SEATING CAPACITY OF
ELEVEN PASSENGERS OR LESS, FROM A HEADQUARTERS IN
BRISTOL.

DECISION

JUNE 10, 2021

I. INTRODUCTION

A. APPLICATION

By application filed on March 30, 2020, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Kids' Wheels, LLC (hereinafter "applicant") with a mailing address of 165 Terryville Road, Bristol, Connecticut 06010 seeks authorization to operate three (3) motor vehicles, having a seating capacity of eleven (11) passengers or less, in general livery service from a headquarters in Bristol.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing by telephone was held on this application on June 8, 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

Diane Cassidy appeared pro se on behalf of the applicant. The applicant's mailing address is 165 Terryville Road, Bristol, Connecticut 06010.

II. FINDINGS OF FACT

1. The applicant seeks to operate three (3) motor vehicles in general livery service from a headquarters in Bristol.
2. The applicant will operate a 2007 Kia van, a 2018 Nissan sedan and a 20115 Kia Sedan in the livery business. All three (3) of the vehicles are owned outright.
3. The applicant's first six months of expenses includes insurance costs of \$8,250, maintenance costs of \$3,600, loan payment to prior livery company owner of \$22,500, property tax of \$218 and GPS costs of \$252.

4. The applicant has \$80,494 in a business bank account.
5. The livery service will operate out of the applicant's Bristol office for no charge.
6. The applicant currently performs special education transportation.
7. The applicant anticipates driving kids to various appointments for the Department of Children and Families (hereinafter "DCF") and to perform livery trips for the general public.
8. The applicant has a sufficient number of drivers to staff the three (3) livery vehicles.
9. This application was 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.

Regarding the applicant's suitability, the applicant submitted a criminal record check for Diane Cassidy, which disclosed no criminal record. Ms. Cassidy has been in the special education transportation business for the past 27 years. 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: includes insurance costs of \$8,250, maintenance costs of \$3,600, a loan payment to prior owner of \$22,500, property tax of \$218 and GPS costs of \$252 for a total expense of \$34,820. The applicant has \$80,494 in a business bank account which is sufficient to cover these expenses.

On the issue of public convenience and necessity, the applicant has long been in the transportation business with school boards and DCF. The expansion to livery services will be a

natural progression for the applicant who wants to do more DCF work and general livery trips. 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 Kids' Wheels, LLC is hereby granted, and Livery Permit Number 3709 is hereby issued as follows:

LIVERY PERMIT NUMBER 3709

Kids' Wheels, LLC is authorized to operate three (3) motor vehicles in general livery service, with a seating capacity of eleven passengers or less, from a headquarters in Bristol.

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 10th day of June 2021.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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