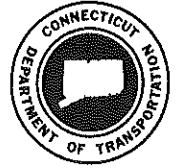




STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 2106-NGOV-50-L

RE: APPLICATION OF B LINE TRANSPORTATION LLC TO OPERATE FOUR (4) MOTOR VEHICLES BY VIRTUE OF A CONTRACT WITH OR A LOWER TIER CONTRACT FOR ANY FEDERAL, STATE OR MUNICIPAL AGENCY HAVING A SEATING CAPACITY OF LESS THAN ELEVEN PASSENGERS FROM A HEADQUARTERS IN PLAINVILLE.

DECISION

AUGUST 12, 2021

I. INTRODUCTION

A. APPLICATION

By application filed on June 15, 2021, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, B Line Transportation LLC (hereinafter "applicant") with a mailing address of 13 Phelan Street, Plainville, Connecticut 06062 seeks authorization to operate four (4) motor vehicles, having a seating capacity of less than eleven (11) passengers, in livery service under contract from a headquarters in Plainville.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing by telephone was held on this application on August 10, 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

Stephen Biggar appeared pro se on behalf of the applicant. The applicant's mailing address is 13 Phelan Street, Plainville, Connecticut 06062.

Douglas Howard, from Department of Children and Families ("hereinafter DCF"), was in attendance to support the application.

II. FINDINGS OF FACT

1. The applicant seeks to operate four (4) motor vehicles in governmental livery service from a headquarters in Plainville.

2. The applicant will operate a 2018 Kia Sportage, two 2019 Dodge Caravans and a 2018 Dodge Caravan.

3. The applicant's first six months of expenses includes insurance of \$5,847, vehicle financing of \$8,436, maintenance of \$1,800, communication of \$1,500 and property tax of \$750.

4. The applicant has \$40,216 in a business bank account.
5. The applicant will comply with all of the requirements set forth by the Town of Plainville to operate a home office from his residence.
6. Mr. Biggar is the manager of a power plant in Wallingford. He has also been operating a student transportation service. He wishes to perform livery transportation for DCF.
7. The applicant envisions performing transportation to supervised visitation, therapy appointments and summer programs.
8. Mr. Howard fully supports the livery application. DCF needs additional transportation vendors.
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 Stephen Biggar, which disclosed no criminal record. Mr. Biggar is already transporting students and this expansion into livery service would be a natural progression for his business. Based on the evidence presented, the applicant is suitable to conduct this 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 of \$5,847, vehicle financing of \$8,436, maintenance of \$1,800, communication of \$1,500 and property tax of \$750 for a total expense of \$18,333. The applicant has \$40,216 in a bank account to cover these startup expenses and is therefore financially suitable.

On the issue of public convenience and necessity, the applicant presented the testimony of Douglas Howard from DCF. DCF wants to broaden its provider network due to the fact that there have been negative covid impacts and that operators may need to cover far away locations. Based on the evidence presented, the applicant will receive authorization for governmental 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 B Line Transportation LLC is hereby granted, and Livery Permit Number 3718 is hereby issued as follows:

LIVERY PERMIT NUMBER 3718

DURATIONAL LIVERY SERVICE UNDER CONTRACT WITH THE DEPARTMENT OF CHILDREN AND FAMILIES (“DCF”) DOCKET NO. 2106-NGOV-50-L-GRANTED ON AUGUST 12, 2021

B Line Transportation LLC is authorized to operate four (4) 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 DCF from a headquarters in Plainville.

RESTRICTIONS:

The four (4) vehicles granted in this decision must be registered within ninety (90) days from the date of this decision. A copy of an executed contract with DCF must be submitted to the department within ninety (90) days of the date of this decision. Failure to do so will result in revocation of this authority.

The authority for the four (4) vehicles granted in Docket No. 2106-NGOV-50-L shall be durational in nature and shall exist only for the time period that the permit holder has a current and continuing contract in effect for the provision of service with DCF.

The permit holder shall notify the department of any termination of its contract with DCF 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.

Docket No. 2106-NGOV-50-L

B Line Transportation LLC

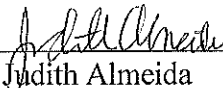
Page 4 of 6

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 the 12th day of August 2021.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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