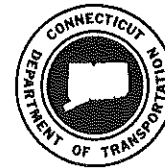


STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

DOCKET NUMBER 2106-C-47-L

RE: IN THE MATTER OF THE CITATION OF ADVANCE
LIVERY, LLC

DECISION

AUGUST 24, 2021

I. INTRODUCTION

A. General

By citation notice dated July 19, 2021, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103 and 4-182 as amended, Advance Livery, LLC (hereinafter "respondent"), holder of intrastate Livery Permit Number 3672, was ordered to come before the department to answer the allegations made therein.

Pursuant to said citation, the respondent was directed to appear by telephone to show cause why Livery Permit Number 3672, issued for intrastate livery service should not be suspended or revoked or a civil penalty imposed for violation of its permit pursuant to Connecticut General Statutes Section 13b-103, et seq.

More specifically on June 7, 2021, Teresa Angeski, the wife of the respondent member emailed the Department a Connecticut Emissions Test for a 2016 Dodge Caravan. Upon review of that document, the Department noticed that marker plate L00788L was used for that test. When that plate was cross-checked with CIVLS (DMV registration system), it was found that the plate is currently registered to a 2014 Toyota Sienna which is also currently owned by Advance Livery, LLC, bringing to the attention of the Department that Advance Livery, LLC could allegedly be in violation of Connecticut General Statutes Sections 13b-103, 14-147(c) and Regulations of Connecticut State Agencies Sections 16-325-8, 16-325-9 and 16-325-17.

B. Hearings Held

Pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, a public telephone hearing for this citation was held on August 19, 2021.

The hearing on this matter was conducted by a hearing officer designated by the Commissioner of Transportation pursuant to Section 13b-17 of the Connecticut General Statutes.

C. Appearances

Hakam Abdalla appeared on behalf of the respondent in this matter. The respondent was represented by Attorney Michael Stone with a mailing address of 129 Church Street, Suite 806, Post Office Box 1112, New Haven, Connecticut 06505.

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

Felipe Briseno, Staff Attorney 3 and supervisor with the Regulatory and Compliance Unit, presented evidence at the hearing.

Linda Sidote, License and Application Analyst, with the Regulatory and Compliance Unit was present at the hearing.

II. FINDINGS OF FACT

1. The respondent is the holder of Livery Permit Number 3672 in the name of Advance Livery, LLC operating five vehicles in general livery service from a headquarters in Ansonia.

2. Teresa Angeski is the wife of the respondent member who has a Power of Attorney for the respondent company and is the office manager.

3. On June 7, 2021, Teresa Angeski, emailed the department a Connecticut Emissions test for a 2016 Dodge Caravan with a license plate of L00788L.

4. License plate L00788L is registered to a 2014 Toyota Sienna also owned by the respondent.
5. Mr. Abdalla admits that the company did have the incorrect license plate on the 2016 Dodge but blames a new driver for putting the incorrect license plate on the van.
6. The employee in question has not been working at the respondent company pending the outcome of this citation matter.
7. Mr. Briseno recommended the respondent receiving a civil penalty of \$200 and a twenty-four-month prohibition on applying for additional vehicles.

III. DEPARTMENT ANALYSIS

The Department of Transportation has jurisdiction over the registration of motor vehicles in intrastate livery service in the State of Connecticut accordance with Connecticut General Statutes Section 13b-102, as amended.

Pursuant to Connecticut General Statutes Section 13b-103, the department may amend or for sufficient cause suspend or revoke any such permit. Further, the department may impose a civil penalty on any person who violates any provision of the governing chapter or any regulation adopted under Section 13b-103, as amended, with respect to fares, service, operation or equipment, in an amount not to exceed one thousand (\$1,000) dollars per day for each violation.

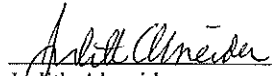
After reviewing the evidence, it is clear that the respondent company illegally used the license plate from the 2014 Toyota Sienna to take the 2016 Dodge Caravan through the emissions process. Mr. Abdalla admits that this was done but claims that a new driver changed the license plate. As the certificate holder, the respondent is responsible for making sure that the company is in full compliance with Connecticut General Statutes Section and Regulations of Connecticut State Agencies. It does not matter who made the mistake.

IV. ORDER

Based on the above, the respondent, Advance Livery, LLC will be assessed a civil penalty of \$200 to be paid to the "Treasurer, State of Connecticut" within thirty (30) days from the date of this decision.

In addition, the respondent, Advance Livery, LLC will not be allowed to utilize the application process for twenty-four months from the date of this decision to obtain any additional livery authority.

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



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