



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 2107-AV-56-L

RE: APPLICATION OF ABSOLUTE TRANSPORTATION LLC TO
OPERATE FOUR (4) ADDITIONAL GENERAL LIVERY VEHICLES,
WITH A SEATING CAPACITY OF LESS THAN ELEVEN
PASSENGERS, FROM A HEADQUARTERS IN REDDING

DECISION

SEPTEMBER 30, 2021

I. INTRODUCTION

A. APPLICATION

By application filed on July 8, 2021, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Absolute Transportation LLC (hereinafter "applicant") with a mailing address of 70 Dayton Road, Redding, Connecticut 06896 seeks authorization to operate four (4) additional motor vehicles, having a seating capacity of less than eleven (11) passengers, in general livery service from a headquarters in Redding. The applicant currently operates ten (10) motor vehicles in general livery service from a headquarters in Redding.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing by telephone was held on this application on September 23, 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

Manmohan Komal appeared pro se on behalf of the applicant. The applicant's mailing address is 70 Dayton Road, Redding, Connecticut 06896.

II. FINDINGS OF FACT

1. The applicant seeks to operate four (4) additional motor vehicles in general livery service from a headquarters in Redding. The applicant is currently operating ten (10) general livery vehicles from a headquarters in Redding.

2. The applicant will operate two 2019 MKT Lincolns, a 2019 MKT Stretch Lincoln and a 2021 Ford Expedition in the livery business. Three of these vehicles are financed.

3. The applicant's first six months of expenses includes insurance costs of \$18,000, maintenance costs of \$6,000, communication costs of \$1,500, advertising costs of \$3,000, property tax of \$2,585, office rent of \$9,000 and vehicle financing of \$24,651.

4. The applicant has \$132,682 in a business bank account.
5. Mr. Komal has been in the livery business for the past three (3) years.
6. The applicant performs general livery work and work for transportation broker Veyo.
7. The applicant currently uses between six (6) to eight (8) vehicles a day just to perform Veyo work.
8. The Veyo work the applicant performs is all over the State of Connecticut.
9. The applicant is turning down livery work due to a lack of authorization.
10. The applicant operates several specialized vehicles like stretch limousines which cannot be used on every livery occasion thereby causing a need for more livery authorization.
11. The applicant will advertise on social media, in local magazines and newspapers and through flyers.
12. The applicant has some drivers lined up for the additional vehicles but will also be hiring drivers.
13. 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 Manmohan Komal which disclosed no criminal record. Mr. Komal has been operating a livery business successfully for the past three years. Based on the evidence presented, the applicant is suitable to conduct the proposed intrastate livery business.

To determine the applicant's financial ability, the applicant presented evidence that the first six months of expenses includes: insurance costs of \$18,000, maintenance costs of \$6,000, communication costs of \$1,500, advertising costs of \$3,000, property tax of \$2,585, office rent of \$9,000 and vehicle financing of \$24,651 for a total expense of \$64,736. The applicant has \$132,682 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 a plan to market the company by various means and will continue to perform work for Veyo. The applicant has been operating for several years and has built up clientele. The Veyo work is taking a large portion of the applicant's fleet and since the trips are throughout the state, the applicant is quite busy. Another factor is the specialized vehicles the applicant is using which cannot be used in every situation such as stretch limos. The applicant is also turning down livery work. Based on the evidence presented, the applicant will receive additional authorization for intrastate livery transportation for four (4) vehicles.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application in the name of Absolute Transportation LLC is hereby granted, and Livery Permit Number 3117 is hereby reissued as follows:

LIVERY PERMIT NUMBER 3117

Absolute Transportation LLC is authorized to operate fourteen (14) motor vehicles in general livery service, with a seating capacity of less than eleven passengers, from a headquarters in Redding.

Absolute Transportation LLC is also permitted and authorized to operate motor vehicles as a common carrier of passengers, in charter and special operations, in interstate commerce under such authorization as issued or amended by the Federal Motor Carrier Safety Administration in the issuance of certificate number MC-580841.

RESTRICTIONS:

The applicant must register and insure the four (4) additional 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 30th day of September 2021.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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