



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

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DOCKET NO. 2107-N-62-L

RE: APPLICATION OF AUTUMN TRANSPORTATION INC. TO OPERATE
THREE (3) GENERAL LIVERY VEHICLES, WITH A SEATING
CAPACITY OF LESS THAN ELEVEN PASSENGERS, FROM A
HEADQUARTERS IN ROCKY HILL.

DECISION

NOVEMBER 4, 2021

I. INTRODUCTION

A. APPLICATION

By application filed on July 29, 2021, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Autumn Transportation Inc. (hereinafter "applicant") with a mailing address of 5 Glastonbury Avenue, Rocky Hill, Connecticut 06131 seeks authorization to operate three (3) motor vehicles, having a seating capacity of less than eleven (11) adults, in general livery service from a headquarters in Rocky Hill.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on October 21, 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

Salvatore Morotta appeared pro se on behalf of the applicant. The applicant's address is 5 Glastonbury Avenue, Rocky Hill, Connecticut 06067.

Joseph Piscitelli, Regional Operations Manager, appeared on behalf of the applicant as a witness.

II. FINDINGS OF FACT

1. The applicant seeks to operate three (3) motor vehicles in general livery service from a headquarters in Rocky Hill.

2. The applicant will operate two 2021 Chevy Suburban and a 2020 BMW sedan. Two of the vehicles are fully paid. One of the 2021 Chevys is being financed.

3. The applicant's first six months of expenses includes rent of \$3,000, vehicle financing of \$6,834, insurance costs of \$9,000, maintenance costs of \$2,700, communication costs

of \$450, advertising costs of \$180 and property tax of \$2,066.

4. The applicant has \$486,752 in a business bank account.
5. The applicant started in 2006 as a school transportation provider.
6. The applicant wishes to expand into local livery transportation with smaller vehicles than the buses it is currently operating in livery service.
7. The applicant has drivers on hand to operate the livery vehicles.
8. The applicant is currently rejecting one or two livery trips each week.
9. Officers Mr. Marotta and Rosario Fazzino have a clean criminal history.
10. This application is not opposed by any livery operator.

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 Salvatore Marotta and Rosario Fazzino which disclosed no criminal records. The applicant has been successfully operating in student transport since 2006. Based on the evidence presented, the applicant is suitable to conduct the proposed livery business.

As far as the applicant's financial ability is concerned, the applicant presented evidence that the first six months of expenses includes rent of \$3,000, vehicle financing of \$6,834, insurance costs of \$9,000, maintenance costs of \$2,700, communication costs of \$450, advertising costs of \$180 and property tax of \$2,066 for a total expense of \$24,230. The applicant has \$486,752 in a

business bank account which is more than sufficient to cover these start-up costs.

On the issue of public convenience and necessity, the applicant provided two letters of support from current customers. The applicant is currently in the livery business but utilizing larger bus vehicles and wants to expand into using smaller vehicles to perform local livery trips. At the current time, the applicant is refusing several livery trips each week.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application in the name of Autumn Transportation Inc is hereby granted, and Livery Permit Number 3724 is hereby issued as follows:

LIVERY PERMIT NUMBER 3724

Autumn Transportation Inc. 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 Rocky Hill.

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.

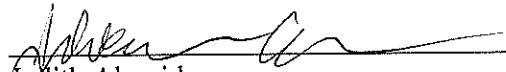
This permit shall remain in effect until it is amended, suspended or revoked by the department. Failure of the permit holder to maintain proper insurance and/or comply with all pertinent motor vehicle laws and other state statutes and/or rules, regulations and orders of the department shall be considered 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 4th day of November 2021.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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