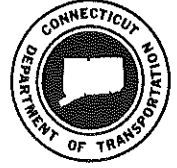


STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 2107-AV-59-L

RE: APPLICATION OF TYPHOON ENTERPRISES, LLC TO OPERATE
TWO (2) ADDITIONAL GENERAL LIVERY VEHICLES, WITH A
SEATING CAPACITY OF LESS THAN ELEVEN PASSENGERS,
FROM A HEADQUARTERS IN STAMFORD.

DECISION

September 16, 2021

I. INTRODUCTION

A. APPLICATION

By application filed on July 26, 2021, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Typhoon Enterprises, LLC (hereinafter "applicant") with a mailing address of 45 West North Street, Stamford, Connecticut 06904 seeks authorization to operate two (2) additional motor vehicles, having a seating capacity of less than eleven (11) passengers, in general livery service from a headquarters in Stamford.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing by telephone was held on this application on September 14, 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

Tyrone Daniels appeared pro se on behalf of the applicant. The applicant's mailing address is 45 West North Street, Stamford, Connecticut 06904.

Vito Bochicchio, President of Eveready Transportation, Inc, appeared as a witness in support of the application. The mailing address for Mr. Bochicchio is 130 Lenox Avenue, Unit 32, Stamford, Connecticut 06907.

II. FINDINGS OF FACT

1. The applicant seeks to operate two (2) additional motor vehicles in general livery service from a headquarters in Stamford. The applicant currently operates one (1) vehicle in intrastate livery service.
2. The applicant will operate a 2017 Kia Optima and a 2018 Kia Optima in the livery business.

3. The applicant's first six months of expenses includes insurance costs of \$5,716, maintenance costs of \$400, communication costs of \$720, advertising costs of \$300, property tax of \$267 and vehicle financing of \$3,482.

4. The applicant has \$30,312 in a business bank account.

5. Mr. Daniels has been a livery driver for close to thirty (30) years. He received his interstate authority in 2007 and has operated one (1) vehicle in intrastate livery since February 2021.

6. The applicant anticipates doing general livery work and additional livery work for transportation broker Veyo.

7. The applicant will be operating out of his home office. There are no zoning issues with operating a home office at his residence.

8. Vito Bochicchio, President of Eveready Transportation, Inc, supports the application as he and Mr. Daniels refer livery trips to each other.

9. The applicant will get customers by social media and by creating business cards and brochures in addition to referrals.

10. 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 Tyrone Daniels, which disclosed no criminal record. Mr. Daniels has been in transportation for

many years and currently operates in both interstate and intrastate livery service. Based on the evidence presented; the applicant is suitable to conduct the proposed additional 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 costs of \$5,716, maintenance costs of \$400, communication costs of \$720, advertising costs of \$300, property tax of \$267 and vehicle financing of \$3,482 for a total expense of \$10,885. The applicant has \$30,312 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 been working with Eveready Transportation, Inc and receiving livery referrals. Vito Bochicchio spoke highly of the applicant and his business dealings with the applicant's company. The applicant also performs trips for Veyo which it hopes that trip volume will increase with the addition of two more vehicles. Based on the evidence presented, the applicant will receive additional 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 Typhoon Enterprises, LLC is hereby granted, and Livery Permit Number 3139 is hereby reissued as follows:

LIVERY PERMIT NUMBER 3139

Typhoon Enterprises, LLC 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 Stamford.

Typhoon Enterprises, LLC is 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 No. MC-593940.

RESTRICTIONS:

The applicant must register and insure the two (2) 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 16th day of September 2021.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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