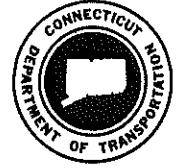




STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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

Phone:

REOPENING  
DOCKET NUMBER 2107-C-61-T

RE: IN THE MATTER OF THE CITATION OF HORIZON CAB  
CO., LLC

DECISION

JANUARY 25, 2023

## I. INTRODUCTION

### A. General

A hearing was held pursuant to a request from the Regulatory & Compliance Unit, of the Department of Transportation (hereinafter “department”), to reopen the citation of Horizon Cab Co., LLC (hereinafter “respondent”), holder of Taxicab Certificate Number 1169.

Pursuant to the citation reopening notice, the respondent was directed to appear by telephone to show cause why Taxicab Certificate Number 1169 should be reinstated pursuant to Connecticut General Statutes Section 13b-97, et seq.

More specifically on May 26, 2021, Ms. Kimberly Lorenti of Transportation General Inc. dba M7 completed the customer complaint form and emailed it to the Regulatory & Compliance Unit of the Department of Transportation stating that her company vehicle was damaged in an accident that occurred at 98 Union Street, New Haven and that the vehicle that hit their car was registered to Horizon Cab Co., LLC and operated by Joseph E. Destin. Ms. Lorenti provided the following documents with her complaint form: New Haven Police Report, Summons and Complaint and Order from Judicial District of Fairfield at Bridgeport. This complaint brought to the department’s attention that Horizon Cab Co., LLC could be in violation of Connecticut General Statutes Section 14-29 and Section 14-29 (b)(2).

After the respondent failed to appear at the citation hearing, his taxicab certificate was revoked in September of 2021. After learning of the revocation in the fall of 2022, the respondent contacted the department by email dated November 14, 2022, regarding the revocation of its certificate and as a result, this reopening was scheduled to address the issue.

### B. Hearing Held

Pursuant to Section 13b-97 of the Connecticut General Statutes, as amended, the telephone hearing for this citation was held on December 7, 2022, and January 11, 2023. Notice of the citation and the hearing to be held thereon was given to the respondent and to such other parties as required by Connecticut General Statutes Section 13b-97, as amended.

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

Waleed Hassan appeared pro se in this matter after being duly noticed by both certified mail and email. The respondent’s manager Raymond Gambrell also attended the first hearing date. The respondent’s reported his mailing address in the hearing to be 530 Campbell Avenue, Apt 1, West Haven, Connecticut 06516.

Christopher Russell, License and Application Analyst with the Regulatory and Compliance Unit, presented evidence at the hearing.

Mario Andrukiewicz, License and Application Analyst with the Regulatory and Compliance Unit, presented evidence at the hearing.

Felipe Briseno, Supervisor of the Regulatory and Compliance Unit, presented evidence at the hearing.

## II. FINDINGS OF FACT

1. The respondent was the holder of Taxicab Certificate Number 1169 in the name of Horizon Cab Co., LLC which had authority to operate four (4) vehicles in taxicab service in Hamden, West Haven, and New Haven.
2. On February 2, 2020, the respondent's taxicab driven by Joseph Destin hit a taxicab owned by Transportation General Inc dba M7 (hereinafter "Transportation General") at the New Haven Train Station.
3. On May 26, 2021, Ms. Lorenti from Transportation General filed a complaint about the accident with the Regulatory and Compliance Unit. The complaint stated that the respondent did not have insurance on the date of the accident.
4. The police report lists the date of the accident as February 2, 2020.
5. At the time of the incident on February 2, 2020, the respondent was insured.
6. Global Liberty, the respondent's insurance company, was declared insolvent by the court on October 12, 2021, thereby complicating the matter.
7. In 2020 the respondent ceased taxicab operation because his drivers did not want to drive, and the one (1) taxicab that was in operation was unable to be reregistered due to its age.
8. At the beginning of the pandemic, the department put into place a mechanism to inform operators as to how to properly stop service.
9. The respondent did not request a suspension of service from the department.
10. The respondent did not notify the department of its change of mailing address.
11. Mr. Hassan left the country at some point and did not reappear until April of 2022. During his absence, Mr. Hassan claims he gave Mr. Gambrell a Power of Attorney to operate the company. This Power of Attorney has not been presented to the department for review.
12. The respondent failed to appear at the original citation hearing held in September 2021 in which his taxicab certificate 1169 was revoked.
13. The respondent was unaware of the revocation of his certificate until he was notified by this hearing officer in the fall of 2022.

14. The department has issued civil penalties to other companies who have improperly ceased operations.

15. The respondent does not have any previous citation hearings.

16. The department proposed a settlement agreement which the respondent agreed that included various requirements and a \$1000 civil penalty.

### III. DEPARTMENT ANALYSIS

The Department of Transportation has jurisdiction over taxicabs in the State of Connecticut accordance with Connecticut General Statutes Section 13b-97, as amended.

Pursuant to Connecticut General Statutes Section 13b-97, the department may amend or for sufficient cause suspend or revoke any such certificate. 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-97, 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.

Based on the evidence presented, the respondent's taxicab damaged the taxicab operated by Transportation General. A review of the hearing evidence shows that the respondent had insurance at the time of the accident in February of 2020, contrary to what was alleged in the Lorenti complaint. However, the respondent failed to appear at the citation hearing held on September 2, 2021, because Mr. Hassan did not report a correct mailing address to the department and left the country for an extended period.

At the reopening hearing, Mr. Hassan admitted that he stopped taxicab operations without notifying the department and didn't give the department a proper mailing address which then caused him to fail to appear at the 2021 citation hearing. It was also admitted by the respondent and his manager that during the pandemic his drivers refused to drive and that the one (1) vehicle the respondent was operating was older than ten years and was unable to continue in taxicab service, so they ceased operation. Mr. Hassan left his taxicab business in limbo for over a year and was not aware that his certificate was revoked until this hearing officer told him of the revocation in another hearing. If the respondent had simply kept the department apprised of his correct mailing address, this entire matter could have been avoided.

The hearing officer asked the Regulatory & Compliance Unit to suggest conditions to reinstate the respondent's certificate including a civil penalty in line with the civil penalties given other operators with similar violations. The Regulatory & Compliance Unit proposed a civil penalty of \$1,000 to be paid in four installments on May 15, 2023, August 15, 2023, November 15, 2023, and February 15, 2023, as outlined in Department Exhibit 108 as well as several other conditions contained in Department Exhibit 107. (See attached exhibits 107 & 108)

Although Mr. Hassan is asking to have his original taxicab certificate reinstated to the four (4) vehicles it contained, it doesn't appear that Mr. Hassan will be able to register and insure all four (4) taxicabs and from his testimony at the citation hearing, Mr. Hassan appears to

have no realistic timeline in which he will be able to even do so. It is worth noting that before the respondent ceased operations, it was only operating one (1) taxicab out of the four (4) it had authority for.

Since the respondent ceased operations and changed his address without properly notifying the department, the respondent shall be assessed a civil penalty of \$1,000. The respondent must also comply with Department Exhibit 108 which hereby attached to this decision. In addition to the disposition proposed by The Regulatory & Compliance Unit, the hearing officer is also mandating that the respondent register and insure all four (4) vehicles of his original authorization by April 25, 2023, or forfeit rest of the authorization for the vehicles not registered and insured.

The \$1,000 civil penalty is being assessed as follows:

1. \$100 for violating Connecticut General Statutes Section 14-27(C) and Regulations of Connecticut State Agencies Section 13b-96-22 for not having any taxicabs registered or in service and failing to request a suspension of service.
2. \$100 for violating Regulation of Connecticut State Agencies Section 13b-96-12 for failing to update its mailing address.
3. \$100 for violating Connecticut General Statutes 13b-96-50 (C) for failing to appear at the original citation hearing.
4. \$100 for violating Connecticut General Statute Section 13b-96 for failing to file a Power of Attorney form with the department.
5. \$600 for violating Connecticut General Statute Section 13b-100.

In addition, the respondent will also be required to register and insure any vehicles to be reinstated under his certificate by April 25, 2023. Any authority of the four (4) vehicles originally granted to the respondent, which is not registered and insured by April 25, 2023, will be considered revoked.

The respondent will also need to comply with several recommendations outlined in Department Exhibit 107.

#### IV. ORDER

Based on the above, Taxicab Certificate 1169, standing in the name of Horizon Cab Co., LLC will be reinstated on condition that the respondent must pay a civil penalty of \$1,000 in four (4) \$250 installment payments by certified check, bank check or money order made payable to the Treasurer, State of Connecticut to the Regulatory & Compliance Unit due on May 15, 2023, November 15, 2023, August 15, 2023, and February 15, 2024.

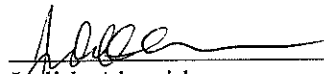
The respondent must also successfully complete the following requirements as outlined in Exhibit 107 and restated here:

1. When Mr. Hassan plans to leave the country, he must first inform the department as to his upcoming travel plans and the expected duration of his absence. He must also appoint a manager who has a signed Power of Attorney which is on file with the department.
2. Mr. Hassan must provide to the department verification of his business physical address, his business mailing address and personal mailing address by February 1, 2023. Mr. Hassan must keep the department apprised of any change in his personal address, his business location or his business mailing address. These addresses cannot change without the department first receiving and acknowledging the notification of the change from the company.
3. Mr. Hassan must provide proof that the company has \$1,500 in operating capital in a business bank account.
4. **The respondent must register and insure all four (4) vehicles to be reinstated in his certificate by April 25, 2023. If the respondent does not register and insure any of the four (4) vehicles originally authorized by April 25, 2023, those authorizations are considered revoked and no longer part of his operating authority. Mr. Hassan must also provide to the department an active Certificate of Insurance for each vehicle along with the insurance cards.**

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

Dated at Newington, Connecticut on this January 25, 2023.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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



**STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION  
BUREAU OF PUBLIC TRANSPORTATION  
OFFICE OF PROGRAM MANAGEMENT**



**Horizon Cab Company LLC – Certificate 1169  
Citation Docket Number: 2107-C-61-T**

**Compliance Arrangement for Reinstatement**

Based on our recent hearing, we have put together a corrective action plan that will outline the required steps for Horizon Cab Company LLC to come into compliance.

We would like to first acknowledge that Horizon Cab Company LLC was in fact insured during the time of the incident that ultimately led to the revocation of their certificate. This detail is important as it's the basis for today's reinstatement request.

When it comes to the other areas of concern, we'd like to first start with Mr. Hassan's international travel:

- This department is suggesting that anytime Mr. Hassan plans to leave the country, he must first disclose it to our department so we are aware of the duration of his absence. We are also requesting that he appoint a manager who has POA and is fully accessible during Mr. Hassan's absence; specific contact information and signed POA forms must be provided.
- We are requesting verification of the company's business address, the mailing address, and if different then we also need verification of the mailing address for Mr. Hassan himself. These addresses cannot change without this department first receiving and acknowledging the notification of change from the company.
- We are requesting a current statement from the company's business account showing at least \$1500 in operating capital.
- And we are requesting that Horizon Cab Company LLC also register their vehicles within 60 days of this hearing. This includes providing our department with an active Certificate of Insurance for each vehicle, along with the accompanying insurance cards.

Lastly, Chris will review the fine that we are recommending here today:

DEPARTMENT'S EXH.# 107  
DATE: \_\_\_\_\_ FULL I.D. MA

Regulatory and Compliance Unit  
2800 Berlin Turnpike, Unit 57941, P.O. Box 317546, Newington, CT 06131-7546  
Website: CT.GOV/DOT, Fax: 860-594-2859



**STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION  
BUREAU OF PUBLIC TRANSPORTATION  
OFFICE OF PROGRAM MANAGEMENT**



**Disposition Request**

This matter arises out of an accident that occurred on February 02, 2020. Our unit conducted a thorough review of all the facts, circumstances, and testimony from the original citation filing in 2021 to the citation hearing held on December 7, 2022. Our investigation did uncover evidence which has given the department cause to challenge the suitability of Mr. Hassan as a certificate holder. Mr. Hassan did fail to comply with some of the most basic statutes and regulations that pertain to holding a certificate with this department.

Our investigation also revealed findings that clearly demonstrate Mr. Hassan, through no fault of his own, was a victim of his insurance company becoming insolvent in March or April of 2020. The state of New York adjudicated Global Liberty of New York; liquidated as of October 13, 2021 (Please reference exhibit 106). Mr. Hassan had paid his insurance premium to Global Liberty of New York and did in fact have insurance for his vehicle on the accident date of February 2, 2020. Due to his insurer becoming insolvent, misinformation was provided to other party involved in the accident and this department which ultimately led to the filing of this citation. Under the rules of insurance insolvency, a substitute insurer did take over the insurance claim and has provided a claim number to the other party and this department (Please reference exhibit 104 to find CIGA Claim number GFMS 254253).

Considering all the evidence, we are suggesting that Horizon Cab Company LLC formally agree to the terms of the compliance arrangement plan and pay a fine of \$1,000 dollars. If the respondent accepts these terms, then we request a reinstatement of revoked certificate number 1169 for Horizon Cab Company LLC. The suggested fine of one thousand dollars is composed from the following:

- **\$100 for violating CGS, Section 14-27(C) and RCSA, Sec 13b-96-22:** Respondent did not have any taxicabs registered or in service, did not request suspension of service.
- **\$100 for violating RCSA, Section 13b-96-12:** Respondent failed to update the mailing address on file with the department.
- **\$100 for violating RCSA, Section 13b-96-50 (C):** Respondent failed to appear at the original citation hearing.
- **\$100 for violating CGS, Section 13b-96.** Respondent failed to file a power of attorney form with the department.
- **\$600 for violating CGS, Section 13b-100:**

**The fines would be paid in four installments according to the following schedule:**

1. \$250 due by May 15, 2023
2. \$250 due by August 15, 2023
3. \$250 due by November 15, 2023
4. \$250 due by February 15, 2024

DEPARTMENT'S EXH.# 108  
DATE: \_\_\_\_\_ FULL I.D. MA

**We rest on our records and testimony.**