

STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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Phone:

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DOCKET NO. 2201-N-9-L

RE: APPLICATION OF DENNISHA DEROSIER DBA TOPNOTCH  
TRANSPORTATION TO OPERATE ONE (1) GENERAL LIVERY  
VEHICLE, WITH A SEATING CAPACITY OF LESS THAN ELEVEN  
PASSENGERS, FROM A HEADQUARTERS IN FAIRFIELD

DECISION

APRIL 5, 2022

## I. INTRODUCTION

### A. APPLICATION

By application filed on January 31, 2022, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Dennisha Derosier dba Topnotch Transportation (hereinafter "applicant") with a mailing address of 892 Stillson Road, Fairfield, Connecticut 06824 seeks authorization to operate one (1) motor vehicle, having a seating capacity of less than eleven (11) passengers, in general livery service from a headquarters in Fairfield.

### B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing by telephone was held on this application on March 31, 2022.

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

Dennisha Derosier appeared pro se on behalf of the applicant. The applicant's mailing address is 892 Stillson Road, Fairfield, Connecticut 06824.

## II. FINDINGS OF FACT

1. The applicant seeks to operate one (1) motor vehicle in general livery service from a headquarters in Fairfield.
2. The applicant proposes to operate a 2017 Mercedes Benz E300 which is financed.
3. The applicant has been transporting clients for both her mother's home care business and her own home care business for the past five years.
4. The applicant has the proper endorsement to drive a livery vehicle.
5. The applicant has a contract with transportation broker Veyo which will be referring

livery work to her.

6. The applicant's first six months of expenses includes insurance costs of \$8,537, maintenance costs of \$150, property tax of \$300 and vehicle financing costs of \$4,404, advertising costs of \$432 and communication costs of \$480.

7. The applicant has \$28,758 in a bank account.

8. Dennisha Derosier will drive the livery vehicle.

9. The applicant has contacts with nursing homes and assisted living facilities from working in the home care business.

10. The applicant will be operating out of her house. There are no zoning issues operating a home office in this residence.

11. The applicant will get additional customers by circulating flyers and business cards.

12. 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 Dennisha Derosier, which disclosed no criminal record. Ms. Derosier has experience transporting the public for several years as a livery driver. She also has business experience operating her own home health care business. Based on the evidence presented, the applicant is suitable to conduct the proposed 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 \$8,537, maintenance costs of \$150, property tax of \$300 and vehicle financing costs of \$4,404, advertising costs of \$432 and communication costs of \$480 for a total expense of \$14,303. The applicant has \$ 28,575 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 and to use her client contacts to generate business. The applicant also plans to work for Veyo which will provide most of her livery trips. Based on the evidence presented, the applicant will receive 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 Dennisha Derosier dba Topnotch Transportation is hereby granted and Livery Permit Number 3734 is hereby issued as follows:

#### **LIVERY PERMIT NUMBER 3734**

Dennisha Derosier dba Topnotch Transportation is authorized to operate one (1) motor vehicle in general livery service, with a seating capacity of less than eleven passengers, from a headquarters in Fairfield.

#### **RESTRICTIONS:**

**The applicant must register and insure the one (1) general livery vehicle granted in this decision within ninety (90) days. Failure to do so may result in revocation of the general livery authority.**

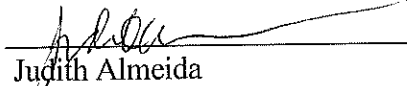
The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates thereunder for not less than twenty-four (24) months.

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 5<sup>th</sup> day of April 2022.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

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