

STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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Phone:

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DOCKET NO. 2205-N-50-L

RE: APPLICATION OF CONNECTICUT HANDIVAN, INC TO CONVERT SEVENTEEN (17) RESTRICTED GOVERNMENT LIVERY VEHICLES, WITH A SEATING CAPACITY OF LESS THAN ELEVEN (11) PASSENGERS, TO GENERAL LIVERY SERVICE FROM A HEADQUARTERS IN NORTH HAVEN

DECISION

JULY 19, 2022

## I. INTRODUCTION

### A. APPLICATION

By application filed on May 17, 2022, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Connecticut Handivan, Inc (hereinafter "applicant") with a mailing address of P.O. Box 188, 208 Quinnipiac Avenue, North Haven, Connecticut 06473 seeks authorization to convert seventeen (17) motor vehicles , six of which are van type vehicles, having a passenger seating capacity of less than eleven (11) passengers from a restricted government livery to general livery service from a headquarters in North Haven.

### B. HEARING

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

Phillip Onofro and Mark Panico appeared on behalf of the applicant. The applicant's mailing address is P.O. Box 188, 208 Quinnipiac Avenue, North Haven, Connecticut 06473.

## II. FINDINGS OF FACT

1. The applicant seeks to convert seventeen (17) motor vehicles, six (6) of which are van type vehicles, having a passenger seating capacity of less than eleven (11) passengers from restricted government livery to general livery service from a headquarters in North Haven.
2. The seventeen (17) vehicles the applicant proposes to convert to general livery are paid for.
3. The applicant has been operating the seventeen (17) vehicles under a Veterans contract which expired on November 30, 2021. The applicant it is waiting to see if the

contract gets renewed. Under this contract the applicant transports veterans to the VA in Newington or West Haven or to other medical appointments.

4. The applicant's first six months of expenses includes rent costs of \$21,000, insurance costs of \$139,019, maintenance costs of \$30,591, property tax of \$2,489, promotion costs of \$12,143, communication costs of \$7,169 and equipment costs of \$3,003.

5. The applicant has approximately \$1,400,000 in a business bank account.

6. The applicant transports approximately 125 veterans per day.

7. 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 members, Mark Panico and Saleem Khan, which disclosed no criminal records. The applicants have been in business since 1995 transporting the public in livery service. 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 costs of \$21,000, insurance costs of \$139,019, maintenance costs of \$30,591, property tax of \$2,489, promotion costs of \$12,143, communication costs of \$7,169 and equipment costs of \$3,003 for a total expense of \$215,414. The applicant has approximately \$1,400,000 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

under an expired contract with the Veterans Administration to transport veterans to medical appointments. The applicant also transports dialysis patients and Medicare patients. Based on the evidence presented, the applicant will receive authorization to convert the government restricted permits to general livery so it can continue to operate its livery business efficiently.

#### IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application in the name of Connecticut Handivan, Inc is hereby granted, and Livery Permit Number 2601 is hereby reissued as follows:

#### **LIVERY PERMIT NUMBER 2601**

Connecticut Handivan, Inc is permitted and authorized to operate twenty-two (22) motor vehicles, six (6) of which are van type vehicles, each having a seating capacity of less than eleven (11) passengers in general livery service from a headquarters in North Haven.

Connecticut Handivan, Inc is permitted and authorized to operate ten (10) motor vehicles, all of which are van type vehicles, each having a seating capacity of less than eleven (11) passengers in livery service for the transportation of elderly and handicapped persons from a headquarters in North Haven.

Furthermore, Connecticut Handivan, Inc 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 Safety Administration in the issuance of Certificate Number MC-283570-C.

#### **RESTRICTIONS:**

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.

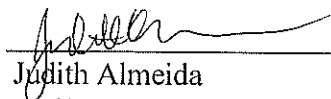
This permit shall remain in effect until it is amended, suspended or revoked by the department. Failure of the permit holder to maintain proper insurance and/or comply with all pertinent motor vehicle laws and other state statutes and/or rules, regulations and orders of the department shall be considered 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 19th day of July 2022.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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