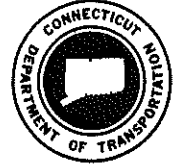


STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 2210-AV-101-L

RE: APPLICATION OF HANDS TO HEART HOME CARE LLC TO
OPERATE TWO (2) ADDITIONAL GENERAL LIVERY VEHICLES,
WITH A SEATING CAPACITY OF LESS THAN ELEVEN
PASSENGERS, FROM A HEADQUARTERS IN SHELTON

DECISION

MARCH 7, 2023

I. INTRODUCTION

A. APPLICATION

By application filed on October 25, 2022, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Hands to Heart Home Care LLC (hereinafter "applicant") with a mailing address of 193 Clover Street, Stratford, Connecticut 06614 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 Shelton. The applicant currently operates one (1) motor vehicle in general livery service.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing by telephone was held on this application on February 22, 2023.

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

Schenell Williams appeared on behalf of the applicant. The applicant was represented by Attorney Loxanne Taylor whose mailing address is 30 Old Kings Highway South #1021, Darien, Connecticut 06820.

II. FINDINGS OF FACT

1. The applicant seeks to operate two (2) additional motor vehicles in general livery service from a headquarters in Shelton. The applicant currently operates one (1) wheelchair van in general livery service.

2. The applicant will operate a 2020 VW Passat sedan and a 2019 Tiguan SUV. The Tiguan and Passat are both financed.

3. The applicant operates a home health care business. Since late 2022, she has also been operating a livery service.

4. The first six months of expenses includes rent of \$2,130, vehicle financing of \$5,066, property tax of \$293, communication costs of \$672, insurance costs of \$2,954, maintenance costs of \$480 and GPS costs of \$240.

5. The applicant has \$76,461 in a business bank account in the name of the company.

6. Since the applicant started in livery service, she has received at least five (5) telephone calls a week from customers requesting livery service which she cannot accommodate without additional vehicles.

7. Ms. Williams has her livery endorsement, so she acts as a back-up driver. She also has other drivers available to drive the additional two (2) additional vehicles requested.

8. The applicant will also be working with a non-profit organization, Way to Go, to get additional livery clients.

9. The applicant specializes in medical livery trips.

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 Schenell Williams, which disclosed no criminal record. She had gained business experience through operating the home care business and in addition has been operating in livery service since December 2022. Based on the evidence presented, the applicant is suitable to conduct the additional

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 rent of \$2,130, vehicle financing of \$5,066, property tax of \$293, communication costs of \$672, insurance costs of \$2,954, maintenance costs of \$480 and GPS costs of \$240 for a total expense of \$11,835. The applicant has \$76,461 in a bank account to cover these startup expenses and is therefore financially suitable.

On the issue of public convenience and necessity, the applicant is already operating in livery service and is receiving more requests than she can handle. In addition, she will be receiving more livery clients through agency referrals. Based on the evidence presented, the applicant will receive authorization for two (2) additional motor vehicles.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application in the name of Hands to Heart Home Care LLC is hereby granted, and Livery Permit Number 3748 is hereby reissued as follows:

LIVERY PERMIT NUMBER 3748

Hands to Heart Home Care 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 Shelton.

RESTRICTIONS:

The applicant must register and insure the two (2) additional motor vehicles granted in this decision within ninety (90) days. Failure to do so may result in revocation of the general livery authority.

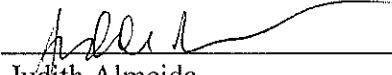
The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates thereunder for not less than twenty-four (24) months.

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 7th day of March 2023.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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