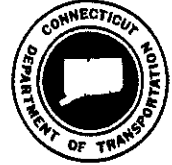


STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2864

DOCKET NO. 2306-AV-95-L

RE: APPLICATION OF COMPASSION N CARE TRANSIT COMPANY,
LLC TO OPERATE TWO (2) ADDITIONAL MOTOR VEHICLES IN
GENERAL LIVERY SERVICE, WITH A SEATING CAPACITY OF
LESS THAN ELEVEN PASSENGERS, FROM A HEADQUARTERS IN
PROSPECT

DECISION

AUGUST 22, 2023

I. INTRODUCTION

A. APPLICATION

By application filed on June 15, 2023, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Compassion N Care Transit Company, LLC (hereinafter "applicant") with a mailing address of 50 Waterbury Road, Suite 2B, Prospect, Connecticut 06712 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 Prospect. The applicant currently operates one (1) motor vehicle in general livery service from a headquarters in Prospect.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing by telephone was held on this application on August 8, 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

Joseph Bray appeared pro se on behalf of the applicant. The applicant's mailing address is 50 Waterbury Road, Suite 2B, Prospect, Connecticut 06712.

II. FINDINGS OF FACT

1. The applicant seeks to operate two (2) additional motor vehicles in general livery service from a headquarters in Prospect. The applicant currently has authorization to operate one (1) motor vehicle in general livery service.
2. The applicant proposes to operate a 2012 Chevy Equinox SUV and a 2009 Dodge Journey van. Both vehicles are owned outright by the applicant.
3. The insurance has been paid for the year.
4. Mr. Bray has been operating a home health care business since 2009.

5. The applicant's focus will be on providing transportation to his home health care clients and to transportation broker Veyo.

6. Veyo provides fifteen (15) to eighteen (18) trips a day to the applicant now but could provide between sixty (60) to seventy (70) trips a day. The applicant cannot service these increased calls with one (1) vehicle.

7. The applicant's first six months of expenses includes property tax costs of \$117, maintenance costs of \$1,400 and communication costs of \$1,920.

8. The applicant has \$15,998 in a business bank account.

9. The applicant has three (3) credentialed employees who can drive the additional livery vehicles.

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 Mr. Bray that disclosed no criminal record. The applicant has operated a home care business since 2009. He would like to expand into providing livery transportation to Veyo in addition to his home care clients. 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 property tax costs of \$117, maintenance costs of \$1,400 and communication costs of \$1,920 for a total expense of \$2,134. The applicant has \$15,998

in a bank account to cover the startup expenses and is financially suitable.

On the issue of public convenience and necessity, the applicant is seeking to provide transportation to his home care clients and to work with Veyo to provide additional medical rides. Based on the evidence presented, the applicant has shown that public convenience and necessity will be improved by a grant of this application.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application in the name of Compassion N Care Transit Company, LLC is hereby granted, and Livery Permit Number 3773 is hereby reissued as follows:

LIVERY PERMIT NUMBER 3773

Compassion N Care Transit Company, 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 Prospect.

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 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 22nd day of August 2023.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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