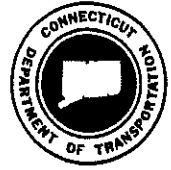




STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 2307-N-101-L

RE: APPLICATION OF THERESE JOHNSON DBA TMJ TRANSPORTATION SERVICES TO OPERATE ONE (1) MOTOR VEHICLE IN GENERAL LIVERY SERVICE, WITH A SEATING CAPACITY OF LESS THAN ELEVEN PASSENGERS, FROM A HEADQUARTERS IN WALLINGFORD

DECISION

AUGUST 8, 2023

## I. INTRODUCTION

### A. APPLICATION

By application filed on July 5, 2023, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Therese Johnson dba TMJ Transportation Services (hereinafter "applicant") with a mailing address of 39 Grove Street, Wallingford, Connecticut 06492 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 Wallingford.

### B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing by telephone was held on this application on August 1, 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

Therese Johnson appeared pro se on behalf of the applicant. The applicant's mailing address is 39 Grove Street, Wallingford, Connecticut 06492.

## II. FINDINGS OF FACT

1. The applicant seeks to operate one (1) motor vehicle in general livery service from a headquarters in Wallingford.
2. The applicant proposes to operate a 2015 Ford Transit van which is financed.
3. The applicant has been working as a social worker for many years.
4. While working as a social worker, the applicant found transportation for the elderly to be lacking.
5. The applicant's first six months of expenses includes property tax of \$406, vehicle

financing of \$4,964, insurance of \$7,535, maintenance of \$200, advertising costs of \$414 and communication costs of \$810.

6. The applicant has a total of \$33,751 in three bank accounts.
7. The applicant will be the driver of the livery vehicle. In her past employment she has transported clients.
8. The applicant will be operating the livery business out of her residence.
9. The applicant has connections through her work as a social worker to provide her with livery referrals.
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 Therese Johnson which disclosed no criminal record. Ms. Johnson has worked as a social worker for years and has transported clients in that position. 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 of the first six months of expenses which includes property tax of \$406, vehicle financing of \$4,964, insurance of \$7,535, maintenance of \$200, advertising costs of \$414 and communication costs of \$810 for a total expense of \$14,329. The applicant has \$33,751 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 seeking to provide livery service to the elderly. While working as a social worker the applicant saw firsthand the lack of transportation that seniors have. 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 Therese Johnson dba TMJ Transportation Services is hereby granted, and Livery Permit Number 3799 is hereby issued as follows:

#### LIVERY PERMIT NUMBER 3799

Therese Johnson dba TMJ Transportation Services 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 Wallingford.

#### 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.

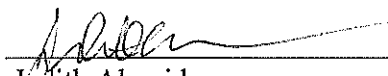
This permit shall remain in effect until it is amended, suspended or revoked by the department. Failure of the permit holder to maintain proper insurance and/or comply with all pertinent motor vehicle laws and other state statutes and/or rules, regulations and orders of the department shall be considered 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 8th day of August 2023.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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