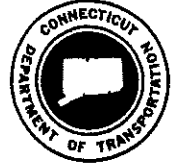




STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 2312-N-151-L

RE: APPLICATION OF TAMIKA BIRT DBA MIKAB EMPIRE TO  
OPERATE ONE (1) GENERAL LIVERY MOTOR VEHICLE, WITH A  
SEATING CAPACITY OF LESS THAN ELEVEN PASSENGERS,  
FROM A HEADQUARTERS IN DANBURY

DECISION

JANUARY 30, 2024

## I. INTRODUCTION

### A. APPLICATION

By application filed on December 12, 2023, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Tamika Birt dba MikaB Empire (hereinafter "applicant") with a mailing address of 1 Kennedy Avenue, Unit 2330, Danbury, Connecticut 06810 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 Danbury.

### B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing by telephone was held on this application on January 23, 2024.

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

Tamika Birt appeared pro se on behalf of the applicant. The applicant's mailing address is 1 Kennedy Avenue, Unit 2330, Danbury, Connecticut 06810.

Luiz Godoy appeared pro se on behalf of Comfort Care Transportation LLC which received intervenor status in this matter. The mailing address is 2 Washington Avenue, Danbury, CT 06810.

## II. FINDINGS OF FACT

1. The applicant seeks to operate one (1) motor vehicle in general livery service from a headquarters in Danbury.
2. The applicant will operate a 2017 Kia Forte LX which is financed.
3. The applicant will apply for a livery endorsement. The applicant will be the only livery driver.

4. She is currently working as a hair stylist and as a notary.
5. The first six months of expenses includes insurance costs of \$8,934, advertising of \$100, property tax of \$92, maintenance costs of \$350, vehicle financing of \$2,757 and communication costs of \$1,050.
6. The applicant has \$25,002 in a bank account to pay the start-up expenses.
7. The applicant has noticed friends and family members having difficulty getting transportation in the Danbury area. This is the reason the applicant wants to start a livery business.
8. The applicant plans to provide trips for shopping, proms, medical appointments etc.
9. The applicant will advertise the business through social media, flyers and networking with various facilities.
10. Ms. Birt has a clean criminal history.
11. The applicant is able to operate the proposed business from her apartment.

### 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 Tamika Birt which disclosed no criminal record. Ms. Birt has been working as a hair stylist and Notary. 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 first six months of expenses includes insurance costs of \$8,934, advertising of \$100, property tax of \$92, maintenance costs of \$350, vehicle financing of \$2,757 and communication costs of \$1,050 for a total expense of \$7,102. The applicant has \$25,002 in a bank account to cover these startup expenses and is therefore financially suitable.

On the issue of public convenience and necessity, the applicant will be advertising using social media, mailings and networking with facilities to generate a client base. While Mr. Godoy claims the applicant's service will hurt his business, there wasn't any concrete evidence presented that it would actually be the case, The applicant only needs to show that her service would be an would be an improvement and adding additional transportation options for the public is an improvement. Based on the evidence presented, the applicant will receive authorization for one (1) general livery vehicle.

#### IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application in the name of Tamika Birt dba MikaB Empire is hereby granted, and Livery Permit Number 3813 is hereby issued as follows:

#### **LIVERY PERMIT NUMBER 3813**

Tamika Birt dba MikaB Empire 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 Danbury.

#### **RESTRICTIONS:**

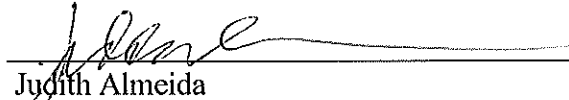
**The applicant must register and insure the one (1) motor vehicle granted in this decision within ninety (90) days. Failure to do so may result in revocation of the general livery authority.**

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.

Dated at Newington, Connecticut on the 30th day of January 2024.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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



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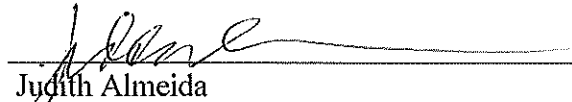
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