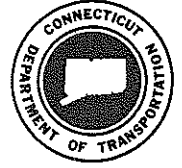


STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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

Phone: (860) 594-2875

DOCKET NUMBER 1112-C-123-T

RE: IN THE MATTER OF THE CITATION OF TRANSPORTATION  
GENERAL, INC. D.B.A. METRO TAXI

FINAL DECISION

July 31, 2012

I. INTRODUCTION

A. General

By citation dated December 20, 2011, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-97, as amended, Transportation General, Inc. d.b.a. Metro Taxi (hereinafter "respondent"), holder of Certificate Number 86, was ordered to come before the department to answer the allegations made therein.

Pursuant to said citation, the respondent was directed to appear at the Newington office of the Department of Transportation to show cause why Certificate Number 86, issued for the operation of taxicab service, should not be suspended or revoked or a civil penalty imposed for violation of its certificate pursuant to Connecticut General Statutes Section 13b-96, et seq.

More specifically, it is alleged that the respondent violated the following Regulations of Connecticut State Agencies:

1. 13b-96-4            Knowledge of Regulations
2. 13b-96-13        Filing Trade Name
3. 13b-96-15        Unapproved Trade Name and Design
4. 13b-96-37        Setting Rates of Fare
5. 13b-96-38        Taxi Meter
6. 13b-96-44        Identification of Taxicabs
7. 14-29              Insurance

The citation was served upon the respondent by first class and certified mail and recited the department's reasons for issuing it.

B. Hearing Held

Pursuant to Section 13b-96 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on February 16, 2012, May 9, 2012 and June 26, 2012.

Notice of the citation and the hearing to be held thereon was given to the respondent and to such other parties as required by Connecticut General Statutes Section 13b-96, as amended.

The hearing on this matter was conducted by a hearing officer designated by the Commissioner of Transportation, pursuant to Section 13b-17 of the Connecticut General Statutes.

C. Appearances

William Scalzi appeared at the hearing. He was represented by Attorney Derek Werner. Mr. Werner's address is 185 Asylum City Place, Hartford, Connecticut.

Dennis King, Manager of the Regulatory and Compliance Unit, testified in the matter.

Eugene Morris, Transportation Public Transit Inspector with the Regulatory and Compliance Unit, presented evidence on behalf of the department.

## II. FINDINGS OF FACT

1. The respondent is the holder of Certificate 86 in the name of Transportation General, Inc. d.b.a. Metro Taxi and is authorized to operate motor vehicles in taxicab service in the New Haven area.
2. While there were several allegations in the citation, the central allegation against the respondent was that respondent placarded four of its taxicabs with the name Metro Access which was not a valid company and which the respondent did not have authority to operate. In addition, the respondent's website also contained incorrect language reflecting that the company was operating handicapped accessible vehicles under the name, Metro Access.
3. As a result of using the incorrect name of Metro Access on the four vehicles, the respondent was asked to remove the stickers which cost more than \$20,000 in labor and other fees to correct the signage and website language.
4. The respondent and the State entered into a stipulated agreement by which the respondent agreed to remove the Metro Access stickers and replace them with stickers containing the correct name, Metro Taxi.
5. There has been an inspection of the vehicles at respondent's facility and the respondent has fully complied with the signage and website request.
6. While there was some discussion of a civil penalty to be paid initially, the Regulatory and Compliance Unit has decided to withdraw that request due to the cost imposed on the respondent to comply with signage removal. The department will also waive the civil penalty with regard to the pending citation hearing involving the Metro Access signage for respondent's remaining vehicles.
7. A second citation hearing was pending for the remaining vehicles that respondent was not charged for in this citation hearing. This citation is withdrawn when the respondent has fully complied with the department's requests.

## III. STIPULATED AGREEMENT

The Department of Transportation has jurisdiction over matters pertaining to the operation of motor vehicles in taxicab service in the State of Connecticut accordance with Connecticut General Statutes Section 13b-96, as amended.

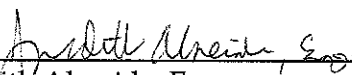
Pursuant to Connecticut General Statutes Section 13b-97, the department may amend or for sufficient cause suspend or revoke any such permit. Further, the department may impose a civil penalty on any person who violates any provision of the governing chapter or any regulation adopted under Section 13b-96, as amended, with respect to fares, service, operation or equipment, in an amount not to exceed one hundred dollars per day for each violation.

The respondent and the department entered into a stipulated agreement concerning the citation hearing. The details of the agreement are that:

1. The respondent and the State entered into a stipulated agreement by which the respondent agreed to comply with the State's request that it remove all of the Metro Access stickers for all of its vehicles and remove the name Metro Access from its website by June 15, 2012.
2. The respondent has fully complied with the State's request by removing the Metro Access stickers from all of its vehicles and the Metro Access wording from the website.
3. This citation action has been resolved in full and the pending citation action for the remaining vehicle signage is withdrawn by Regulatory and Compliance.

Dated at Newington, Connecticut on this the 31<sup>st</sup> day of July 2012.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

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