

STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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Phone:

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DOCKET NUMBER 1103-C-21-L  
(Case No. LV03-1611-9)

RE: IN THE MATTER OF THE CITATION OF WILSON LIMOUSINE &  
TRANSPORTATION SERVICE, INC. D.B.A. ALL TRANSPORTATION

Amended Final Decision

November 15, 2011

## I. INTRODUCTION

### A. General

By citation dated April 14, 2011, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Wilson Limousine & Transportation Service, Inc. d.b.a. All Transportation (hereinafter "respondent"), holder of Livery Permit Number 2588, 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 Livery Permit Number 2588, issued for the operation of livery service, should not be suspended or revoked or a civil penalty imposed for violation of its livery permit pursuant to Connecticut General Statutes Section 13b-102, et seq.

More specifically, it is alleged that the respondent violated section 13b-103 of the Connecticut General Statutes in that it failed to maintain a registered vehicle since March 31, 2010.

The citation was served upon the respondent at P.O. Box 794, Norwalk, Connecticut 06850 by first class and certified mail and recited the department's reasons for issuing it.

### B. Hearing Held

Pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on June 9, June 28, and August 25, 2011.

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-103, as amended. Notice to the public was made on the department's website.

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

Jesse Wilson appeared pro se on behalf of the respondent after being duly notified by certified mail. Mr. Wilson's mailing address is P.O. Box 794, Norwalk, Connecticut 06850.

Eugene Morris, Public Transportation Transit Inspector with the Regulatory and Compliance Unit, was the case presenter in this matter.

### D. Amended Final Decision

A Final Decision in this matter was issued on August 26, 2011, in which Mr. Wilson had several requirements to meet in order to keep his company active. One of the requirements was that he had to register and insure a vehicle under his permit within sixty (60) days from the date of the final decision. The deadline was on October 26<sup>th</sup>. As of November 9, 2011, the respondent had not registered a vehicle as required. The final decision states that if all the conditions are not met then the respondent's livery permit is revoked.

## II. FINDING OF FACTS

1. On July 13, 2010, the respondent filed an application for additional vehicles without a hearing. At that time, the respondent had only one vehicle registered. A letter was sent to the respondent on July 15, 2010, requesting that he register an additional vehicle before the application is processed.

2. The respondent, Mr. Wilson, requested a motor vehicle inspection in 2010 from the Department of Transportation.

3. On August 6, 2010, a 2004 Ford van was inspected by DOT staff, Richard Majka. The motor vehicle presented by Mr. Wilson for inspection failed due to mechanical issues. Mr. Majka confiscated the license plates.

4. On March 31, 2010, the registration on the license plate L7480L expired. The respondent had no vehicles registered after that point.

5. Several months passed after the inspection during which time Mr. Wilson had to get money together to repair the motor vehicle. By the time he fixed the motor vehicle, the department had initiated this citation action for failure to have a motor vehicle registered.

6. The respondent was not operating a motor vehicle after its registration had expired in March 2010 and had referred out its livery work.

7. The respondent has been in operation with intrastate authority since 1993. On June 10, 2011, the respondent reinstated its interstate livery authority which had been previously revoked.

9. In 2008 the respondent was the subject of a citation hearing in Docket number 0709-C-150-L in which the respondent was operating with an expired registration and received a civil penalty of \$500. Other than this citation, the respondent has not been the subject of any other citation actions.

10. The department sent the respondent a warning letter on March 16, 2011, concerning this citation action.

11. The respondent reactivated its auto insurance on April 25, 2011.

12. A Final Decision in this matter was issued on August 26, 2011, in which Mr. Wilson had several requirements to meet in order to keep his company. One of the requirements was that he had to register and insure a vehicle under his permit within sixty (60) days of the date of the final decision. The deadline for this action was on October 26, 2011.

13. As of November 9, 2011, the respondent had not registered a livery vehicle as required.

14. The final decision states that if all the conditions are not met then the respondent's livery permit is revoked.

### III. DISCUSSION

The Department of Transportation has jurisdiction over matters pertaining to the operation of motor vehicles in livery service in the State of Connecticut in accordance with Connecticut General Statutes Section 13b-102, as amended.

Pursuant to Connecticut General Statutes Section 13b-103, 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-102 through 13b-109, as amended, with respect to fares, service, operation or equipment, in an amount not to exceed one thousand dollars per day for each violation.

At the hearing, the department presented sufficient proof that for a significant period of time in 2010 to the hearing date in 2011, the respondent failed to keep a vehicle actively registered. Mr. Wilson claimed at the hearing that he had insurance and was ready to resume his business as soon as the citation hearing was resolved and the vehicle could be inspected. Mr. Wilson was given an opportunity to do that but he has failed to comply with the order in the final decision.

The respondent was given sixty (60) days to register a vehicle in livery service. Failure to either pay the civil penalty or register a livery vehicle, as required within the time limits specified, was to result in the respondent's immediate revocation.

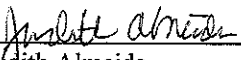
The respondent failed to register a livery vehicle within the sixty (60) day deadline. The department has no further options but to revoke the respondent's livery permit.

IV. ORDER

Based on the above, the livery permit number 2588 issued in the name of respondent, Wilson Limousine & Transportation Service, Inc. is hereby revoked without further proceeding.

Dated at Newington, Connecticut on this the 15<sup>th</sup> day of November 2011.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

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