



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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Phone:

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DOCKET NUMBER 1110-C-106-L  
(Case No. LV09-2711-28)

RE: IN THE MATTER OF THE CITATION OF ABSOLUT LIMO, LLC

REISSUED FINAL DECISION

January 23, 2013

## I. INTRODUCTION

### A. General

By citation dated November 9, 2012, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Absolut Limo, LLC (hereinafter "respondent"), holder of Livery Permit Number 3085, 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 3085, issued for the operation of livery service, should not be suspended or revoked or a civil penalty imposed for violation of the Final Decision issued on January 4, 2012 in Docket Number 1110-106-L.

More specifically, it is alleged that the respondent failed to establish an active headquarters within the thirty (30) days allotted by the final decision.

The citation was served upon the respondent at 9-A Lakeshore Drive Apt. 3, Farmington, Connecticut, 06032 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 January 17, 2013.

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

Yuri Charnetski appeared pro se on behalf of the applicant. The respondent's mailing address is 9-A Lakeshore Drive, Apt. 3, Farmington, Connecticut 06032.

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

Richard Majka, Public Transportation Inspector with the Regulatory & Compliance Unit, acted as a witness in this matter.

### D. Administrative Notice

Administrative Notice was taken of the final decision issued on January 4, 2012, in Docket Number 1110-C-106-L the citation of Absolut Limo, LLC. The final decision required the respondent to establish a headquarters within thirty (30) days from the date of the decision.

## II. FINDING OF FACTS

1. The respondent was brought before the department for failure to have a headquarters established in accordance with a final decision was issued on January 4, 2012. As part of the terms of that decision, the respondent was to establish a headquarters within thirty (30) days of the date of the January decision.
2. On January 5, 2012, the respondent filed an information sheet that revealed that its new headquarters address was 15 Evergreen Trail, Farmington, Connecticut.
3. On June 22, 2012 and June 26, 2012, Richard Majka performed a headquarters check at the Evergreen Trail address which revealed no headquarters at that location.
4. The respondent informed Mr. Majka that his daughter is at the headquarters whenever she can be.

## 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.

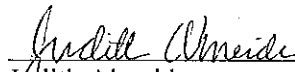
Mr. Charnetski offered proof that he was to have established a headquarters at 15 Evergreen Trail in Farmington. When Mr. Majka went to investigate in June 2012, he discovered no headquarters at that address. The respondent has failed to comply with the order in Docket Number 1110-C-106-L requiring him to have a headquarters by February 4, 2012. Since the respondent has again failed to establish a headquarters, within the thirty (30) days allotted, its livery permit will be revoked.

## IV. ORDER

Based on the above, livery permit number 3085 standing in the name of Absolut Limo, LLC shall be revoked immediately. Please return your livery license plates to the Department of Motor Vehicles within seven (7) days from the date of this decision.

Dated at Newington, Connecticut on this the 23rd day of January 2013.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

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