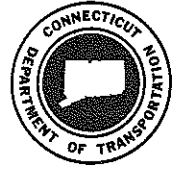




STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NUMBER 1112-N-126-L

RE: APPLICATION OF SMOOTH LINE LIMOUSINE AND
TRANSPORTATION, LLC. TO OPERATE ONE (1) MOTOR VEHICLE,
HAVING A SEATING CAPACITY OF TEN (10) ADULTS OR LESS IN
GENERAL LIVERY SERVICE BETWEEN ALL POINTS IN
CONNECTICUT FROM A HEADQUARTERS IN BRISTOL.

FINAL DECISION

September 17, 2012

I. INTRODUCTION

A. General

By application filed on December 16, 2011, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Smooth Line Limousine and Transportation, LLC (hereinafter "applicant") with a mailing address of 258 Middle Street, Suite B, Connecticut 06010, seeks authorization to operate one (1) motor vehicle, having a seating capacity of ten (10) adults or less in general livery service between all points in Connecticut from a headquarters in the town of Bristol.

B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-103(a), as amended, a public hearing on this application was held on June 26, 2012.

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 the Connecticut General Statutes Section 13b-103. 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

John Skipper appeared pro se on behalf of the applicant. Mr. Skipper's mailing address is 258 Middle Street, Suite B, Bristol, Connecticut 06010.

II. FINDINGS OF FACT

1. The applicant seeks to operate one (1) motor vehicle in livery service from a headquarters in Bristol.
2. John Skipper is the primary driver and owner of the company. Mr. Skipper already has a public service license and is working as an oil delivery man. Mr. Skipper has sufficient time to continue working his full time job in addition to operating the limousine business.
3. Mr. Skipper's wife, Deborah, will be handling any other functions in the company which need to be done. Mrs. Skipper is a nursing supervisor with a very flexible working schedule so she is available to help out in the business on an as needed basis.
4. Mr. Skipper has contacted several local businesses about his potential livery service including ESPN, a hotel and a funeral home. These companies expressed an interest in using his service once he receives his license.

5. Mr. Skipper has prior experience driving a bus for a livery service.

6. The applicant has located a basement office which it will use for the business. The office rent is \$600 for six months. The applicant will put down \$500 and finance the purchase of a 2007 Lincoln Town Car. The cost of this vehicle will be \$14,000. The town property tax would be about \$300 to \$400 for the first six months and the maintenance fee would be \$200. The insurance cost would be \$4,753 for a year or \$3,391 for the first six months. Fuel is estimated at \$1,200 and the cell phone is estimated at \$300 for six months. The applicant has \$10,614 in the bank to cover start-up costs for the first six months.

7. At this time the applicant does not have its interstate livery license but it may pursue that avenue in the future.

8. Ronnette Brown, Executive Director for We Impact, testified in support of the applicant. Ms. Brown testified that she would like to use the applicant's livery service for her organization and for prom trips to be donated to local high school students. The last time she hired a limousine company she had to use a company out of Greenwich.

9. There is no livery operator headquartered in Bristol at this time.

10. There was no opposition to this application.

III. DEPARTMENT ANALYSIS

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.

In support of financial wherewithal the applicant has presented evidence that it has rented a basement office for \$600 for six months. The applicant will put down \$500 and finance the purchase of a Lincoln Town Car. The cost of this vehicle will be \$14,000. The town property tax would be about \$300 to \$400 for the first six months and the maintenance fee would be \$200. The insurance cost would be \$4,753 for a year or \$2,377 for the first six months. Fuel is estimated at \$1,200 and the cell phone is estimated at \$300 for the six month period. The applicant has \$10,614 in the bank to cover start-up costs for the first six months. The applicant has sufficient assets to cover the first six months of start-up costs.

With regard to suitability, the applicant provided the requisite criminal conviction history for John Skipper that shows no criminal convictions. The applicant has driven motor coaches before and has a CDL license. The applicant has shown an understanding of the operation of a livery service and no information has come to light which reflects negatively on the applicant's suitability to operate the proposed service.

The applicant also has to prove that public convenience and necessity would be improved by the proposed service. The applicant produced the testimony of a witness, Ronnette Brown, who works for a social service agency in Bristol. Ms. Brown would like to use the applicant's service to attend meetings, for office functions and as a donation to local high school students for prom rides. The last time Ms. Brown hired a limousine she had to get a company from Greenwich because there was no one closer to do the trip.

Taking all of the factors into consideration, the applicant will be approved to operate one (1) livery vehicle in intrastate livery service.

IV. CONCLUSION AND ORDER

Based upon the above and pursuant to Connecticut General Statutes Section 13b-103, as amended, the application of Smooth Line Limousine and Transportation, LLC. is hereby granted and Livery Permit Number 3267 is issued as follows:

LIVERY PERMIT NO. 3267
FOR THE OPERATION OF LIVERY SERVICE

Smooth Line Limousine and Transportation, LLC is hereby permitted and authorized to operate one (1) motor vehicle, having a seating capacity of ten (10) adults or less, in general livery service between all points in Connecticut from a headquarters in Bristol.

RESTRICTIONS:

The applicant must register the vehicle granted under this decision within sixty (60) days from the date of this decision.

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 there under for not less than twenty-four (24) months.


This permit shall remain in effect until 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 the rules, regulations and orders of the department may from time to time prescribe thereunder.

A memorandum of this permit, bearing the seal of the department, shall be kept conspicuously posted in the motor vehicles operated under this permit.

A memorandum of this permit, bearing the seal of the department, shall be kept conspicuously posted in the motor vehicles operated under this permit.

Dated at Newington, Connecticut on this 17th day of September 2012.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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