

STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

(860) 594-2875

DOCKET NUMBER 1202-N-16-L

RE: APPLICATION OF ALTERNATIVE TRANSPORTATION SOLUTIONS, LLC TO OPERATE ONE (1) MOTOR VEHICLE, HAVING A SEATING CAPACITY OF TEN (10) ADULTS OR LESS IN GENERAL LIVERY SERVICE TO TRANSPORT THE ELDERLY AND HANDICAPPED PASSENGERS BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN GROTON.

FINAL DECISION

September 13, 2012

## I. INTRODUCTION

### A. General

By application filed on February 9, 2012, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-105 of the Connecticut General Statutes, as amended, Alternative Transportation Solutions, Inc. (hereinafter "applicant") with a mailing address of 6 Carolina Drive, #9, Oakdale, Connecticut 06370, seeks authorization to operate one (1) motor vehicle, having a seating capacity of ten (10) adults or less in general livery service, for elderly and handicapped persons, between all points in Connecticut from a headquarters in the town of Groton.

### B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-105, as amended, a public hearing on this application was held on July 5, 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

Charles Rose appeared pro se on behalf of the applicant. His mailing address is 6 Carolina Drive, #9, Oakdale Connecticut 06370.

### D. Finding of Facts

1. The applicant seeks to operate one (1) livery vehicle for transporting the elderly and handicapped.
2. Mr. Rose was an ambulance driver and now works at Apple Rehabilitation as a nurse. Part of his job duties includes coordinating patient transportation.
3. Many of the scheduled transportation services for the disabled are operated only at certain times and may not operate on weekends or evenings.
4. The applicant plans to use a 2006 Ford Van with a Para-Transit conversion in the business.
5. The applicant anticipates performing four trips a day.

6. The applicant plans to purchase equipment for the business totaling \$655 to \$855. The insurance will cost \$8,399 annually. Gas will cost \$360 per month, maintenance will cost \$100 per month, rent and utilities is \$300 per month, IT support will be \$150 month and property tax will be \$184 per month. The company will employ two people who will cost \$16,800 or \$2,800 per month. The applicant estimates that it will cost \$24,522 to operate the livery business for six months.

7. The applicant has \$40,476 in the bank to pay the startup costs for the first six months.

8. Mr. Rose has noticed that his patients have to wait a while for transportation, sometimes as long as four hours and the cost is for the service is very high.

9. Mr. Rose's wife will do office work for the business and Mr. Rose will act as a driver.

10. Patricia Bridge lives in senior housing in Montville. She would like to use the applicant's livery service. Public transportation in her area is lacking and there are limited transportation options.

11. John Paul Rose, the brother of Charles Rose, is a nurse and has noticed patients waiting for transportation back to their residences. The waiting time is usually 45 minutes but can also be longer.

12. 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 six months of start-up costs would equal \$24,522. The applicant plans to purchase equipment for the business totaling between \$655 to \$855. The insurance will cost \$8,399 annually. Gas will cost \$360 per

month, maintenance will cost \$100 per month, rent and utilities is \$300 per month, IT support will be \$150 month and property tax will be \$184 per month. The company will employ two people who will cost \$16,800 or \$2,800 per month. The applicant has \$40,476 in the bank which is more than sufficient to handle the startup costs for the first six months. Based on the evidence presented, the applicant has proven the financial suitability to operate this livery service.

With regard to suitability, the applicant provided the requisite criminal conviction history for Mr. Rose which showed no convictions. The applicant has a public service license, has been an ambulance driver and a nurse. Mr. Rose is familiar with the rules and regulations for operating a livery business and is prepared to adhere to the rules and regulations. The applicant has a well thought out business plan and is suitable to operate the livery service.

The applicant must also prove that the service it proposes is needed in the community. The applicant presented the testimony of two witnesses in this matter. Both witnesses spoke about the need for a livery service of this type. Mr. Rose and his brother, both in the medical field, testified about the fact that patients often have to wait long times after their appointments to get transportation back to their residences, sometimes for hours.

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 Alternative Transportation Solutions, Inc. is hereby granted and Livery Permit Number 3268 is issued as follows:

#### LIVERY PERMIT NO. 3268 FOR THE OPERATION OF LIVERY SERVICE

Alternative Transportation Solutions, Inc. is hereby permitted and authorized to operate one (1) motor vehicle, having a seating capacity of ten (10) adults or less, in livery service for ELDERLY AND HANDICAPPED between all points in Connecticut from a headquarters in Groton.

#### RESTRICTIONS:

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

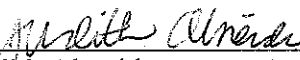
The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates there under for not less than twenty-four (24) months.

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.

Dated at Newington, Connecticut on this 13<sup>th</sup> day of September 2012.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

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