



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 1204-GOV-48-L

RE: APPLICATION OF VALLEY LIVERY & LIMO, LLC. TO OPERATE SIX (6) MOTOR VEHICLES, HAVING A SEATING CAPACITY TEN (10) ADULTS OR LESS, IN THE TRANSPORTATION OF PASSENGERS FOR HIRE BY VIRTUE OF A CONTRACT WITH, OR A LOWER TIER CONTRACT FOR ANY FEDERAL, STATE OR MUNICIPAL AGENCY BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN ANSONIA.

FINAL DECISION

April 23, 2013

## I. INTRODUCTION

### A. APPLICATION

By application filed on July 16, 2012, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Valley Livery & Limo, LLC. (hereinafter "applicant") located at 26 Beaver Street, Ansonia, Connecticut seeks authorization to operate six (6) motor vehicles, each having a seating capacity of ten (10) adults or less, in the transportation of passengers for hire by virtue of a contract with, or a lower tier contract for, any federal, state or municipal agency between all points in Connecticut from a headquarters in Ansonia.

### B. HEARING

Pursuant to Connecticut General Statutes, Section 13b-103(a)(3), as amended, a public hearing on this application was held on April 16, 2013 after being rescheduled from an earlier date due to the failure of a witness to appear.

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 Connecticut General Statutes Section 13b-103(a)(1), as amended. 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

Adel Mansour appeared on pro se on behalf of Valley Livery & Limo, LLC. Mr. Mansour's mailing address is 26 Beaver Street, Ansonia, Connecticut 06401.

### D. PERMIT CORRECTION

The applicant's last permit was issued in 2009 and includes two (2) vehicles assigned to Coordinated Transportation Solutions ("hereinafter CTS"). The applicant is no longer under contract with this company as it has been replaced by Logisticare. Since the permit issued in 2009 allowed the applicant to use these two (2) CTS vehicles interchangeably for Logisticare work when they should have been exclusive to CTS, those two (2) vehicles will be reissued as Logisticare vehicles.

## II. FINDINGS OF FACT

1. The applicant is currently the holder of the authority to operate eight (8) livery vehicles under contract.

2. The applicant is seeking to expand its contract work to provide additional livery trips to Logisticare, a transportation broker in Connecticut.

3. The applicant submitted a sign executed contract with Logisticare to provide medical transportation services.

4. Claude Bisson, Transportation Manager for Logisticare testified that he supports the applicant's request to have six (6) more livery vehicles available to provide transportation to Logisticare.

5. The six (6) vehicles requested will service the Naugatuck and North Western region of Connecticut.

## III. DISCUSSION

The department has jurisdiction over each person, association, limited liability company or corporation owning or operating a motor vehicle in livery service, pursuant to 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 there under, in accordance with General Statutes Section 13b-103.

To show financial support the applicant submitted information showing that it has \$82,422 in cash. The annual expenses include insurance costs of \$26,400 for the six cars, property tax of \$900, repairs and maintenance of \$7,890 and fuel of \$51,000. Based on the evidence presented, the applicant is financially viable to operate the proposed livery service.

Regarding the applicant's suitability, Mr. Monsour provided a criminal record check which showed no criminal convictions. The applicant is currently operating a successful livery service and is aware of the rules and regulations. Since the applicant is already in business, he has

the ability to efficiently and properly to perform the service.

The final element that needs to be proven is that there is an executed contract from Logisticare which was presented as an exhibit. There was also witness testimony from Claude Bisson, a Manager at Logisticare, as to the need for the livery service.

Based on the evidence presented, the applicant will be granted the authority to operate the six (6) vehicles requested.

#### IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application of Valley Livery & Limo, LLC. is hereby granted. Accordingly, Livery Permit Number 3101, standing in the name of Valley Livery & Limo, LLC. is hereby reissued as follows:

#### **LIVERY PERMIT NO. 3101**

#### **DURATIONAL LIVERY SERVICE UNDER CONTRACT WITH LOGISTICARE, INC. DOCKET NO. 1204-GOV-48-L-GRANTED APRIL 19, 2013**

Valley Livery & Limo, LLC. is authorized to operate six (6) motor vehicles, having a seating capacity of less than ten (10) adults, for the provision of transportation for hire by virtue of a contract with Logisticare, Inc. from a headquarters in Ansonia, Connecticut.

#### **RESTRICTIONS:**

**The applicant must register and insure all of the motor vehicles granted in this docket within forty-five (45) days from the date of this final decision. Any vehicles not registered or insured within the forty-five (45) day period will be revoked.**

The additional authority for six (6) vehicles granted in Docket No. 1204-GOV-48-L, shall be durational in nature and shall exist only for the period of time that the permit holder has a current and continuing contract in effect for the provision of service with Logisticare.

The permit holder shall notify the department of any termination of its contract with Logisticare or the cessation of the active provision of service there under. The permit holder shall file with the department on an annual basis, upon registration or re-registration of the motor vehicle authorized in this decision, a current, executed copy of the extension of said contract. Failure to file an extension of the contract, or a new executed contract with Logisticare, shall void the authority for the vehicle authorized pursuant to this contract.

This permit is not transferable and shall remain in effect until revoked by the department or until the contract under which this authority is granted has expired. Failure of the permit holder to maintain proper insurance and/or comply with all pertinent motor vehicle laws and other State statutes and/or rules, regulations and orders of the department shall be considered sufficient cause to amend, suspend or revoke said permit.

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

**DURATIONAL LIVERY SERVICE  
UNDER CONTRACT WITH LOGISTICARE, INC.  
DOCKET NO. 0801-GOV-167-L-GRANTED JULY 22, 2009**

Valley Livery & Limo, LLC. is authorized to operate eight (8) motor vehicles, having a seating capacity of less than ten (10) adults, for the provision of transportation for hire by virtue of a contract with Logisticare, Inc. from a headquarters in Ansonia, Connecticut.

**RESTRICTIONS:**

The authority for the eight (8) vehicles granted in Docket No. 0801-GOV-167-L, shall be durational in nature and shall exist only for the period of time that the permit holder has a current and continuing contract in effect for the provision of service with Logisticare.

The permit holder shall notify the department of any termination of its contract with Logisticare or the cessation of the active provision of service there under. The permit holder shall file with the department on an annual basis, upon registration or re-registration of the motor vehicle authorized in this decision, a current, executed copy of the extension of said contract. Failure to file an extension of the contract, or a new executed contract with Logisticare, shall void the authority for the vehicle authorized pursuant to this contract.

This permit is not transferable and shall remain in effect until revoked by the department or until the contract under which this authority is granted has expired. Failure of the permit holder to maintain proper insurance and/or comply with all pertinent motor vehicle laws and other State statutes and/or rules, regulations and orders of the department shall be considered sufficient cause to amend, suspend or revoke said permit.

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

Dated at Newington, Connecticut on this 23<sup>rd</sup> day of April 2013

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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Judith Almeida

Staff Attorney III

Administrative Law Unit

Bureau of Finance and Administration