



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NUMBER 1307-C-294-L

RE: IN THE MATTER OF THE CITATION OF GREEN LIGHT LIMOUSINE  
SERVICE, INC. D.B.A. LIMOUSINE SERVICE.

Final Decision

December 6, 2013

## I. INTRODUCTION

### A. General

By citation dated September 17, 2013, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Green Light Limousine Service, Inc. d.b.a. Limousine Service (hereinafter "respondent"), holder of Permit Number 2987, 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 Permit Number 2987, issued for livery service, should not be suspended or revoked or a civil penalty imposed for violation of its permit pursuant to Connecticut General Statutes Section 13b-103, et seq.

More specifically, it is alleged that the respondent violated Connecticut General Statute Section 13b-103 for operating in intrastate service without a permit and Section 14-27(d) for operating in intrastate service without proper plates.

The citation was served upon the respondent 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 December 3, 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.

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

Daniel Pernas appeared pro se at the citation hearing. The respondent's mailing address is 8 Mill Plain Road, Danbury, Connecticut 06811.

Eugene Morris, Transportation Public Transit Inspector with the Regulatory and Compliance Unit, presented evidence on behalf of the department.

## II. FINDINGS OF FACT

1. The respondent's vehicle was stopped on May 18, 2013, in Southington at a joint DMV/DOT prom enforcement action.
2. Mr. Dennis King, Manager of the Regulatory & Compliance Unit, was present at the enforcement action.
3. The respondent's company was cited for violations of Connecticut General Statutes Section 13b-103 for operating intrastate without a permit and Section 14-27(d) for operating intrastate without proper plates.
4. On July 23, 2013, the department sent to the respondent a warning letter in accordance with Connecticut General Statute Section 13b-103(c). The warning letter was sent beyond the fifteen (15) day period allowed by statute.

5. Mr. Pernas testified that the company made a mistake on the drop off location which they believed to be in New York so an interstate plated vehicle was sent although they had intrastate vehicles available.

6. The only other time the respondent had a citation hearing was in 2008.

### III. CONCLUSION

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-103, as amended, with respect to fares, service, operation or equipment, in an amount not to exceed one thousand dollars per day for each violation.

According to Connecticut General Statute 13b-103 (c), the warning letter must be sent within fifteen (15) days from the date the department receives knowledge of the violation. Since Mr. King was present on May 18, 2013, per the DMV report, that is the date that the fifteen (15) days starts to run. The warning letter was finally sent on July 23, 2013, which was beyond the fifteen (15) days required by statute.

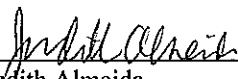
Mr. Pernas testified that the company thought it was transporting clients within New York and not Connecticut. The company has a fairly clean record with only one other citation in 2008. These facts alone do not absolve the respondent for the actions of the company but the failure of the department to issue a timely fifteen (15) day warning letter will cease this citation action.

### IV. ORDER

Based on the above, the citation action against Green Light Limousine Service, Inc. d.b.a. Limousine Service will be dismissed.

Dated at Newington, Connecticut on this 6th day of December 2013.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

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