



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

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DOCKET NO. 1503-N-31-L

RE: APPLICATION OF 3V SERVICES, LLC TO OPERATE ONE (1) MOTOR VEHICLE HAVING A SEATING CAPACITY OF LESS THAN ELEVEN (11) ADULTS, IN GENERAL LIVERY SERVICE BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN BETHEL, CONNECTICUT.

FINAL DECISION

March 11, 2016

I. INTRODUCTION

A. Application

By application filed on March 31, 2015 with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, 3V Services, LLC (hereinafter "applicant") located at 39 Apollo Road, Bethel, Connecticut seeks authorization to operate one (1) motor vehicle, having a seating capacity of less than eleven (11) adults, in general livery service between all points in Connecticut from a headquarters in the town of Bethel, Connecticut.

B. Hearing

Pursuant to Connecticut General Statutes Section 13b-103(a), as amended, a public hearing on this application was held on March 1, 2016.

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 General Statutes Section 13b-103(a)(1). Legal notice to the public was given by publication on the department web site at www.ct.gov/dot.

A hearing officer was designated by the Commissioner of Transportation to conduct the hearing on this matter, pursuant to Connecticut General Statutes Section 13b-17.

C. Appearances

Vanishankar Purohit, member of the applicant 3V Services, LLC, appeared on behalf of the company and was represented by Michael Stone, Esq. whose mailing address is 129 Church Street, Suite 806, New Haven, Connecticut 06505-1112. The applicant's mailing address is 39 Apollo Road, Bethel, Connecticut 06801.

No opposition was presented to the application.

II. FINDINGS OF FACT

1. Vanishankar Purohit and his wife, Shashikala Purohit seek to begin a livery service with one vehicle. Purohit has retired from working in the IT field and sees the need for livery transportation for people employed in the IT field, as they travel often.

2. The applicant has a 2014 Honda Odyssey Van that he will use in the business. The annual premium for the insurance for the vehicle is \$5,490. The applicant will pay an initial deposit of \$1,098 and nine monthly payments of \$492. Six months of payments, including the deposit, total \$3,561.

3. Startup costs for the initial startup period are estimated at \$1,200 for the cell phone; \$300 for advertising costs; and maintenance in the amount of \$500.

4. The applicant has cash on hand in the amount of \$18,487.

5. The applicant's management members have no criminal conviction history.

6. The applicant's member, Vanishankar Purohit will drive for the company. He does not have a commercial driver's license but intends to get one before the company begins business, if the application is approved.

7. The members of the applicant company have no criminal conviction history.

8. Vinay Purohit is the son of the members of the applicant company. He works for Media Associates, a company based in Sandy Hook, Connecticut. The company's management team travels extensively. The director of Purohit's company will use the applicant as the in-house limousine service for the employees of his company who travel. They would provide at least 5 trips per week. The applicant would provide competitive costs for its service.

9. Rama Sriram lives in Danbury and has known the members of the applicant company for sixteen years. Her husband travels extensively, and her family also travels domestically and abroad. She and her husband would use the applicant's service, if granted, for service to and from the airports and train stations. They would pay more for the convenience of having livery service. Sriram would rather use the applicant rather than other livery services because she knows the owner to be prompt, courteous, and efficient.

10. Sharun Neelakantan lives in Bethel, is a family friend of the owners of the applicant company and knows the Purohit to be a reliable and professional driver and would use him for trips to the train station when he has to travel.

11. No opposition was presented to the application.

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. Some factors to consider relative to public convenience and necessity include whether the service will benefit the relevant class of users, whether the proposed service is more efficient, more economical, more convenience, more satisfactory, or different than the services offered by existing service providers. To be further considered is whether the new service would create a potentially beneficial effect upon the rates and customer service, whether the acquisition of equipment would be more suitable to customer needs, whether the population in the area that the applicant proposes to service is increasing; and whether potential customers have requested a service like that suggested by the applicant, and lastly, whether the proposed service will improve the existing mode of transportation. *Steve Martorelli v. Department of Transportation, 316 Conn. 538 (2015)*.

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 General Statutes Section 13b-103.

In support of financial wherewithal, the applicant will use a 2014 Odyssey van. The applicant showed the following as its initial six-month startup costs: car payments \$2,573, estimated insurance will cost approximately \$3,561, \$500 for maintenance and repairs, taxes of \$600, cell phones \$1,200, advertising \$300. The applicant provided proof of cash on hand in the amount of \$18,487. The applicant has sufficient cash for its startup costs.

In support of suitability to operate the proposed service, the applicant provided the requisite criminal conviction history forms for its members, both showing no criminal activity; nor have they had criminal activity involvement since the date of the reports. The applicant's management appears to be willing and able to conform to the requirements and regulations of the department, but the only question this hearing officer has is whether Purohit is familiar with said regulations governing livery service. Upon questioning regarding whether he had a commercial driver's license, Purohit said he did not and appeared not to know that one is required to drive a livery vehicle. While this does not make Purohit unsuitable to operate in and of itself, the witness's demeanor leads

one to believe that perhaps he should have more familiarity with the requirements for operating livery service in Connecticut. Accordingly, the management of the applicant will be required to review the rules and regulations and statutes that govern livery service and provide certification in the form of a written statement to his having done so. Moreover, Purohit will be required to obtain his commercial driver's license, and provide proof thereof, prior to registering his vehicle.

Lastly, as regards public convenience and necessity, several witnesses testified that they travel often and would use the applicant for their livery needs. They know the applicant's manager personally; they are familiar with his character and they believe that the applicant will provide timely, efficient, and professional services. No evidence was presented on the record to negate a conclusion that the proposed service would benefit the public and would improve the public convenience and necessity of the area of concern.

IV. CONCLUSIONS OF LAW

The evidence of record supports the conclusions that the applicant is suitable to operate the proposed service, although its management will be required to show proof of a commercial driver's license and a certification that the members of management have read the rules, regulations, and statutes governing livery service; the applicant possesses the financial suitability to operate the proposed service; and the applicant's service would improve public convenience and necessity in the area of concern, in accordance with Connecticut General Statutes Section 13b-103.

V. ORDER

Based upon the above and pursuant to Connecticut General Statutes Section 13b-103, as amended, the application of 3V Services, LLC is hereby granted and Permit Number 3528, is issued as follows, with the following conditions:

1. The applicant must register its vehicle within sixty (60) days from the date of this Final Decision.
2. PRIOR TO REGISTRATION, Vanishankar Purohit shall provide proof of a commercial driver's license, issued in his name.
3. PRIOR TO REGISTRATION, the members of the applicant's management shall read the statutes, regulations, and rules governing livery service and provide to the regulatory staff a certification of said review.
4. Failure to meet the three conditions precedent by the date noted will result in

revocation of this permit without further proceeding. This Final Decision constitutes notice within the meaning of Connecticut General Statutes Section 4-182.

LIVERY PERMIT NO. 3528
FOR THE OPERATION OF LIVERY SERVICE

3V Services, LLC is hereby permitted and authorized to operate ONE (1) motor vehicle, having a seating capacity of eleven (11) adults or less in GENERAL LIVERY SERVICE between all points in Connecticut from a headquarters in Bethel.

This Permit may not be sold or transferred until it has been operational, i.e., a vehicle registered with the livery plates thereunder, for not less than twenty-four (24) consecutive months.

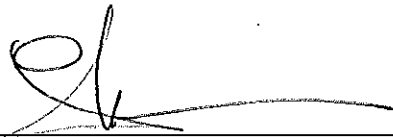
This Permit shall remain in effect until it is amended, suspended or revoked by the Department. Failure of the Permit holder to maintain proper insurance and/or comply with all pertinent motor vehicle laws and other State statutes and/or the rules, regulations and orders of the Department shall be considered sufficient cause to amend, suspend or revoke this Permit.

This Permit is transferable only with the approval of the Department and is issued subject to compliance by the holder hereof with all motor vehicle laws of the State of Connecticut, and with such rules, regulations and orders as this Department may from time to time prescribe.

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 11th day of March 2016.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Laila A. Mandour
Staff Attorney III
Administrative Law Unit
Bureau of Finance and Administration