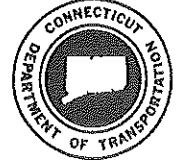


STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NUMBER 1509-C-127-L

RE: IN THE MATTER OF THE CITATION OF CTESSENTIAL LIMO, LLC
(REOPENNING)

FINAL DECISION

APRIL 6, 2016

I. INTRODUCTION

A. General

By citations dated January 8, 2016 and March 9, 2016, the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, ordered CTESSENTIAL Limo, LLC (hereinafter "respondent"), holder of Livery Permit Number 3295, 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 3295, issued for the operation of interstate 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 the following Connecticut General Statutes Sections:

1. 13b-102(2)(b) Failure to have an active FMCSA
2. 14-29 Failure to have insurance

The citation was served upon the respondent by 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 February 9, 2016 and April 5, 2016. 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

The respondent, Noel Tardiel, did not appear at the original hearing but did appear at the hearing on April 5, 2016. The respondent's mailing address is 2490 Black Rock Turnpike, Fairfield, Connecticut 06825.

Valerie Seery, License and Application Analyst, with the Regulatory and Compliance Unit presented evidence on behalf of the department.

II. FINDINGS OF FACT

1. The respondent is the holder of interstate Livery Permit 3295 in the name of CTESSENTIAL Limo, LLC with a headquarters in Bridgeport which was granted on April 11, 2013.
2. On December 15, 2015, an inspector with the department inquired as to the validity of respondents permit. In the process, it was discovered that the respondent did not have an active FMCSA registration and that it had been revoked in 2011. The FMCSA was also not in the correct name but rather in the name of its member, Noel Tardiel. In addition, the respondent also did not have current insurance.
3. On December 17, 2015, a letter was sent informing the respondent of the violations and asking for those issues to be corrected within two weeks. This letter was sent by both certified and regular mail. The respondent failed to claim this letter or fix the violations.

4. On February 11, 2016, a final decision was issued in which the respondent was revoked for failure to appear at the hearing on February 9, 2016.

5. The respondent subsequently asked to have the matter reheard and a new hearing date of April 5, 2016 was selected.

6. As of the date of the second hearing, the respondent still had no insurance or FMCSA for the respondent company, CT ESSENTIAL Limo, LLC.

7. The FMCSA that was in Mr. Tardiel's name was subsequently transferred to an entity called Valid Limo, LLC which is registered with the Secretary of State but not with the Department of Transportation.

III. DEPARTMENT ANALYSIS

The Department of Transportation has jurisdiction over matters pertaining to the operation of motor vehicles in livery service in the State of Connecticut accordance with Connecticut General Statutes Section 13b-103, as amended.

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.

The evidence shows that the Federal Motor Carrier Safety Administration dropped the respondent from its active records in 2011. The respondent had no insurance on file and continues, as of the date of the second hearing, to have failed to reactivate its FMCSA or have insurance.

Mr. Tardiel attended the second hearing and testified that due to a motor vehicle accident he incurred an insurance problem with CTESSENTIAL Limo, LLC so he opened a new company with the name of Valid Limo, LLC. Valid Limo, LLC has a valid FMCSA authority and insurance but has not registered with the Department of Transportation as required.

Since Mr. Tardiel has set up a new entity, Valid Limo, LLC there is no reason to resurrect the respondent company, CTESSENTIAL Limo especially given the fact that there still is no FMCSA number or insurance in the name of that respondent company. At the hearing, Mr. Tardiel agreed to work with Department staff to register Valid Limo, LLC properly.

Based on the evidence presented, CTESSENTIAL Limo, LLC is hereby revoked.

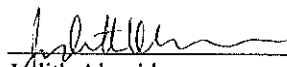
IV. ORDER

Based on the above, livery permit number 3295, standing in the name of CTESSENTIAL Limo, LLC is hereby revoked thirty (30) days from the date of this final decision. After that time, the department will notify the Department of Motor Vehicles to confiscate the respondent's livery plates.

This final decision constitutes notice in accordance with Connecticut General Statutes Section 4-182(c).

Dated at Newington, Connecticut on this the 6th day of April 2016.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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