

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

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DOCKET NO. 1808-N-102-L

RE: APPLICATION OF JEAN PIERRE LIVERY SERVICE, LLC TO OPERATE ONE (1) GENERAL LIVERY VEHICLE, WITH A SEATING CAPACITY OF LESS THAN ELEVEN PASSENGERS, FROM A HEADQUARTERS IN EAST HARTFORD.

DECISION

NOVEMBER 2, 2018

I. INTRODUCTION

A. APPLICATION

By application filed on August 30, 2018, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Jean Pierre Livery Service, LLC (hereinafter "applicant") with a mailing address of 105 Pendleton Drive, East Hartford, CT 06118 seeks authorization to operate one (1) motor vehicle, having a seating capacity of less than eleven (11) adults, in general livery service from a headquarters in East Hartford.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on October 25, 2018.

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, 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

Nicolas Jean-Pierre appeared on behalf of the applicant. The applicant was represented by Attorney Michael Stone whose mailing address is 129 Church Street, Suite 806, New Haven, CT 06510.

II. FINDINGS OF FACT

1. The applicant seeks to operate one (1) motor vehicle in general livery service from a headquarters in East Hartford. Mr. Jean-Pierre has been a livery driver for seventeen (17) years.

2. The applicant will operate a 2010 Lincoln Town Car which is already paid for. The vehicle is owned by Mr. Jean-Pierre but titled to the livery company where he works.

3. Mr. Jean-Pierre's wife and sons will help him in the business which will be operated in his residence.

4. The applicant has a clean criminal record. He has been driving for A & M Limo, LLC for several years.

5. The applicant has \$5,000 in the bank.
6. The applicant's first six months of expenses includes: insurance of \$2,067, maintenance of \$450, property tax of \$62, communication costs of \$480 and advertising costs of \$450.
7. Cherene Cotter is a Front Desk Agent with the Hilton in Hartford. She regularly refers the applicant to transport guests. The applicant provides very good experience customer service.
8. Minister Timothy Braswell is a Bellman at the Hilton. He also has very good experiences with the applicant's service.
9. Pierre Julmisse is a taxicab driver who testified as a character witness for the applicant. He is a resource for handling transportation requests the applicant is unable to perform.
10. Deborah Meyers is a Service Agent with the Hilton. She also supported the applicant. Her customers are often business people who want upscale livery services.
11. Miguel Pena Milandez is a Bellmen at the Hilton. His customers have given him positive feedback about the applicant and the professional reliable livery service he provides.
12. The applicant has a large corporate customer base.
13. This application is not opposed.

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 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.

Regarding the applicant's suitability, the applicant submitted a criminal record check

for Mr. Jean-Pierre, the only member, which disclosed no criminal record. Mr. Jean-Pierre has been a livery driver for many years and has gained the experience needed to operate this service. The applicant is suitable to conduct this proposed business.

As far as the applicant's financial ability is concerned the applicant presented evidence that the first six months of expenses includes: insurance of \$2,067, maintenance of \$450, property tax of \$62, communication costs of \$480 and advertising costs of \$450 for a total expense of \$3,509. The applicant has \$5,000 in the bank which is sufficient to cover these costs.

On the issue of public convenience and necessity the applicant has been a livery driver for many years. Mr. Jean-Pierre has a large corporate customer base and many hotel contacts whom will refer him business. Based on all of the evidence presented, this livery application will be granted.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application is hereby granted and Livery Permit Number 3644 is hereby issued as follows:

LIVERY PERMIT NUMBER 3644

Jean Pierre Livery Service, LLC is hereby permitted to operate one (1) motor vehicle, having a seating capacity of less than eleven passengers, in general livery service from a headquarters in East Hartford.

RESTRICTIONS:

The applicant must register and insure the one (1) vehicle granted in this permit within ninety (90) days. Failure to do so may result in revocation of the authority.

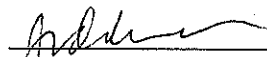
The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates thereunder for not less than twenty-four (24) months.

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 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 the 2nd day of November 2018.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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