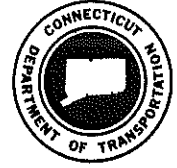




STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

ERRATA (AS TO APPLICANT'S NAME)

DOCKET NO. 1810-N-111-L

RE: APPLICATION OF J & Y TRANSPORTATION SERVICES, LLC TO OPERATE ONE (1) GENERAL LIVERY VEHICLE, WITH A SEATING CAPACITY OF LESS THAN ELEVEN PASSENGERS, FROM A HEADQUARTERS IN DANBURY.

DECISION

MAY 9, 2019

I. INTRODUCTION

A. APPLICATION

By application filed on October 4, 2018, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, J & Y Transportation Services, LLC (hereinafter "applicant") with a mailing address of 34 New Street, Apt 1, Danbury, CT 06810 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 Danbury.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on April 25, 2019.

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

Johan Lizardo and his wife, Yanet Degonzalez, appeared on behalf pro se of the applicant. The business mailing address is 34 New Street, Apt 1, Danbury, CT 06810.

Noomi Champagne appeared as a translator from SMG Media Group.

II. FINDINGS OF FACT

1. The applicant seeks to operate one (1) motor vehicle in general livery service from a headquarters in Danbury.

2. The two members will be the drivers of the livery vehicle. They are both in the process of getting their public service license. The applicant also has several friends with a public service licenses who can drive for the business.

3. The applicant will operate a 2015 Hyundai Sonata.

4. The applicant has \$16, 275 in a bank account for the business.

5. The applicant's first six months of expenses includes insurance of \$3,048, vehicle maintenance of \$1,000, property tax of \$100, advertising of \$500, vehicle financing of \$1,776 and communication of \$600.

6. Mr. Lizardo has years of taxi driving experience in the Dominican Republic. In the United States, he has driven for UBER for the past three years.

7. Ms. Degonzalez is going to be the primary manager of the business in addition to being a driver

8. The applicant has received its interstate livery authority, which will be incorporated into this decision.

9. Edwin Moran would use the applicant's livery service ten (10) to twelve (12) times a year for his families transportation needs.

10. Juan Lugo, Raul Munoz and Ivan Arias are interested in using the applicant's livery service. The taxi service in Danbury is slow and there are not enough cars. They are also potentially interested in driving for the applicant.

11. Gerson Galdamez is the business manager at a car wash the applicant uses. His customers who are leaving their vehicle at his business for detailing need rides. His employees also need transportation to work.

12. 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 each of the two members which shows no criminal records. Mr. Lizardo has extensive livery

and taxi driving experience. His wife used to work in human resources and can handle the office administration. Based on the evidence presented, the applicant has the necessary suitability to be granted this authorization.

As far as the applicant's financial ability is concerned the applicant presented evidence that the first six months of expenses includes insurance of \$3,048, vehicle maintenance of \$1,000, property tax of \$100, advertising of \$500, vehicle financing of \$1,776 and communication costs of \$600. The applicant has \$16,275 in the bank, which is sufficient to cover these initial costs making the applicant financially suitable.

On the issue of public convenience and necessity, the applicant presented several witnesses in support of the application. The witnesses have a need for livery service and have found the local taxi service not up to par. Based on all of the evidence presented, the applicant has shown public convenience will be improved by a grant of this application.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application of J & Y Transportation Services, LLC is hereby granted and Livery Permit Number 3665 is hereby issued as follows:

LIVERY PERMIT NUMBER 3665

J & Y Transportation Services, 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 Danbury.

J & Y Transportation Services, LLC is permitted and authorized to operate motor vehicles as a common carrier of passengers, in charter and special operations, in interstate commerce under such authorization as issued or amended by the Federal Motor Carrier Safety Administration in the issuance of Certificate Number MC-1027900-C.

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 9th day of May 2019.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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