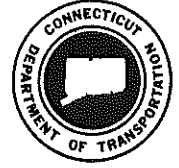




STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 1812-N-144-L

RE: APPLICATION OF PURPLE HEARTS HOME CARE, LLC TO OPERATE ONE (1) GENERAL LIVERY VEHICLE, WITH A SEATING CAPACITY OF LESS THAN ELEVEN PASSENGERS, FROM A HEADQUARTERS IN MANCHESTER.

DECISION

FEBRUARY 15, 2019

I. INTRODUCTION

A. APPLICATION

By application filed on December 11, 2018, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Purple Hearts Home Care, LLC (hereinafter "applicant") with a mailing address of 357 East Center Street, Manchester, CT 06040 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 Manchester.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on February 14, 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

Samuel Twumasi appeared pro se on behalf of the applicant. The applicant's address is 357 East Center Street, Manchester, CT 06040.

II. FINDINGS OF FACT

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

2. The transportation to be conducted by the applicant is for clients of the applicant's home care service and for private pay clients from other organizations. The trips will be for medical appointments and errands.

3. The applicant's first six months of expenses includes \$8,100 for rent, vehicle financing of \$5,700, insurance of \$2,016, maintenance of \$800, advertising of \$240, property tax of \$741 and communication costs of \$270.

4. The applicant has \$107,701 in a Bank of America account.

5. Mr. Twumasi has extensive educational experience and work experience with the elderly.
6. The applicant will hire a driver for the 2017 Ford van, which will be used in the business. The van is equipped to transport wheelchairs.
7. The applicant refers seven to ten trips a day to out of area operators as far away as Waterbury.
8. The applicant produced two agreements with organizations who will use his private pay livery service for their clients.
9. This application is not opposed by any livery operator.

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. Twumasi which disclosed no criminal record. Mr. Twumasi has extensive business experience with the elderly, which will enable him to oversee this transportation venture. Based on the evidence presented, the applicant is suitable to conduct the proposed business.

As far as the applicant's financial ability is concerned the applicant presented evidence that the first six months of expenses includes: \$8,100 for rent, vehicle financing of \$5,700, insurance of \$2,016, maintenance of \$800, advertising of \$240, property tax of \$741 and communication costs of \$270 for a total expense of \$17,867. The applicant has \$107,701 in a bank account that will cover these expenses so it is financially suitable.

On the issue of public convenience and necessity, Mr. Twumasi and another employee, Myra Mojica, both testified that they refer between seven and ten trips daily to out of area operators for their home health clients. Some of these operators are as far away as Waterbury.

Their clients are often having transportation issues.

In addition, the applicant has several organizations in place who want to use his livery service for their clients. These trips would be private pay as opposed to the State funded trips the applicant would be doing for his home health care company. Based on all of the evidence presented, this livery application is hereby granted.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application in the name of Purple Hearts Home Care, LLC is hereby granted and Livery Permit Number 3651 is hereby issued as follows:

LIVERY PERMIT NUMBER 3651

/ Purple Hearts Home Care, LLC is authorized to operate one (1) motor vehicle in general livery service, with a seating capacity of less than eleven passengers, from a headquarters in Manchester.

RESTRICTIONS:

The applicant must register and insure the one (1) general livery vehicles granted in this decision within ninety (90) days. Failure to do so may result in revocation of this 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 15th day of February 2019.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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