



# STATE OF CONNECTICUT

## DEPARTMENT OF TRANSPORTATION



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

Phone:

### NOTICE OF HEARING

[www.ct.gov/dot](http://www.ct.gov/dot)

**DOCKET NO. 1912-C-128-L**

**APPLICATION:**

Earl Mellow, Jr.  
1126 Main Street, 3<sup>rd</sup> Fl.  
Bridgeport, CT 06601

**HEARING ASSIGNED: JANUARY 23, 2019 at 10:00 AM**

**LOCATION:**

Department of Transportation  
2800 Berlin Turnpike  
Newington, Connecticut  
Conference Room A

The records of the Department of Transportation, Regulatory and Compliance Unit (department) indicate you are the holder of Permit No. 2794. The records of the department further indicate that you are in violation of the following Connecticut General Statutes (CGS) and/or Regulations of Connecticut State Agencies (RCSA) CGS Section 13b-102, 13b-103, 13b-106 as amended, by violating the terms of the Permit which require the Permit holder to comply with all pertinent motor vehicle laws and other statutes, and/or rules, regulations and orders of the department.

More specifically:

1. It has come to the Department's attention on November 4, 2019, that Earl Mellow, Jr. has authority to operate general livery motor vehicles, each with a passenger seating capacity of ten (10) passengers or less, in general livery service from a headquarters in Bridgeport. Earl Mellow, Jr. is further permitted and authorized to operate motor vehicles as a common carrier of passengers in interstate commerce under such authorization as issued or amended by the Federal Motor Carrier Safety Administration in the issuance of Certificate No. MC-374704. However, there are no vehicles currently registered to this company. This is a direct violation of CGS Section 13b-103 or 13b-106, which provides that the holder of such permit may apply for registration of any motor vehicle of which such holder is the owner or lessee, to be used as specified in such permit.
2. As a result of this finding, a headquarters check was requested for Earl Mellow, Jr. on November 4, 2019, which shows your business is no longer at this location. This is a direct violation of the RCSA Section 16-325-2 (Transfer of Permit), Section 16-325-3 (Notice of Change

of Address), Section 16-325-4 (Change of location outside city/town) and Section 16-325-5 (Information and records available to Authority). Also, the mailing and business address is not valid.

Pursuant to Connecticut General Statutes Section 13b-96, as amended, you are hereby directed to appear at the office of the Department of Transportation, 2800 Berlin Turnpike, Newington, Connecticut 06111, Hearing Room No.A for a show cause hearing as to why this Permit should not be revoked or suspended and/or a civil penalty assessed for failure to comply with the applicable provisions of the Connecticut General Statutes and Regulations of Connecticut State Agencies, as stated above.

Pursuant to Section 4-177a of the Connecticut General Statutes, any person may request party status, if such person has submitted a written petition to the agency and mailed copies to all parties, at least five (5) days before the date of the hearing and the petition states facts that demonstrate that the petitioner's legal rights, duties or privileges shall be specifically affected by the agency's decision in the contested case.

In addition, any person may request intervenor status if such person has submitted a written petition to the agency and mailed copies to all parties, at least five (5) days before the date of the hearing and the petition states facts that demonstrate that the petitioner's participation is in the interests of justice and will not impair the orderly conduct of the proceedings.

All petitions for party or intervenor status must be submitted in written form and received by this department no later than five (5) days prior to the date of hearing. Otherwise, such requested status shall be subject to denial. The five-day requirement may be waived at any time before or after the commencement of the hearing on a showing of GOOD CAUSE. Copies of any requests for party or intervenor status must be mailed to the applicant and to all known parties.

An original and **FOUR (4) COPIES** of all prepared documents and exhibits intended to be introduced as evidence in this matter by the applicant, party, or intervenor must be filed with the department no less than **SEVEN (7) DAYS** prior to the date of hearing. All filings must be mailed to:

**CONNECTICUT DEPARTMENT OF TRANSPORTATION**  
**Administrative Law Unit**  
**2800 Berlin Turnpike**  
**P. O. Box 317546, Newington, CT 06131-7546**  
**Attn: Judith Almeida**

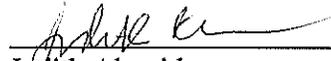
The meeting facility is ADA accessible. Language assistance may be requested by contacting the Department's Language Assistance Call Line at (860) 594-2109, requests should be made at least five (5) business days prior to the meeting. Persons having a hearing and/or speech disability may dial 711 for Telecommunications Relay Service (TRS) and instruct the operator to contact (860) 594-2243. Language assistance is provided at no cost to the public, and efforts will be made to respond to timely requests for assistance.

Parties and intervenors requiring an interpreter (translator) for this public hearing must notify the Department of Transportation by contacting the Department's Administrative Law Unit at (860) 594-2875 at least five (5) working days prior to the hearing.

If the hearing is postponed due to inclement weather, the hearing will be rescheduled for the next available date. Confirmation will be sent of the new date of hearing. For any questions regarding postponements, please call (860) 594-2875.

Dated at Newington, Connecticut, on this 9th day of December 2019.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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Judith Almeida  
Staff Attorney 3  
Administrative Law Unit  
Bureau of Finance and Administration