



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

DOCKET NUMBER 2105-C-35-T

RE: IN THE MATTER OF THE CITATION OF USA TAXI OF
STAMFORD, LLC

DECISION

JANUARY 6, 2022

I. INTRODUCTION

A. General

By citation dated on May 25, 2021, July 19, 2021 and November 18, 2021, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-97 and 4-182 as amended, USA Taxi of Stamford, LLC (hereinafter "respondent"), holder of Taxicab Certificate Number 1182, was ordered to come before the department to answer the allegations made therein.

Pursuant to said citation, the respondent was directed to appear by telephone to show cause why Taxicab Certificate Number 1182 should not be suspended or revoked, or a civil penalty imposed for violation of its certificate pursuant to Connecticut General Statutes Section 13b-97, et seq.

Connecticut General Statutes Section 13b-97, 4-182 and the Connecticut State Agency Regulations, as amended, by violating the terms of the certificate which require the certificate holder to comply with all pertinent laws and other statutes, and/or rules, regulations, and orders of the department.

More specifically, on March 1, 2021, Mr. Barry Preyer, completed a customer's complaint form and emailed it to the Regulatory & Compliance Unit of the Department of Transportation stating that his vehicle was damaged in an accident that occurred in a parking lot and that the vehicle that hit his vehicle was registered to USA Taxi of Stamford LLC.

Mr. Preyer provided the following documents with his complaint form: police report, damage estimate and a letter from Progressive Insurance that the respondent did not have insurance at the time of the accident.

On March 22, 2021, Inspector MacDougall contacted Francisco Rendon, the owner of the respondent company requesting that Mr. Rendon hand deliver a check for \$2,696.55, the amount of the damages that were quoted to Mr. Preyer.

As a result, this complaint brought to the attention of the department that the respondent may be in violation of the following Connecticut General Statutes Sections:

14-29- Owners of motor or service buses, taxicabs, school buses, school transportation vehicles and motor vehicles in livery service to furnish insurance or bond (failure to update insurance certificate)

14-29(b)(2) Limits of Liability Coverage (failure to carry required insurance)

B. Hearing Held

Pursuant to Section 13b-97 of the Connecticut General Statutes, as amended, the telephone hearing for this citation was originally to be held on July 15, 2021. On that date, Mr.

Rendon called the department and said he was ill. The citation hearing was rescheduled for October 7, 2021. On October 7, 2021, no one from the respondent's company appeared at the telephone hearing. It was later discovered that the respondent had changed his mailing address. A third notice scheduled the citation for December 16, 2021 at which the respondent did appear. 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-97, 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

Francisco Rendon appeared in this matter after being duly noticed by certified mail and email. The respondent's mailing address is 45 Cedar Street, Unit 4, Stamford, CT 06902.

Felipe Briseno, Staff Attorney 3 from the Regulatory & Compliance Unit appeared to present evidence in this matter.

II. FINDINGS OF FACT

1. The respondent is the holder of Taxicab Certificate Number 1182 in the name of USA Taxi of Stamford LLC which has authority to operate eighteen (18) vehicles in taxicab service in Stamford.

2. The department set a date for the hearing for July 15, 2021. On that date Mr. Rendon contacted the department and claimed to be ill. The hearing was then set for October 7, 2021. On October 7, 2021, the respondent failed to appear at the hearing as the mailing address had changed. The hearing was finally held on December 16, 2021.

3. This matter was originally initiated on March 1, 2021 when Mr. Barry Preyer filed a complaint with the Regulatory & Compliance Unit regarding an accident his vehicle had with the respondent's vehicle.

4. Mr. Preyer provided the department with a quote for the damage to his vehicle of \$2,696.55 which the department asked the respondent to pay.

5. On March 22, 2021, Inspector MacDougall sent the respondent a request that he pay Mr. Preyer a sum of \$2,696.55 for the damages his vehicle caused.

6. The respondent's vehicle is responsible for the accident.

7. At the time of the accident on February 15, 2021, the respondent did not have insurance.

8. Respondent's insurance was cancelled on February 1, 2021.

9. The Regulatory & Compliance Unit recommends a \$200 civil penalty for the violations.

III. DEPARTMENT ANALYSIS

The Department of Transportation has jurisdiction over taxicabs in the State of Connecticut accordance with Connecticut General Statutes Section 13b-97, as amended.

Pursuant to Connecticut General Statutes Section 13b-97, the department may amend or for sufficient cause suspend or revoke any such certificate. 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-97, as amended, with respect to fares, service, operation or equipment, in an amount not to exceed one thousand (\$1,000) dollars per day for each violation.

Based on the evidence presented, the respondent's taxicab caused damage to Mr. Preyer's vehicle. At the time of the accident on February 15, 2021, the respondent was not insured. The respondent's insurance was cancelled on February 1, 2021. Based on the evidence presented, the respondent is in violation of Connecticut General Statute Section 4-29 and 14-29(b)(2).

This is a serious violation as public safety was threatened by the respondent's lack of insurance. Although the respondent did pay for the damage, at the hearing Mr. Rendon did not appear to be taking responsibility for the accident. Since this is a very serious matter and a public safety risk, in addition to paying a \$200 civil penalty the respondent will be required to submit proof of insurance each month to the hearing officer for one full year. Said proof shall consist of a letter from respondent's insurance agent submitted on the first of each month starting February 1, 2022 or by any other form of proof acceptable to the hearing officer.

IV. ORDER

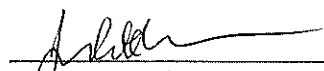
Based on the above, the respondent, will be assessed a civil penalty of \$200 to be paid to the "Treasurer, State of Connecticut" within sixty (60) days from the date of this decision.

The respondent shall submit proof of insurance on the first of each month starting on February 1, 2022. If the first of the month is a holiday or falls on a weekend, the proof of insurance must be submitted on the first business day following. The proof of insurance shall consist of a letter affirming the respondent's insurance from respondent's insurance agent or by any other proof of insurance approved by the hearing officer. Failure to comply with this order shall result in an opening of this matter for additional penalties which may include fines, suspension or revocation of respondent's certificate.

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

Dated at Newington, Connecticut on this the January 6, 2022.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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