

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

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DOCKET NO. 2205-N-43-L

RE: APPLICATION OF ORCHID TRANSPORTATION LLC TO OPERATE
ONE (1) GENERAL LIVERY VEHICLE, WITH A SEATING
CAPACITY OF LESS THAN ELEVEN PASSENGERS, FROM A
HEADQUARTERS IN NAUGAUTUCK

DECISION

AUGUST 9, 2022

I. INTRODUCTION

A. APPLICATION

By application filed on May 2, 2022, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Orchid Transportation LLC (hereinafter "applicant") with a mailing address of 40 Britany Lane, Naugatuck, Connecticut 06770 seeks authorization to operate one (1) motor vehicle, having a seating capacity of less than eleven (11) passengers, in general livery service from a headquarters in Naugatuck.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing by telephone was held on this application on August 2, 2022.

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

Orquidea Rivera appeared pro se on behalf of the applicant. The applicant's mailing address is 40 Brittany Lane, Naugatuck, Connecticut 06770.

II. FINDINGS OF FACT

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

2. The applicant proposes to operate a wheelchair accessible 2022 Ford Transit van. The van is financed.

3. Ms. Rivera is a dialysis nurse who has witnessed her patients having difficulty getting medical transportation. She hopes to fill this void by starting her own livery service.

4. The applicant's first six months of expenses includes insurance costs of \$8,262, property tax of \$1,476, vehicle financing of \$7,479 and communication costs of \$1,200.

5. The applicant has \$18,464 in a business bank account.
6. The applicant hopes to contract with transportation broker Veyo to provide medical transportation. The handicapped accessible vehicle the applicant will utilize is very desirable for Veyo.
7. In addition to Veyo, the applicant will do other livery transportation.
8. Ms. Rivera's husband will help her with the livery business.
9. The applicant will be operating out of her residence. There are no known zoning issues operating a home office in this residence.
10. Ms. Rivera will obtain the proper endorsement to drive the livery vehicle.
11. This application was 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 member Orquidea Rivera, which disclosed no criminal record. Ms. Rivera is a nurse and wants to help people with their transportation needs. Her patients have had difficulty getting medical transportation. Based on the evidence presented, the applicant is suitable to conduct the proposed livery business.

As far as the applicant's financial ability is concerned, the applicant presented evidence that the first six months of expenses includes insurance costs of \$8,262, property tax of \$1,476, communication costs of \$1,200 and vehicle financing of \$7,479 for a total expense of \$18,417. The

applicant has \$18,464 in a bank account to cover these startup expenses and is therefore financially suitable.

On the issue of public convenience and necessity, the applicant will provide transportation to Veyo and perform private pay livery trips as well. The applicant will be operating a brand-new wheelchair accessible van which is very desirable in the livery industry for brokers like Veyo. Based on the evidence presented, the applicant will receive authorization for intrastate livery service.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application in the name of Orchid Transportation LLC is hereby granted, and Livery Permit Number 3752 is hereby issued as follows:

LIVERY PERMIT NUMBER 3752

Orchid Transportation 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 Naugatuck.

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 the general livery 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 August 2022.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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