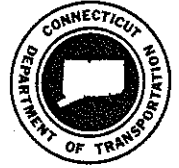


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**STATE OF CONNECTICUT**  
**DEPARTMENT OF TRANSPORTATION**



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

Phone:

(860) 594-2875

DOCKET NUMBER 0512-C-37-L  
(LV-06-2205-81)

RE: IN THE MATTER OF THE CITATION OF THAMES LIVERY  
CORPORATION, LTD.

REISSUED FINAL DECISION

March 31, 2008

*original # 1525*

*1626*

## I. INTRODUCTION

### A. General

By citation dated October 26, 2007, by the Department of Transportation (hereinafter "Department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Thames Livery Corporation, LTD. (hereinafter "respondent"), holder of Livery Permit Number 2323, was ordered to come before the Department to answer the allegations made therein.

Pursuant to said citation, the respondent was directed to appear at the Newington office of the Department of Transportation to show cause why Livery Permit Number 2323, issued for the operation of livery service, should not be suspended or revoked or a civil penalty imposed for violation of its livery permit issued pursuant to Connecticut General Statutes Section 13b-102, et seq.

More specifically, it is alleged that on or about June 11, 2005, the permit holder operated a 2003 Lincoln Town Car bearing Connecticut Registration marker plate number L6818L in the Town of Greenwich with no front plate displayed in violation of Connecticut General Statutes Sections 13b-106 and 14-18(a)(2).

It is also alleged that on or about June 11, 2005, the permit holder allowed a person to operate a motor vehicle in livery service identified by marker plate number L6818L while the person's operator license failed to have the proper endorsement or restriction for passenger transportation issued by the Commissioner of Motor Vehicles, in violation of Connecticut General Statutes Section 14-44(a) and Section 16-325-6 of the Regulations of Connecticut State Agencies.

### B. Hearing Held

Pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, the public hearing for this citation was originally held on September 6, 2006. The respondent failed to appear and was revoked. Subsequently, after contacting the Department, a new hearing was scheduled on March 6, 2008.

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-103, 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

Manuel Cuellar appeared pro se on behalf of the respondent, Thames Livery Corporation, LTD. The respondent's mailing address is P.O. Box 1282, Stamford, Connecticut 06851.

Robert Colucci, Supervising Special Investigator, with the Regulatory and Compliance Unit, was a witness in this matter.

## II. FINDINGS OF FACT

1. The respondent is the holder of Livery Permit Number 2323 in the name of Thames Livery Corporation, LTD and is authorized to operate in intrastate and interstate livery service from a headquarters in Wilton.
2. On June 11, 2005, the respondent allowed the operation of a motor vehicle, with marker plate L6818L, with no front license plate and no driver's endorsement.
3. This hearing was originally scheduled for September 6, 2006. The respondent failed to appear at the citation hearing and its livery permit was revoked on September 20, 2006.
4. On December 11, 2006, Mr. Cuellar contacted the Department and asked to be recognized as the new owner of Thames Livery.
5. On July 27, 2007, the Regulatory & Compliance Unit recognized Mr. Cuellar as the owner of Thames Livery. This citation hearing was then rescheduled for March 6, 2008.
6. Mr. Cuellar testified that the front license plate was not on the vehicle but was in the vehicle when it was stopped. He also testified that the driver without the endorsement was let go after he became aware that his license was not correct.

## III. DEPARTMENT ANALYSIS AND CONCLUSIONS OF LAW

The Department of Transportation has jurisdiction over matters pertaining to the operation of motor vehicles in livery service in the State of Connecticut in accordance with Connecticut General Statutes Section 13b-102, as amended.

Pursuant to Connecticut General Statutes Section 13b-103, the Department may amend or for sufficient cause suspend or revoke any such permit. 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-102 through 13b-109, as amended, with respect to fares, service, operation or equipment, in an amount not to exceed one thousand dollars per day for each violation.

The evidence shows that the respondent allowed a driver to operate its vehicle with no front plate on June 11, 2005. Although the respondent claims the license plate was in the vehicle, it still was not on the car as it should have been. In addition, the driver of that vehicle did not have the proper license endorsement to operate a livery vehicle. As a result of these violations, the respondent will be assessed a civil penalty of \$250 for each violation.

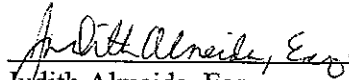
## IV. ORDER

Based on the above, the respondent is hereby ordered to pay to the Department of Transportation, a civil penalty in the amount of FIVE HUNDRED FIFTY DOLLARS (\$500), by certified check, bank check or money order made payable to the "Treasurer, State of Connecticut," within thirty (30) days from the date of this final decision.

Failure of the respondent to comply with this order shall result in revocation without further proceeding. This final decision constitutes notice in accordance with Connecticut General Statutes Section 4-182(c).

Dated at Newington, Connecticut on this the 31st day of March 2008.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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