

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

(860) 594-2875

DOCKET NUMBER 0608-C-19-L

RE: IN THE MATTER OF THE CITATION OF DIAMOND BUS
SERVICE, LLC.

Final Decision

January 12, 2007

I. INTRODUCTION

A. General

By citation dated December 13, 2006, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Diamond Bus Service, LLC. (hereinafter "respondent"), holder of Livery Permit Number 2777, 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 2777, issued for the operation of livery service, should not be suspended or revoked or a civil penalty imposed for violation of its permit pursuant to Connecticut General Statutes Section 13b-102, et seq.

More specifically, it is alleged that on or about August 6, 2003, the respondent violated Connecticut General Statutes Sections 13b-103 by failing to maintain a motor vehicle in general livery service for which authority was requested and issued, in violation of Connecticut General Statutes Sections 13b-102, 13b-103 and 13b-106.

The citation was served upon the respondent by first class and certified mail and recited the department's reasons for issuing it.

B. Hearing Held

Pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on January 3, 2007.

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

The respondent failed to make an appearance in this matter. The respondent's mailing address is P.O. Box 5272, Bridgeport, Connecticut 06610.

Mr. Eugene Morris, Transportation Public Transit Inspector with the Regulatory and Compliance Unit, presented evidence on behalf of the Department.

II. FINDINGS OF FACT

1. The respondent is the holder of Livery Permit Number 2777 in the name of Diamond Bus Service, LLC and is authorized to operate motor vehicles in interstate livery service from a headquarters in Bridgeport.
2. The respondent has not had any livery vehicles registered since August 6, 2003.
3. The respondent failed to appear in this matter.

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 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 is no longer in operation and has not had a vehicle registered since August 6, 2003. The certified citation notice was returned to the department, unable to be delivered and stamped "Attempted Unknown". Since the respondent had failed to appear to explain its actions in this matter, the department has no choice but to revoke the respondent's registration.

IV. ORDER

Based on the above, the respondent's registration, standing in the name of Diamond Bus Service, LLC, for interstate authority in Livery Permit Number 2777 is hereby revoked within fifteen days from the date of this final decision, 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 12th day of January 2007.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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