

File

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NUMBER 0608-C-47-L

RE: IN THE MATTER OF THE CITATION OF NEW CANAAN
TRANSPORTATION & LIVERY, INC.

Final Decision

May 30, 2007

I. INTRODUCTION

A. General

By citation dated March 9, 2007, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, New Canaan Transportation & Livery, Inc. (hereinafter "respondent"), holder of Livery Permit Number 2631, 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 2631, issued for the operation of livery service, should not be suspended or revoked or a civil penalty imposed for violation of its certificate pursuant to Connecticut General Statutes Section 13b-103, et seq.

More specifically, it is alleged that on or about March 31, 2003, the respondent failed to maintain a motor vehicle in general livery service with a valid registration and has failed to provide adequate service for which the 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 May 17, 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 appear at the hearing. The respondent's mailing address is P.O. Box 637, New Canaan, Connecticut 06840.

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 2631 in the name of New Canaan Transportation & Livery, Inc. and is authorized to operate motor vehicles in interstate livery service from a headquarters in New Canaan.
2. Since March 31, 2003, the respondent has failed to maintain a motor vehicle in livery service.
3. The respondent failed to appear at the hearing.
4. The Citation Notice for this hearing was returned to the department as the respondent failed to claim the certified letter.

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-103, 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-103, 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 since March 31, 2003, the respondent failed to maintain a motor vehicle in livery service with a valid registration and has failed to provide adequate service for which the authority was requested and issued in violation of Connecticut General Statutes Sections 13b-102, 13b-103 and 13b-106.

The respondent failed to claim the certified letter giving it notice of the citation hearing and failed to appear at the hearing. As a result of the respondent's failure to appear, the registration of the respondent's Livery Permit Number 2631 is hereby revoked.

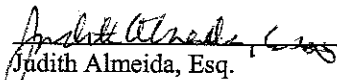
IV. ORDER

Based on the above, Livery Permit Number 2631, standing in the name of New Canaan Transportation & Livery, Inc. is hereby revoked, said revocation to be effective fifteen (15) days from the date of this final decision.

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

Dated at Newington, Connecticut on this the 30th day of May 2007.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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