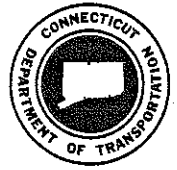


File

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546
Phone: (860) 594-2875

DOCKET NUMBER 0709-C-125-L
(Complaint No. LV09-1207-99)

RE: IN THE MATTER OF THE CITATION OF QUALITY
LIMOUSINE, LLC.

Final Decision

July 2, 2008

I. BACKGROUND

A. Citation

By citation dated February 20, 2008, issued by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Quality Limousine, LLC (hereinafter "respondent"), holder of Livery Permit Number 2896, was ordered to come before the department to answer 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 Permit Number 2896, for the registration of interstate livery authority, should not be suspended or revoked or a civil penalty imposed for violation of Connecticut General Statutes Section 13b-102, et seq. for failure to provide proof of mandatory public service insurance as required by Connecticut General Statutes Section 14-29(a). The citation was served upon the respondent by first class and certified mail and recited the department's reasons for issuing same.

B. Hearing

Pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on March 20, 2008 and May 29, 2008.

Notice of the citation and of the hearing to be held thereon was given to the respondent and to such other parties as required by 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 General Statutes.

C. Appearances

The respondent failed to appear at this hearing.

Wayne Sinclair, Robert Colucci and Eugene Morris appeared on behalf of the Regulatory and Compliance Unit of the Department of Transportation to present the evidence.

D. Procedural History

The respondent was issued a notice of citation hearing which was sent to the address of 400 Main Street, Stamford, Connecticut. According to the carrier report (department's exhibit 1) the respondent's mailing address was 24 Duke Road, Stamford, Connecticut.

At the first day of hearing, the fact that the hearing notice was sent to the wrong address resulted in defective notice to the respondent. The hearing was adjourned and a new notice of hearing for a new date was issued to the mailing address of record at 24 Duke Road, Stamford, Connecticut.

The respondent received the second notice of hearing and failed to appear at the second day of hearing.

II. FINDINGS OF FACT

1. The respondent is holder of Livery Permit Number 2896, for the registration of its interstate livery permit, as authorized by the Federal Highway Safety Administration in the issuance of certificate number MC424840, and is authorized to operate motor vehicles in interstate livery service from a headquarters in Stamford, Connecticut.

2. On August 13, 2007, the Department of Motor Vehicles gave notice to the respondent that its plates (Z7970Z, Z8349Z, Z8350Z and Z8351Z) were cancelled for failure to provide mandatory proof of its public service insurance, required by Connecticut General Statutes Section 14-29.

3. The Department of Motor Vehicles notified the Regulatory and Compliance Unit of the cancellation of the marker plates/registrations.

4. The respondent's business filing with the Connecticut Secretary of the State's Office shows that the business is listed as active and the address as 24 Duke Road, Stamford, Connecticut.

5. The Federal Highway Safety Administration's records show that the respondent was involuntarily revoked on January 14, 2004 and the insurance cancelled.

6. The Department of Motor Vehicle records show that the plates in questions are cancelled and were destroyed.

III. 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 in this matter shows that the respondent is holder of Permit Number 2896. The respondent and the Regulatory and Compliance Unit of the Department of Transportation received notice that the respondent's insurance was cancelled and that the respondent failed to provide proof of said insurance, which is mandatory pursuant to Connecticut General Statutes Section 14-29.

The respondent received notice that it would receive sanctions should it not provide such mandatory insurance. The evidence on the record shows that the respondent received the notice and failed to contact the Department of Motor Vehicles and the Department of Transportation regarding its situation. As of the date of hearing, the respondent failed to contact the department and failed, also, to reinstate its insurance. The evidence supports a conclusion that the respondent is no longer in the livery business, as its registrations and marker plates have been destroyed. Since the evidence shows that the respondent is no longer in business and has no interest in maintaining the business, the department has no choice but to revoke Permit Number 2896.

IV. ORDER

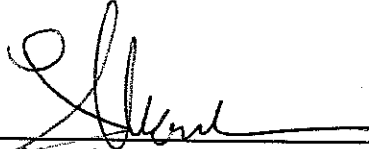
Based on the evidence of record, the Permit No. 2896, standing in the name of Quality Limousine, LLC, is hereby revoked.

Said revocation shall become effective fifteen (15) days from the date of this final decision.

This final decision constitutes notice within the meaning of Connecticut General Statutes Section 4-182(c).

Dated at Newington, Connecticut on this 2nd day of July 2008.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Laila A. Mandour
Staff Attorney III
Administrative Law Unit
Bureau of Finance and Administration