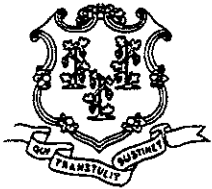


*File*



**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-150-L  
(Case No. LV09-1807-107)

RE: IN THE MATTER OF THE CITATION OF WILSON  
LIMOUSINE & TRANSPORTATION SERVICE, INC. D.B.A.  
ALL TRANSPORTATION

FINAL DECISION

March 31, 2008

#17

## I. INTRODUCTION

### A. General

By citation dated February 8, 2008, by the Department of Transportation (hereinafter "Department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Wilson Limousine & Transportation Service, Inc d.b.a. All Transportation (hereinafter "respondent"), holder of Livery Permit Number 2588, 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 2588, issued for the operation of livery service, should not be suspended or revoked or a civil penalty imposed for violation of its livery permit pursuant to Connecticut General Statutes Section 13b-102, et seq.

More specifically, it is alleged that on or about March 31, 2007, the respondent operated in livery service with expired Connecticut intrastate livery registrations L4498L and L4520L. The company was performing governmental contract work for Logisticare since March 31, 2007 with expired registrations and/or sub contracting work to another company that no longer had a livery authority. This is a direct violation of the carrier's operating permit in accordance with Connecticut General Statutes Section 13b-103 and 13b-106.

### B. Hearing Held

Pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on March 4, 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

Jesse Wilson appeared on behalf of the respondent, Wilson Limousine & Transportation Service, Inc. d.b.a. All Transportation. The respondent's mailing address is P.O. Box 794, Norwalk, Connecticut 06850.

Eugene Morris, Transportation Public Transit Inspector, 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 2588 in the name of Wilson Limousine & Transportation Service, Inc. d.b.a. All Transportation and has been authorized to operate in intrastate livery service from a headquarters in Fairfield since 1993.

2. On September 18, 2007, an investigator with the Department, Eugene Morris, was notified that the respondent had no livery vehicles registered. In addition, he learned that Logisticare was utilizing the applicant's company to provide livery service.

3. Mr. Wilson testified that he had taken the vehicles and moved to Alabama and that Odie One Shuttle was managing his company while he was away. He testified that he did not realize that Odie One Shuttle had lost its livery authority. He has since resumed his livery business in Connecticut.

4. The respondent is only performing livery service for Logisticare with one (1) vehicle at this time.

### 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 moved out of Connecticut in 2000 and had another company performing the work for Logisticare while he was away. That company, Odie One Shuttle was revoked by the Department on March 31, 2007. Mr. Wilson testified that he thought Odie One Shuttle was a legal livery company and did not realize it was revoked.

Since the respondent has reinstated his interstate authorization and is currently performing livery service with one vehicle for Logisticare, the Department will be lenient and issue a small fine for its failure to have continual operation. However, the respondent is put on notice that it needs to maintain an active livery operation and that no other company can perform livery services for it under the contract it alone has entered into with Logisticare.

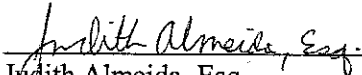
### IV. ORDER

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 DOLLARS (\$500) 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

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