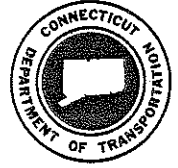


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STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone: (860) 594-2875

DOCKET NUMBER 0711-C-175-L

RE: IN THE MATTER OF THE CITATION OF CHIEPPO
CHARTERS, INC.

Amended Final Decision

September 18, 2008

I. INTRODUCTION

A. General

By citation dated July 18, 2008, issued by the Department of Transportation (hereinafter "Department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Chieppo Charters, Inc. (hereinafter "respondent"), holder of Livery Permit Number 2437 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 2437 for the operation of vehicles in livery service should not be suspended or revoked or a civil penalty imposed for violation of Connecticut General Statutes Section 13b-108, et seq. for failing to pay a \$1000 civil penalty in Docket Number 0610-C-49-L issued on July 6, 2007.

The citation was served upon the respondent by first class and certified mail and recited the Department's reasons for issuing same. The citation was sent to the respondent's mailing address at P.O. Box 501, Ansonia, Connecticut 06401.

B. Hearing Held

Pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on August 7, 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 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 501, Ansonia, Connecticut 06401.

Gene Morris, Transportation Public Transit Inspector with the Regulatory and Compliance Unit of the Department of Transportation, presented the evidence in this matter.

II. FINDINGS OF FACT

1. The respondent is holder of Livery Permit Number 2437 and is authorized to operate in interstate and intrastate livery service from a headquarters East Haven.

2. On July 6, 2007, the respondent was ordered to pay \$1,000 civil penalty within thirty (30) days in Docket Number 0711-C-175-L.

3. The respondent failed to pay the \$1,000 civil penalty.

4. The respondent currently has livery vehicles in operation. The vehicle's registrations are set to expire in 2009.

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 in this matter shows that the respondent is holder of Permit Number 2437 and is authorized to operate livery vehicles in interstate and intrastate livery service. The evidence shows that on July 6, 2007 the Department issued a Final Decision in Docket Number 0610-C-49-L requiring the respondent to pay a \$1,000 civil penalty. The respondent has failed to pay the civil penalty. The respondent also failed to attend the citation hearing concerning the failure to pay the civil penalty held on August 7, 2008.

IV. ORDER

Based on the above, the respondent's livery permit number 2437 issued in the name of Chieppo Charters, Inc. is hereby revoked within 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 in Newington, Connecticut this 18th day of August 2008.

V. RECONSIDERATION

On July 6, 2007, the respondent was assessed a \$1000 civil penalty. The respondent failed to pay this civil penalty. On August 7, 2008, the respondent was scheduled for a citation hearing as a result of the failure to pay the civil penalty. The respondent failed to attend this hearing and was subsequently revoked on August 18, 2008. On September 18, 2008, the respondent filed a Petition for Reconsideration pursuant to Connecticut General Statute Section 4-181a. The respondent also paid the late civil penalty of \$1000.

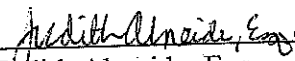
The respondent claims that it never attended the August 2008 hearing because it did not receive notice since he was on vacation in Vermont. Failing to get mail because you are on vacation is not an excuse; someone should be attending to the business mail.

Since the respondent has paid the civil penalty in full to the Department, its Livery Permit Number 2437 is reinstated. The respondent is on notice however that paying a civil penalty over a year late will not be tolerated again.

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

Dated in Newington, Connecticut this 18th day of September 2008.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Judith Almeida, Esq.

Staff Attorney III
Administrative Law Unit
Bureau of Finance and Administration