

STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NUMBER 1104-C-31-B

RE: IN THE MATTER OF THE CITATION OF AFFORDABLE BUS  
CHARTERS, INC. D.B.A. A.B.C.

Final Decision

July 27, 2011

## I. INTRODUCTION

### A. General

By citation dated April 28, 2011, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Affordable Bus Charters, Inc. d.b.a. A.B.C. (hereinafter "respondent"), holder of Certificate Number 2575, 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 Certificate Number 2575, issued for the operation of livery bus 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 the respondent violated 13b-103 of the Connecticut General Statutes by failing to maintain registration and insurance as required under operating authority Permit Number 2575.

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-96 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on July 13, 2011.

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-96, 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

Edward McDougal, former president of the respondent, appeared on behalf of Affordable Bus Charters, Inc. Stuart Margolis, Esq. represented the respondent. Attorney Margolis has a mailing address of 132 Temple Street, New Haven, Connecticut 06510.

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

Richard Majka, Transportation Public Transit Inspector with the Regulatory and Compliance Unit, testified on behalf of the department.

## II. FINDINGS OF FACT

1. The respondent submitted a letter dated July 25, 2011 asking to have its livery permit number 2575 voluntarily revoked.
2. The respondent is accused of sending unregistered and uninsured busses from Connecticut to Washington D.C. on or about April 4, 2011.
3. Mr. McDougal believed that another company, Cosmopolitan Limousines, Inc. was holding insurance on the vehicles but the respondent was unable to prove that this was the case.
4. The respondent's vehicles were not registered when the incident occurred.

5. The respondent is out of business and Mr. McDougal is no longer operating the company and has since taken another job.

### 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 respondent is accused of a serious violation of operating vehicles without being insured or registered. The respondent has since ceased operation of the business and Mr. McDougal has resigned and taken another position. Since the departments main concern is public safety and the respondent company is no longer in operation and has asked for a revocation of its permit, the department will revoke livery permit number 2575.

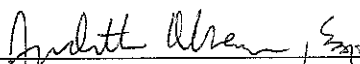
### IV. ORDER

Based on the above, the Livery Permit Number 2575 in the name of Affordable Bus Charters, Inc. d.b.a. A.B.C. is hereby revoked.

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

Dated at Newington, Connecticut on this the 27<sup>th</sup> day of July 2011.

### CONNECTICUT DEPARTMENT OF TRANSPORTATION

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