



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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

Phone:

DOCKET NO. 1208-AT 114-T

RE: APPLICATION OF COASTAL TRANSPORTATION & LODGING CORP DBA NEW HAVEN-MILFORD TAXI CAB CO. TO COMBINE ITS SIX VEHICLES IN MILFORD AND ORANGE WITH ITS SIX TAXICABS IN EAST HAVEN, NEW HAVEN AND WEST HAVEN FOR A TOTAL OF TWELVE TAXICABS WITHIN AND TO AND FROM THE TOWNS OF MILFORD, ORANGE, EAST HAVEN, NEW HAVEN AND WEST HAVEN

FINAL DECISION

AUGUST 26, 2016

## I. INTRODUCTION

### A. Applicant's Proposal

By application filed on August 14, 2014, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-97 of the Connecticut General Statutes, as amended, Coastal Transportation & Lodging Corp dba New Haven-Milford Taxi Cab Co. (hereinafter "applicant") with a mailing address of 135 Rimmon Road, Woodbridge, Connecticut 06525 seeks authorization to combine its six taxicabs in Milford and Orange with its six taxicabs in East Haven, New Haven and West Haven for a total of twelve taxicabs in Milford, Orange, East Haven, New Haven and West Haven.

### B. Hearing Held

Pursuant to Section 13b-97(a) of the Connecticut General Statutes, as amended, a public hearing on this application was held at the Department of Transportation in Newington, Connecticut on August 23, 2016.

Notice of the application and of the hearing to be held thereon was given to the applicant and to such other parties as required by Section 13b-97(a) of the Connecticut General Statutes, as amended. Legal notice to the public was given by publication on the department's website.

The hearing on this matter was conducted by a hearing officer, designated by the Commissioner of Transportation, pursuant to Connecticut General Statutes Section 13b-17.

### C. Appearances

Richard Spear appeared pro se on behalf of the applicant. The applicant's mailing address is 135 Rimmon Road, Woodbridge, Connecticut 06525.

## II. FINDINGS OF FACT

1. The applicant seeks to operate combine its six (6) taxicabs in Milford and Orange with its six (6) taxicabs in East Haven, New Haven and West Haven for a total of twelve (12) taxicabs within that service area.

2. Combining the applicant's service area will improve customer pick up response time since all of the applicant's twelve (12) vehicles can work in the entire service area.

3. The applicant will not be incurring any additional expenses as a result of granting this application. The applicant is already operating the twelve (12) vehicles and the insurance is paid up to date.

4. The applicant's six months ended statement as of June 30, 2016, shows a cash balance of \$13,500 with a surplus of \$6,915 after expenses.

5. The applicant has submitted updated criminal record checks for President Clara Munoz which showed no convictions and for Vice President Ricard Spear which showed only a past conviction from 2000.

6. Mr. Spear has been operating the taxicab business since 1982.

7. The applicant has enough drivers to operate all twelve (12) vehicles requested.

8. The applicant has only one past minor citation action against it in 2012.

9. The applicant's typical response time is five to twenty minutes.

10. Combining the applicant's service area will allow the applicant to handle larger groups and events.

11. Consolidating the applicant's service area will not result in a rate conflict as all of the territory has the same taxicab rate of fare.

12. This application was not opposed.

### III. DEPARTMENT ANALYSIS

The Department of Transportation has jurisdiction over common carriers, which include each person, association, limited liability company or corporation owning or operating a taxicab in the State of Connecticut in accordance with Connecticut General Statutes Section 13b-96, as amended. The Department is authorized to prescribe regulations with respect to fares, service, operation and equipment, as it deems necessary for the convenience, protection and safety of the passengers and the public.

Pursuant to Section 13b-97(a), as amended, any person who applies for authority to operate a taxicab shall obtain from the Department a certificate of public convenience and necessity certifying that the public's convenience and necessity requires the operation of a taxicab or taxicabs for the transportation of passengers. No certificate shall be issued unless the department finds that the person is suitable to operate a taxicab service. In so doing, the department must take into consideration any convictions of the applicant under federal, state or local laws relative to safety, motor vehicle or criminal violations, the number of taxicabs to be operated under the certificate, the adequacy of the applicant's financial resources to operate the service, the adequacy of insurance coverage and safety equipment and the availability of qualified operators.

Some factors to consider in determining public convenience and necessity are whether the service will benefit the relevant class of users, whether the proposed service is more efficient, more economical, more convenient, more satisfactory, or different than the services offered by the existing service providers, whether the new service would create a potentially beneficial effect upon rates and customer service and whether the acquisition of equipment would be more suitable to customer needs, whether the population in the area that the applicant proposes to service is increasing, whether potential customers have requested a service like that suggested by the applicant and whether the proposed service will improve the existing mode of transportation as recently defined in Martorelli v. Department of Transportation 316 Conn. 538 (2015).

On the issue of public convenience and necessity, the applicant is already currently utilizing twelve (12) taxicabs in two separate service areas. The public would benefit in several ways if the applicant's service area were to be consolidated. First, the applicant would have all twelve (12) of its vehicles stationed around the service area, resulting in quicker response time for the customer pick up. In addition, the applicant would be able to service larger groups of people and events because he could utilize all twelve (12) of his vehicles to do the work not just six (6). The consolidation of the service area would clearly be a benefit to the public and improve public convenience and necessity.

The applicant testified that he has drivers available for all twelve (12) of the vehicles that he is currently operating so no additional drivers are needed if this application is granted.

Regarding the adequacy of insurance coverage and safety equipment, the applicant presented evidence that he has fully paid his insurance on the twelve (12) vehicles that he is operating. Mr. Spear also testified about the special police cars he buys in New York for use as taxis that have a fire suppression system that is not usually found in vehicles.

With regard to suitability, the two members of the corporation supplied criminal conviction forms. Ms. Munoz's form showed no convictions. Mr. Spear has an old conviction from 2000 which will not be held against him.

Mr. Spear has been in the taxicab business since 1982 and has gained the necessary business experience to operate the company. There has been only one minor citation action brought against the company in 2012 for a minor violation. Based on the evidence presented, the applicant has proven suitability.

As far as the applicant's financial wherewithal is concerned, the applicant presented evidence that he will be utilizing his existing twelve (12) vehicles and will not incur any additional costs to combine his service area. The applicant has presented financial statements showing that he is operating with a surplus and that he has paid his insurance in full. Based on the evidence provided, the applicant has shown the requisite financial ability.

Based on the evidence presented, the applicant has proven that public convenience requires a grant of this application and that he has both suitability and financial wherewithal to be granted authority.

IV. CONCLUSION

Therefore, based upon the above and pursuant to Connecticut General Statutes Section 13b-97, as amended, the application of Coastal Transportation & Lodging Corp dba New Haven-Milford Taxi Cab Co. is hereby granted and Certificate Number 99 is hereby issued as follows:

CERTIFICATE NUMBER 99  
FOR THE OPERATION OF MOTOR VEHICLES IN TAXICAB SERVICE

Coastal Transportation & Lodging Corp dba New Haven-Milford Taxi Cab Co. is hereby permitted and authorized to operate twelve (12) motor vehicles in taxicab service within and to and from Milford, Orange, New Haven, East Haven and West Haven.

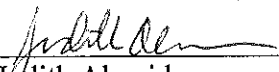
RESTRICTIONS:

This certificate may not be sold or transferred until it has been operational, i.e., its vehicles registered with taxicab plates thereunder, for not less than twenty-four (24) consecutive months. This certificate is transferable only with the approval of the department.

This certificate shall remain in effect until it is amended, suspended, or revoked by the department. Failure of the certificate holder to maintain proper insurance and/or to comply with all pertinent motor vehicle laws and other State statutes and/or the rules, regulations and orders of the department, as this department may from time to time prescribe, shall be considered sufficient cause to amend, suspend or revoke this certificate.

Dated at Newington, Connecticut on this 26th day of August, 2016.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

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



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**SECRETARY'S RETURN  
DOCKET NO. 1208-AT-114-T**

I hereby certify that true and correct copies of the Final Decision, dated August 26, 2016 in the above-entitled matter, were forwarded on August 26, 2016 as follows:

**APPLICANT:**

Richard Spear  
Coastal Transportation & Lodging Corp dba  
New Haven-Milford Taxi Cab Co.  
135 Rimmon Road  
Woodbridge, CT 06525

**CERTIFIED MAIL: 91 7199 9991 7033 6862 1640**


**APPLICANT'S COUNSEL:**

NA

**INTERVENORS:**

NA

CERTIFIED BY:

  
\_\_\_\_\_  
Judith Almeida, Staff Attorney 3  
Administrative Law Unit  
Bureau of Finance and Administration