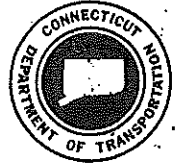




STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:
(860) 594-2875

DOCKET NUMBER 1301-C-165-T

RE: IN THE MATTER OF THE CITATION OF A CAB COMPANY, INC. D.B.A.
A CAB COMPANY.

Final Decision

July 1, 2013

I. INTRODUCTION

A. General

By citation dated May 24, 2013, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, A Cab Company, Inc. d.b.a. A Cab Company (hereinafter "respondent"), holder of Certificate Number 1135, 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 1135, issued for the operation of taxicab service, should not be suspended or revoked or a civil penalty imposed for violation of its certificate pursuant to Connecticut General Statutes Section 13b-96, et seq.

More specifically, it is alleged that the respondent violated the following Regulations of Connecticut State Agencies:

1. 13b-96-12 (a) (b) Business Address
2. 13b-96-32 Comment Card
3. 13b-96-41(c) Tail Light Not Working
4. 13b-96-43 (b) (2) Dirty Inside
5. 13b-96-43 (9) Unapproved Advertising
6. 13b-96-43 (a) Color Scheme/Uniform Lettering
7. 13b-96-44(2)(c) No Dome Light
8. 13b-96-49 Failure To Inspect

At the hearing the respondent waived his notice requirement to a subsequent complaint against a driver that had driven a passenger to the wrong destination and then made her pay him \$25 before taking her to the correct location. This issue was addressed in that the owner of the company agreed to refund the fare and issue a written apology to the passenger. Proof of this was presented in the form of a letter of apology and a refund to the complainant.

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 June 13, 2013.

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

William Morris appeared pro se on behalf of the respondent. The respondent's mailing address is 36 Tamrack Avenue, Box 211, Danbury, CT 06810.

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

II. FINDINGS OF FACT

1. The respondent is the holder of Certificate 1135 authorized to operate in taxicab service.
2. The respondent contends that while he was in Florida, his dispatcher went a bit off and the violations are a result.
3. All of the mechanical violations have been corrected.
4. The respondent has successfully dealt with the complaint that came in against the driver by providing counseling and refunding the fare.

III. DEPARTMENT ANALYSIS

The Department of Transportation has jurisdiction over matters pertaining to the operation of motor vehicles in taxicab service in the State of Connecticut accordance with Connecticut General Statutes Section 13b-96, as amended.

Pursuant to Connecticut General Statutes Section 13b-97, 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-96, as amended, with respect to fares, service, operation or equipment, in an amount not to exceed one hundred dollars per day for each violation.

The respondent agrees that there were violations as described in the hearing notice but says these occurred when he was in Florida and the dispatcher took over. These violations have since been resolved. The respondent has handled the complaint against the driver to the satisfaction of the department.

Based on the respondent's past clean record and the lack of severity of the violations, the respondent will be assessed a minimal civil penalty for the violations of \$50 per violation.


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 FOUR HUNDRED DOLLARS (\$400), by certified check, bank check or money order made payable to the "Treasurer, State of Connecticut," within fourteen (14) 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 1st day of July 2013.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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