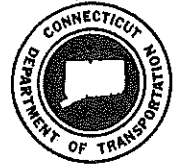




STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NUMBER 1307-N-285-L

RE: APPLICATION OF STARRIDES, LLC. TO OPERATE ONE (1) MOTOR VEHICLE, HAVING A PASSENGER SEATING CAPACITY OF TEN (10) ADULTS OR LESS, IN LIVERY SERVICE TO TRANSPORT ELDERLY AND HANDICAPPED PASSENGERS, BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN WINDSOR LOCKS.

FINAL DECISION

February 25, 2014

## I. INTRODUCTION

### A. General

By application filed on July 17, 2013, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-105 of the Connecticut General Statutes, as amended, StarRides, LLC. (hereinafter "applicant") with a mailing address of 556 Elm Street, Suite 201, Windsor Locks, Connecticut seeks authorization to operate one (1) motor vehicle, having a seating capacity of ten (10) adults or less in livery service, for elderly and handicapped persons, between all points in Connecticut from a headquarters in the town of Windsor Locks.

### B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-105, as amended, a public hearing on this application was held on February 4, 2014.

Notice of the application and of the hearing to be held thereon was given to the applicant and to such other parties as required pursuant to the Connecticut General Statutes Section 13b-103. Legal notice to the public was given by publication on the department's website.

A hearing officer designated by the Commissioner, pursuant to Connecticut General Statutes Section 13b-17, conducted the hearing on this matter.

### C. Appearances

Robert Partain appeared on behalf of the applicant. He was represented by Michael Stone, Esq. The mailing address for the firm is 129 Church Street, Suite 806, New Haven, Connecticut 06510.

## II. Finding of Facts

1. The applicant seeks to operate one (1) livery vehicle for transporting elderly and handicapped persons from a headquarters in Windsor Locks.

2. The applicant currently operates a company which caters to the needs of seniors by providing certified nurses' aides called Britestar. It was as a result of operating that company that Mr. Partain realized there was a need for transportation services for the elderly and handicapped.

3. The applicant will be utilizing a 2005 Ford E-350 van which has been paid in full and has a net worth of \$8,382. This vehicle has a wheelchair lift. The vehicle has the capacity to transport twelve (12) ambulatory and two (2) non-ambulatory persons.

4. The applicant's assets include cash of \$4,729 and a \$15,000 loan which has an annual payment of \$5,250. The applicant's annual expenses include repairs and maintenance of \$2,000 and property tax of \$600.

5. The applicant has spoken to individuals at various nursing homes and found support for his application.

6. All of the applicant's work will be paid for by the passenger receiving the transportation.

7. The applicant has two drivers who can operate the vehicle one of which is Heather Delgreco.

8. Victor Mathieu drives a mini bus for the town of Suffield primarily to and from doctors' appointments for the elderly and handicapped. He often receives requests from passengers to go to other destinations such as a mall which he cannot accommodate. He receives at least one (1) such request per week.

9. There was no opposition to the application.

### III. DEPARTMENT ANALYSIS

The department has jurisdiction over each person, association, limited liability company or corporation owning or operating a motor vehicle in livery service, pursuant to Connecticut General Statutes Section 13b-102, as amended.

In determining whether a livery permit should be granted, the department shall take into consideration the present or future public convenience and necessity. The applicant must prove that the public's convenience and necessity will be improved by the proposed service. Additionally, the applicant must show the suitability of the applicant or the suitability of the management if the applicant is a limited liability company or corporation, the financial responsibility of the applicant, the ability of the applicant efficiently and properly to perform the service for which authority is requested and the fitness, willingness and ability of the applicant to conform to the provisions of the statutes and the requirements and regulations of the department thereunder, in accordance with Connecticut General Statutes Section 13b-103.

In support of financial wherewithal the applicant has presented evidence that it will be utilizing a 2005 Ford E-350 van which has been paid in full and has a net worth of \$8,382. The applicant's assets include cash of \$4,729 and a \$15,000 loan with an annual payment of \$5,250. The applicant's annual expenses include repairs and maintenance of \$2,000 and property tax of \$600. Based on the evidence presented, the applicant has proven the financial suitability to operate this livery service.

With regard to suitability, the applicant submitted a criminal record check for Robert Partain showing no criminal record. The applicant operates a successful company that serves the elderly and handicapped and he wants to add a transportation component to what he is already doing. The applicant appears to be familiar with the rules and regulations governing livery service. Based on the evidence presented, the applicant appears to be suitable to operate the proposed service.

The applicant must also prove that the service proposed is needed in the community. The applicant presented the testimony of Victor Mathieu who supported the need for livery service for the elderly and handicapped. Mr. Mathieu testified that he often gets requests from his passengers to go to destinations outside of the service area the town of Suffield has delineated. This transportation service appears to go hand in hand with the applicant's BriteStar nursing services operated by the applicant and is a natural extension to those services.

Taking all of the factors into consideration, the applicant will be approved to operate one (1) livery vehicle to service the elderly and handicapped in livery service from a headquarters in Windsor Locks.

#### IV. CONCLUSION AND ORDER

Based upon the above and pursuant to Connecticut General Statutes Section 13b-105, as amended, the application of StarRides, LLC. is hereby granted and Permit Number 3383 is issued as follows:

**LIVERY PERMIT NO. 3383  
FOR THE OPERATION OF LIVERY SERVICE**

StarRides, LLC. is hereby permitted and authorized to operate one (1) motor vehicle, having a seating capacity of ten (10) adults or less, for the express purpose of providing livery service to handicapped and elderly persons, from a headquarters in Windsor Locks to all points in Connecticut.

#### **RESTRICTIONS:**

**The applicant must register the one (1) vehicle granted under this decision within sixty (60) days from the date of this decision.**


The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates there under for not less than twenty-four (24) months.

This permit shall remain in effect until revoked by the department. Failure of the permit holder to maintain proper insurance and/or comply with all pertinent motor vehicle laws and other state statutes and/or the rules, regulations and orders of the department may from time to time prescribe thereunder.

A memorandum of this permit, bearing the seal of the department, shall be kept conspicuously posted in the motor vehicles operated under this permit.

Dated at Newington, Connecticut on this 25<sup>th</sup> day of February 2014.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

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