



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

(860) 594-2875

DOCKET NO. 1408-NGOV-141-L

RE: APPLICATION OF WE CARE SERVICE, LLC TO OPERATE TEN (10) MOTOR VEHICLES, HAVING A SEATING CAPACITY OF ELEVEN (11) ADULTS OR LESS, FOR THE TRANSPORTATION OF PASSENGERS FOR HIRE BY VIRTUE OF A CONTRACT WITH, OR A LOWER TIER CONTRACT FOR ANY FEDERAL, STATE OR MUNICIPAL AGENCY BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN EAST HARTFORD.

FINAL DECISION

JUNE 30, 2015

I. INTRODUCTION

A. APPLICATION

By application filed on August 19, 2014, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, We Care Service, LLC (hereinafter "applicant") located at 49 Connecticut Boulevard, Suite 6, East Hartford, Connecticut seeks authorization to operate ten (10) motor vehicles, each having a seating capacity of eleven (11) adults or less, for the transportation of passengers for hire by virtue of a contract with, or a lower tier contract for, any federal, state or municipal agency between all points in Connecticut from a headquarters in East Hartford.

B. HEARING

Pursuant to Connecticut General Statutes, Section 13b-103(a) (3), as amended, a public hearing on this application was originally scheduled of May 28, 2015 and subsequently held on June 23, 2015.

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 Connecticut General Statutes Section 13b-103(a)(1), as amended. 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

Dawn and John Thompson appeared pro se on behalf of the applicant. The applicant's address is 49 Connecticut Boulevard, Suite 6, East Hartford, Connecticut.

II. FINDINGS OF FACT

1. The applicant is seeking to perform contract work to provide livery trips for the Department of Children and Families (hereinafter "DCF"). The applicant currently does not hold any livery authority.

2. The applicant has not yet submitted a signed executed contract with the Department of Children and Families to provide transportation services. DCF does not want to issue a contract unless the Department grants livery authority to the applicant. Once the applicant receives livery authority, DCF will execute a contract with the applicant within sixty (60) days.

3. Ann Adams, Director of Credentialing for the Department of Children and Families, testified in support of the applicant's request for authority for four (4) livery vehicles to provide transportation for DCF under contract. The remaining six (6) vehicles the applicant is currently operating are for school transportation which is exempt from livery service pursuant to Connecticut General Statutes Section 13b-101.

4. The four (4) livery vehicles requested by DCF will service the Hartford and Manchester area.

5. The applicant has been serving the Department of Children and Families since 2012.

6. The applicant plans to provide trips to and from therapy appointments, camps and the like.

7. The applicant's tax return shows a profit of \$408,072.

8. The applicant has \$26,216 in the bank.

9. The applicant has insurance in excess of four million dollars.

III. DISCUSSION

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.

To show financial support, the applicant submitted information that the applicant's tax return shows a profit of \$408,072 and it has \$26,216 in the bank. The applicant has been transporting passengers for DCF since 2012 and already has the four (4) vehicles in operation to provide the service. Based on the evidence presented, the applicant is financially viable to operate the proposed livery service.

Regarding the applicant's suitability, a criminal record check for both members of the LLC is on file and shows no convictions. The applicant has been performing work for DCF for two years and is now getting its proper livery authorization. The applicant has shown the requisite suitability to be granted a livery permit.

The final element that needs to be proven is that there is an executed contract with the Department of Children and Families. Ann Adams testified as to the need for this livery service and that an executed contract will be forthcoming once the department grants this livery application. Based on the evidence presented, the applicant will be granted the authority to operate the four (4) vehicles that DCF has requested.

The applicant must submit to the hearing officer an executed contract with the Department of Children and Families within sixty (60) days from the date of this decision or the durational authority granted will be revoked automatically without further hearing.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application is hereby granted. Accordingly, Livery Permit Number 3487, standing in the name of We Care Service, LLC is hereby issued as follows:

LIVERY PERMIT NO. 3487

DURATIONAL LIVERY SERVICE

UNDER CONTRACT WITH THE DEPARTMENT OF CHILDREN AND FAMILIES DOCKET NO. 1408-NGOV-141-L-GRANTED ON JUNE 30, 2015

We Care Service, LLC is authorized to operate four (4) motor vehicles, having a seating capacity of eleven (11) adults or less, for the provision of transportation for hire by virtue of a contract with the Department of Children and Families from a headquarters in East Hartford.

RESTRICTIONS:

The applicant must submit an executed contract with the Department of Children and Families within sixty (60) days of the date of this final decision or the authority contained herein will be automatically revoked. This decision constitutes notice pursuant to Connecticut General Statute Section 4-182.

The applicant must register and insure all of the motor vehicles granted in this docket within sixty (60) days from the date of this final decision. Any vehicles not registered and insured within the sixty (60) day period will be revoked automatically.

The authority for the four (4) vehicles granted in Docket No. 1408-NGOV-141-L, shall be durational in nature and shall exist only for the period of time that the permit holder has a current and continuing contract in effect for the provision of service with the Department of Children and Families.

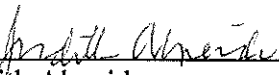
The permit holder shall notify the department of any termination of its contract with the Department of Children and Families or the cessation of the active provision of service thereunder. The permit holder shall file with the department on an annual basis, upon registration or re-registration of the motor vehicles authorized in this decision, a current, executed copy of the extension of said contract. Failure to file an extension of the contract, or a new executed contract shall void the authority for the vehicles authorized pursuant to this contract.

This permit is not transferable and shall remain in effect until revoked by the department or until the contract under which this authority is granted has expired. Failure of the permit holder to maintain proper insurance and/or comply with all pertinent motor vehicle laws and other State statutes and/or rules, regulations and orders of the department shall be considered sufficient cause to amend, suspend or revoke said permit.

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

Dated at Newington, Connecticut on this 30th day June 2015.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Judith Almeida
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Administrative Law Unit
Bureau of Finance and Administration