



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone: (860) 594-2875

DOCKET NUMBER 1510-C-135-L

RE: IN THE MATTER OF THE CITATION OF DRIVERS
UNLIMITED, INC.

Final Decision

December 18, 2015

I. INTRODUCTION

A. Background

By citation dated October 9, 2015, and issued by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Drivers Unlimited, Inc. (hereinafter "respondent"), holder of Livery Permit Number 2331 was ordered to come before the department to answer 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 Permit Number 2331, for operation of livery service, should not be suspended, revoked, or a civil penalty imposed for violation of its Permit issued in accordance with Connecticut General Statutes Section 13b-102, et seq. by changing the location of its headquarters to a point outside the city or town specified in its permit without prior department approval in violation of Regulations of Connecticut State Agencies Section 16-325-4.

The citation was served upon the respondent by first class and certified mail and recited the department's reasons for issuing same.

B. Hearing

Pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on December 1, 2015.

Notice of the citation and of the hearing to be held thereon was given to the respondent and to such other parties as required by General Statutes Section 13b-103, as amended.

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

C. Appearances

The respondent appeared without counsel through its president Randall Klein. The respondent's address of record is 9 Mott Avenue, Suite 306, Norwalk, Connecticut 06850.

II. STIPULATED AGREEMENT

The Regulatory and Compliance Unit reached an agreement with the respondent in settlement of the instant matter.

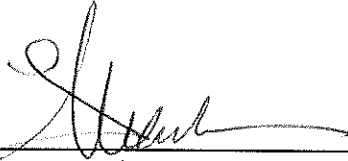
The Stipulated Agreement is hereby incorporated herein and made a part hereof as Amendment A.

II. ORDER

Based on the Stipulation, it is hereby accepted and ordered accordingly.

Dated at Newington, Connecticut on this 18th day of December 2015.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Laifa A. Mandour
Staff Attorney III
Administrative Law Unit
Bureau of Finance and Administration

(860) 594-2875

DOCKET NO. 1510-FH-62-L

IN THE MATTER OF CITATION OF
DRIVERS UNLIMITED, INC.

STIPULATION AND
ASSESSMENT OF CIVIL PENALTY

STIPULATION

The records of the Department of Transportation ("department") indicate you are the holder of Permit No. 2331. The records of the department further indicate that you are in violation of Connecticut General Statutes 13b-102, 13b-103 as amended, and Regulations of Connecticut State Agencies 16-325-4 by violating the terms of the permit which require a permit holder to comply with all pertinent motor vehicle laws and other statutes and /or the Regulations of Connecticut State Agencies.

More specifically:

1) More specifically, on September 21, 2015 it came to the attention of the Department that Drivers Unlimited, Inc. moved the location of its Headquarters in Darien to a point outside of the municipality specified in your permit, to Norwalk, in violation of Regulations of Connecticut State Agencies Section 16-325-4. Notice was sent to the permit holder at the Norwalk address on September 23, 2015, within 15 days of the discovery of the violation alleged.

The maximum civil penalty assessed for each violation is \$1000 per day per occurrence and/or suspension or revocation pursuant to Connecticut General Statutes Section 13b-103.

NOTICE IS HEREBY GIVEN THAT in the above-referenced matter, the Department of Transportation (hereinafter referred to as "department") and Drivers Unlimited Inc. (Hereinafter referred to as "respondent") enter into the following agreement:

THAT pursuant to Connecticut General Statutes Section 13b-103, as amended, the department has jurisdiction over matters concerning the operation of livery vehicles in the State of Connecticut and to determine that a violation of state statutes and/or regulations has occurred; to investigate said violation, to hold a hearing on said violation, to render a final decision and order and to enter into the present agreement;

THAT Drivers Unlimited, Inc. is the holder of Permit No 2331, who is the respondent in this matter;

THAT a Notice of Citation Hearing was sent to the respondent by certified mail;

Drivers Unlimited, Inc
Docket No. 1510-C-135-L
Page 4 of 7

THAT the respondent is aware of the violations cited against him in the Notice of Hearing and does not desire to contest said allegations;

THAT the respondent expressly waives the right to a citation hearing, oral argument and a petition for reconsideration;

THAT the respondent expressly waives the right to seek judicial review or otherwise challenge or contest the validity of this Agreement;

THAT the respondent hereby acknowledges that any future applications for additional vehicles and/or additional authority filed within two (2) months from this dated stipulation may require an administrative hearing.

THAT the respondent waives any requirement that this Agreement recite findings of fact and conclusions of law other than those contained herein;

THAT the respondent also acknowledges that by signing and agreeing to the terms of this stipulation, the respondent admits to the violation(s) as alleged in the notice of hearing and said stipulation shall be made part of the respondent's record.

THAT the agreements herein shall have the same force and effect as an Order entered after full hearing and that this Stipulation shall constitute a final decision;

AND, THAT the agreements contained herein shall be effective only upon hearing , and order of stipulation through the Administrative Law Unit of the Department of Transportation, who may accept, modify or reject the stipulation.

TERMS OF STIPULATION

IT IS HEREBY ORDERED THAT:

1. Findings of Fact are hereby entered as alleged in the Notice of Citation Hearing.
2. Conclusions of Law are hereby entered in accordance with the violations enumerated in the Notice of Citation Hearing.
3. The respondent acknowledges the alleged violations referenced in the notice of hearing have been complied with in accordance with Connecticut General Statutes and/or the Regulations of Connecticut State Agencies.
4. The respondent shall provide to the Regulatory and Compliance Unit of the department with evidence of compliance of the alleged violations. Evidence of compliance shall

*Drivers Unlimited, Inc.
Docket No. 1510-C-135-L
Page 5 of 7*

be the successful completion of the application process for Transfer of Livery Headquarters Location no later than February 1, 2016 in order to legitimize its current headquarters location in Norwalk.

5. The respondent shall pay a civil penalty of **SEVEN HUNDRED AND FIFTY DOLLARS (\$750.00)** submitted in the form of a money order, certified check or bank check payable to "Treasurer, State of Connecticut."

Payment shall be submitted **IN PERSON** together with this original document signed by the certificate holder or authorized officer of the certificate holder, on the Hearing date of December 1, 2015, at 10 am at the following address:

**DOT BUREAU OF PUBLIC TRANSPORTATION
ADMINISTRATIVE LAW UNIT, Hearing Room A
NEWINGTON, CT 06111**

*Drivers Unlimited, Inc.
Docket No. 1510-C-135-L
Page 6 of 7*

**TO BE EXECUTED BY RESPONDENT OR AUTHORIZED OFFICER OF THE RESPONDENT
AND DEPARTMENT WHERE APPLICABLE**

RESPONDENT OR AUTHORIZED OFFICER:

I hereby subscribe and certify, under penalties of false statement, that the information contained in the STIPULATION in Docket 1510-TH-62-L is true to the best of my knowledge and that I am the respondent, or the authorized officer of the respondent, and thereby have the authority to execute this document on behalf of the respondent.

Dated at Newington, Connecticut this 1st day of December, 2015.

Randall Klein Randall Klein
(print name of respondent or authorized officer) (signature of respondent or authorized officer)

DEPARTMENT:

Based on compliance with the aforementioned terms, it is RECOMMENDED by the Regulatory and Compliance Unit that the Department of Transportation accept this STIPULATION and upon acceptance and hearing, ORDERED accordingly.

Recommendation dated at Newington, Connecticut this 8 day of October, 2015.

REGULATORY AND COMPLIANCE UNIT OF THE CONNECTICUT
DEPARTMENT OF TRANSPORTATION

Felipe P. Briseno

Felipe P. Briseno, Staff Attorney II
Regulatory and Compliance Unit
Bureau of Public Transportation

Drivers Unlimited, Inc.
Docket No. 1510-C-135-L
Page 7 of 7