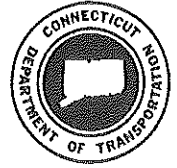




STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

DOCKET NUMBER 1604-N-35-L

RE: APPLICATION OF LIAKOT ALI DBA AMTRANSPORTATIONSCT.LIVERY
TO OPERATE TWO (2) MOTOR VEHICLES, HAVING A SEATING
CAPACITY OF LESS THAN ELEVEN (11) ADULTS, IN GENERAL LIVERY
SERVICE BETWEEN ALL POINTS IN CONNECTICUT FROM A
HEADQUARTERS IN HAMDEN.

FINAL DECISION

AUGUST 23, 2016

I. INTRODUCTION

A. General

By application filed on April 5, 2016, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Liakot Ali dba AMTRANSPORTATIONSCT.LIVERY ("applicant") with a mailing address of 117 Webb Street, Hamden, Connecticut 06517 seeks authorization to operate two (2) motor vehicles, having a seating capacity of less than eleven (11) adults, in general livery service between all points in Connecticut from a headquarters in the town of Hamden.

B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on August 18, 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 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

Liakot Ali appeared pro se on behalf of the applicant. The applicant's mailing address is 117 Webb Street, Hamden, Connecticut 06517.

Ralph Manzelli appeared pro se on behalf Southern Home Care Services, Inc. (hereinafter "Southern Home Care") which received intervenor status in this matter. The address of Southern Home Care is 119 Sanford Street, Hamden, CT 06514.

D. Name Change

The applicant is seeking to change his business name to Liakot Ali dba Amtrans CT Limo. Since the applicant has filed all of the required paperwork with the department, the name change will be incorporated into this decision.

II. FINDINGS OF FACT

1. The applicant has been operating a taxicab company, Maxi Taxi, for the past eight years with two (2) vehicles.
2. The applicant seeks to operate two (2) vehicles in livery service from a headquarters in Hamden.
3. The applicant's taxicab customers have asked the applicant for livery service which is more discrete without the vehicle signage or a dome light.

4. The Applicant has five individuals available to drive the two requested livery vehicles.
5. The applicant has \$12,445 cash in the Bank of America.
6. The applicant's six months of expenses includes vehicle payments of \$2,159, property tax of \$300, repairs of \$300, insurance of \$5,100 and telephone expenses of \$390 for a total expense of \$8,249.
7. The applicant has taken several driver safety classes and has seventeen years of driving both taxi and livery vehicles.
8. Southern Home Care has authority to operate eighteen (18) vehicles in general livery service from a headquarters in Hamden. The bulk of their business is providing medical transportation for Logisticare which has decreased 30%.
9. Southern Home Care is concerned that the applicant will use livery vehicles to transport clients for Logisticare.
10. Tariq Mehmood is a driver for the applicant's taxi service. He receives requests for livery service from his customers a couple of times a week.
11. The applicant's wife and son will help him staff the office.
12. The applicant will be utilizing a 2010 Honda Pilot SUV and a 2007 Hyundai Accent Sedan.
13. Nayem Uddin is a taxicab customer of the applicant who is willing to pay more for livery transportation. He would use livery service to go to the casino or his lawyer's office.
14. The applicant provides good, prompt and reliable customer service.

III. DEPARTMENT ANALYSIS

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.

Some factors to consider in granting a livery permit 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 Steve Martorelli v. Department of Transportation (SC19307).

Regarding public convenience and necessity, the applicant submitted several letters of support from existing taxicab clients who want to use his proposed livery service. Unfortunately, support letters are given less weight in the analysis because the signatories are not present to be cross-examined.

The applicant also presented the testimony of one witness who uses his taxicab service and wants to be able to utilize his livery service because it's a higher end form of transportation. To further support the applicant's case, the applicant also presented one of his drivers who testified that he regularly receives requests for livery service. The applicant provides good customer service that would benefit both his clients and livery transportation to the general public.

Regarding the intervenor, the applicant repeatedly testified that he does not intend to work for Logisticare and wants only to satisfy his clients who have requested livery service. Southern Home Care is only concerned with the potential competition that the applicant may provide with regard to the Logisticare work as it is the main form of work that Southern Home Care performs. The department is here to protect the public and make sure there is adequate livery service and not stop any potential competitor from entering the market. Based on the evidence presented, the applicant has proven public convenience and necessity.

In support of financial wherewithal, the applicant presented evidence that the applicant's first six months of expenses include vehicle payments of \$2,159, property tax of \$300, repairs of \$300, insurance of \$5,100 and telephone expenses of \$390 for a total expense of \$8,249. The applicant has \$12,445 cash in the Bank of America which is sufficient to cover these start-up costs. The applicant has proven financial suitability.

With regard to suitability, the applicant provided the requisite criminal conviction history for Liakot Ali which shows no convictions. Mr. Ali has been in the taxi business for eight years without any citations against his company and he has the experience needed to operate the livery service. He is ready, willing and able to follow the rules and regulations of department and is suitable to operate the proposed livery service.

Based on the evidence presented, the applicant has proven the required elements of financial wherewithal, suitability and public convenience and necessity to be granted a livery permit.

IV. CONCLUSION AND ORDER

Based upon the above and pursuant to Connecticut General Statutes Section 13b-103, as amended, the application of Liakot Ali dba Amtrans CT Limo is hereby granted and Livery Permit Number 3548 is issued as follows:

LIVERY PERMIT NO. 3548
FOR THE OPERATION OF LIVERY SERVICE

Liakot Ali dba Amtrans CT Limo is hereby permitted and authorized to operate two (2) motor vehicles, having a seating capacity of less than eleven (11) adults, in general livery service from a headquarters in Hamden.

RESTRICTIONS:

The applicant must register the two (2) vehicles granted under this decision within sixty (60) days from the date of this final decision.

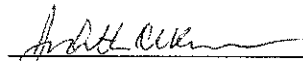
This permit may not be sold or transferred until it has been operation, i.e., a vehicle registered with livery plates thereunder, for not less than twenty-four (24) consecutive months.

This permit shall remain in effect until it is amended, suspended or 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 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 23rd day of August 2016.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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