



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NUMBER 1604-N-48-L

RE: APPLICATION OF STAR TIRE, LLC TO OPERATE FIVE (5) 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 HARTFORD.

FINAL DECISION

SEPTEMBER 19, 2016

I. INTRODUCTION

A. General

By application filed on April 20, 2016, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Star Tire, LLC ("applicant") with a mailing address of 966 Silas Dean Highway, Wethersfield, Connecticut 06109 seeks authorization to operate five (5) 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 city of Hartford.

B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on September 15, 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

Pajtim Lamaj appeared on behalf of the applicant. The applicant was represented by Beniamir Shehu, Esq. with a mailing address of 641 Farmington Avenue, Suite 308, Hartford, Connecticut 06105.

II. FINDING OF FACTS

1. The applicant seeks to operate five (5) motor vehicles in intrastate livery service from a headquarters in Hartford.
2. The applicant, Mr. Lamaj, is currently a livery driver with Peoples Transit, LLC. He has also worked as a school bus driver.
3. The applicant seeks to operate two (2) 2008 Mercury Grand Marquis, two (2) 2010 Mercury Grand Marquis and one (1) 2011 Mercury Grand Marquis. The cost to finance these five vehicles for the first six months of operation is \$7,468.
4. The applicant's main asset is \$51,505 in cash in a Peoples Bank account.
5. The applicant's first six months of expenses includes an insurance premium of \$13,754, repairs of \$1,800, advertising of \$600, vehicle payments of \$7,468, property tax of \$1,435 and driver's salaries of \$24,000 for a total of \$49,057.

6. The applicant will receive the first six months of office rent free.
7. Mr. Lamaj speaks both Italian and Albanian.
8. Mr. Lamaj volunteers at the Albanian Community Center where there is a need for community members to have livery service.
9. Mr. Artan Martinaj is a bus driver with CT Transit and the President of the Albanian Community Center. He gets forty to fifty calls a month for livery service from clients of the community center.
10. Mr. Alfred Rrumbullaku is a Customer Service Manager with the Metropolitan District Commission and a Board Member of the Albanian Community Center. Transportation is hard for members of the Albanian community center due to language barriers.
11. Mr. Jamie Mercano testified in support of the application. Mr. Lamaj often drives him to Logisticare medical trips. He has found that the applicant provides good customer service, arrives in a timely fashion and always calls if he is going to arrive late.
12. The population of Albanian people in Connecticut has risen dramatically.
13. The applicant may get some help from his current employer, Peoples Transit, to find a dispatcher.
14. The applicant has lined up two drivers for the livery cars and will seek out additional drivers and office staff.
15. This application was not opposed.

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.

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 that 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 defined in Martorelli v. Department of Transportation 316 Conn. 538 (2015).

In support of financial wherewithal the applicant presented evidence the applicant's first six months of expenses includes an insurance premium of \$13,754, repairs of \$1,800, advertising of \$600, vehicle payments of \$7,468, property tax of \$1,435, driver salaries of \$24,000 for a total of \$49,057. The applicant will receive the first six months of office rent for free. The applicant's assets include \$51,505 cash in a Peoples Bank account which will be sufficient to handle the first six months of expenses. Based on the evidence presented, the applicant has proven the financial suitability to operate this proposed livery service.

With regard to suitability, the applicant provided the requisite criminal conviction history for Mr. Lamaj which shows no convictions. The applicant has an extensive history of driving experience including driving for a bus company and a livery company. Based on the evidence presented, the applicant has proven the required suitability to be granted a livery permit.

The applicant must also prove public convenience and necessity. In that regard, the applicant presented three witnesses in support of his application and has shown that public convenience and necessity would be greatly improved by allowing him to operate five (5) livery vehicles. The applicant has extensive contacts in the Albanian and Italian community who want to use his livery service including the three witnesses that he presented at the hearing and the applicant provides good customer service. Therefore, applicant has shown that public convenience and necessity will be improved by his livery service.

Based on the evidence presented, the applicant has proven the required elements 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 Star Tire, LLC is hereby granted and Livery Permit Number 3552 is issued as follows:

LIVERY PERMIT NO. 3552 FOR THE OPERATION OF LIVERY SERVICE

Star Tire, LLC is hereby permitted and authorized to operate five (5) motor vehicles, having a seating capacity of less than eleven (11) adults in general livery service from a headquarters in Hartford.

RESTRICTIONS:

The applicant must register the five (5) vehicles granted under this decision within sixty (60) days from the date of this final 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 thereunder for not less than twenty-four (24) months.


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 19th day of September 2016.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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Phone:

SECRETARY'S RETURN
DOCKET NO. 1604-N-48-L

I hereby certify that true and correct copies of the Final Decision, dated September 19, 2016, in the above-entitled matter, were forwarded on September 19, 2016.

COPIES OF THE ABOVE-NOTED DECISION WERE FORWARDED AS FOLLOWS:

APPLICANT:

Pajtim Lamaj
Star Tire, LLC
966 Silas Dean Highway
Wethersfield, CT 06109

CERTIFIED MAIL: 91 7199 9991 7033 6862 1596

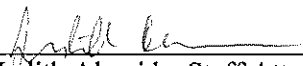
APPLICANT'S COUNSEL:

Attorney Beniamir Shehu
641 Farmington Avenue, Suite 308
Hartford, CT 06105

OTHER INTERESTED PARTIES:

N/A

CERTIFIED BY:



Judith Almeida, Staff Attorney 3
Administrative Law Unit
Bureau of Finance and Administration