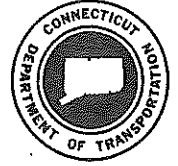




STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NUMBER 1711-C-123-L

RE: IN THE MATTER OF THE CITATION OF WRIGHT TRANSPORTATION, INC.

DECISION

JANUARY 18, 2018

I. INTRODUCTION

A. General

By citation dated December 8, 2017, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Wright Transportation, Inc. (hereinafter "respondent"), holder of Livery Permit Number 3505, was ordered to come before the department to answer the 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 3505, issued for the operation of livery service, should not be suspended or revoked or a civil penalty imposed for violation of its permit pursuant to Connecticut General Statutes Section 13b-103, et seq.

More specifically, it is alleged that the respondent violated Regulation of Connecticut State Agencies Section 16-325-4 for transferring its headquarters outside of the municipality specified in its permit without department approval.

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

B. Hearing Held

Pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on January 16, 2018. Notice of the citation and the hearing to be held thereon was given to the respondent and to such other parties as required by Connecticut General Statutes Section 13b-103, as amended.

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

C. Appearances

Gary Wright appeared pro se on behalf of the respondent. The respondent's mailing address is 204 Route 32, North Franklin, CT 06254

Felipe Briseno, Staff Attorney 2, with the Regulatory and Compliance Unit presented evidence on behalf of the department.

II. FINDINGS OF FACT

1. The respondent is the holder of Livery Permit 3505 in the name of Wright Transportation, Inc. with a headquarters in Franklin.
2. The respondent filed an application to transfer its headquarters from Montville to Franklin on October 11, 2017.
3. While processing that application the department discovered that the respondent had already moved its headquarters to Franklin without approval.
4. To resolve the citation hearing, the respondent agreed to enter into a stipulation and pay a civil penalty of \$500.
5. The respondent paid the \$500 civil penalty on January 3, 2018.

III. DEPARTMENT ANALYSIS

The Department of Transportation has jurisdiction over matters pertaining to the operation of motor vehicles in livery service in the State of Connecticut accordance with Connecticut General Statutes Section 13b-103, as amended.

Pursuant to Connecticut General Statutes Section 13b-103, the department may amend or for sufficient cause suspend or revoke any such permit. Further, the department may impose a civil penalty on any person who violates any provision of the governing chapter or any regulation adopted under Section 13b-103, as amended, with respect to fares, service, operation or equipment, in an amount not to exceed one thousand dollars per day for each violation.

#### IV. TERMS OF THE STIPULATION

The records of the Department of Transportation ("department") indicate Wright Transportation, Inc. ("respondent") is the holder of Permit No. 3505. The records of the department further indicate that the respondent is 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 as follows:

On or about November 16, 2017, it came to the attention of the department that Wright Transportation, Inc. had moved the location of its headquarters in Montville located at 152B Route 163 to Franklin in violation of the Regulations of Connecticut State Agencies Section 16-325-4. Notice was provided to the permit holder at the Franklin address within 15 days of the discovery of the violation.

In the above-referenced citation, the Department of Transportation and Wright Transportation, Inc. entered into the following agreement to settle the matter:

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 Wright Transportation, Inc. is the holder of Permit No 3505, and is the respondent in this matter;

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

That the respondent is aware of the violation 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 as alleged in the notice of hearing and said stipulation shall be made part of the respondent's record.

And, 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;


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 violation enumerated in the Notice of Citation Hearing.
3. The respondent acknowledges the alleged violation referenced in the notice of hearing have been corrected in accordance with Connecticut General Statutes and/or the Regulations of Connecticut State Agencies.
4. The respondent successfully completed the application process for Transfer of Livery Headquarters Location, by decision issued on December 28, 2017, in order to legitimize its current headquarters location in Franklin.
5. The respondent paid a civil penalty of FIVE HUNDRED DOLLARS (\$500) on January 3, 2018.

This final decision constitutes notice in accordance with Connecticut General Statutes Section 4-182(c).

Dated at Newington, Connecticut on this the 18th day of January 2018.

CONNECTICUT DEPARTMENT OF TRANSPORTATION

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