

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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REVISED DECISION

DOCKET NO. 1801-NGOV-4-L

RE: APPLICATION OF CONNECTICUT TRANSPORTATION SOLUTIONS, LLC TO OPERATE SEVENTY-FIVE (75) MOTOR VEHICLES, HAVING A SEATING CAPACITY OF LESS THAN ELEVEN (11) PASSENGERS, 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 NAUGATUCK.

JANUARY 3, 2019

I. INTRODUCTION

A. APPLICATION

By application filed on January 12, 2018, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Connecticut Transportation Solutions, LLC (hereinafter "applicant") with a mailing address of 35 Elm Street, Naugatuck, Connecticut 06770 seeks authorization to operate seventy-five (75) motor vehicles, having a passenger seating capacity of less than eleven (11) adults, for the transportation of passengers for hire by virtue of a contract with, or a lower tier contract for, a federal, state or municipal agency between all points in Connecticut from a headquarters in Naugatuck.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on June 5, 2018.

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, 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

Mr. Chet Doheny, Managing Member and Eric Sousa, General Manager appeared pro se on behalf of the applicant. The applicant's mailing address is 35 Elm Street, Naugatuck, Connecticut 06770.

Mr. Mark Davis and Mr. Mike Buonaiuto appeared on behalf of Veyo.

D. PERMIT REVISION

The permit in this matter was originally issued on June 12, 2018, for seventy-five vehicles under contract with Veyo. The applicant was unable to register the entire seventy-five (75) vehicles granted in the decision even though it was granted multiple extensions. The final extension was granted until December 31, 2018, wherein the applicant had only registered twenty-seven (27) vehicles. The permit is being reissued to reflect that number of vehicles. The remaining number of vehicles that were not registered are revoked.

II. FINDINGS OF FACT

1. The applicant seeks to operate seventy-five (75) motor vehicles under contract with the Veyo to provide non-emergency medical transportation.

2. Mark Davis and Mike Buonaiuto, Provider Operator Coordinators, appeared on behalf of Veyo in support of the application.

3. Veyo is having issues with maintaining quality operators which has led to their request for seventy-five (75) new livery plates.

4. A list of these seventy-five (75) vehicles to be used is attached to this decision.

5. The applicant performs school and other transportation under contract with DCF. The applicant also does work for Veyo and has an executed contract in place.

6. The applicant's first six months of expenses includes \$85,313 for insurance, \$22,708 for property tax, \$6,000 for rent, \$32,813 for maintenance, \$1,308 for communication expenses and \$215,952 for vehicle financing.

7. The applicant has \$421,754 in a bank account.

8. The applicant will have sufficient drivers to operate the vehicles because those that are part-time will be employed full-time.

9. The applicant has an extensive screening and training process for drivers due to the contract with DCF and the school transportation it provides.

10. The applicant will be operating bariatric wheelchair vans, sedans and small vans.

11. The applicant was originally granted seventy-five (75) vehicles under contract with Veyo on June 12, 2018.

12. As of December 31, 2018, the applicant was only able to register twenty-seven (27) of the seventy-five (75) vehicles that it was granted.

13. On January 3, 2019, in this decision the permit is being reissued to reflect twenty-seven (27) vehicles.

14. This application was not opposed.

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 presented evidence that the first six months of expenses includes \$85,313 for insurance, \$22,708 for property tax, \$6,000 for rent, \$32,813 for maintenance, \$1,308 for communication expenses and \$215,952 for vehicle financing for a total cost of \$364,094. The applicant has \$ 421,754 in a bank account which is sufficient to cover these initial costs.

Regarding the applicant's suitability, a criminal record check was performed for Chet and Jessica Doheny which revealed no criminal record. The applicant has extensive experience transporting children and performing transportation under contract with various entities. Based on the evidence submitted, the applicant has proven the necessary suitability to be granted this application.

On the issue of public convenience and necessity, the applicant presented the testimony of Mark Davis and Mike Buonaiuto from Veyo who both testified that with the quality of some providers not up to their standards, they need to get more good quality providers in place. The need for wheelchair vans is very great and that need is statewide.

Based on all of the evidence presented, this application will be granted in part. Since the applicant was unable to register the seventy-five (75) vehicles within the allotted time given, the permit will be revised to the number actually registered twenty-seven (27).

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 3250 standing in the name of Connecticut Transportation Solutions, LLC is hereby partially approved and is reissued as follows:

LIVERY PERMIT NO. 3250

Connecticut Transportation Solutions, LLC is hereby permitted and authorized to operate

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three (3) wheelchair accessible motor vehicles of a van type, each having a seating capacity of less than eleven (11) adults, for the express purpose of providing reasonable livery service to handicapped persons and elderly persons from a headquarters in Naugatuck.

RESTRICTIONS:

The motor vehicles registered under this permit shall be wheelchair accessible vans.

The authority granted under this permit may not be sold or transferred until it had been operational, i.e. all vehicles registered and in use with livery [plates thereunder, for not less than twenty-four (24) consecutive months from the date of the granting of the authority.

The permit shall remain in effect until 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 revoke said permit.

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

**DURATIONAL LIVERY SERVICE
UNDER CONTRACT WITH VEYO
DOCKET NO. 1801-NGOV-4-L-ORIGINALLY GRANTED ON JUNE 12, 2018 AND
REISSUED ON JANUARY 3, 2019**

Connecticut Transportation Solutions, LLC is authorized to operate twenty-seven (27) motor vehicles, having a seating capacity of less than eleven (11) passengers, for the provision of transportation for hire by virtue of a contract with Veyo from a headquarters in Naugatuck.

RESTRICTIONS:

The authority for the twenty-seven (27) vehicles granted in Docket No. 1801-NGOV-4-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 Veyo.

The permit holder shall notify the department of any termination of its contract with Veyo 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.

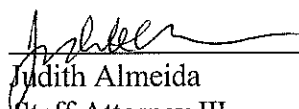
This permit is not transferable and shall remain in effect until revoked by the department or until the contract under which this authority is granted has expired. Failure of the

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 January 3, 2019.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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