



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

(860) 594-2875

DOCKET NO. 1809-AVGOV-107-L

RE: APPLICATION OF PHOENIX PROFESSIONAL SERVICES, LLC DBA PHOENIX PROFESSIONAL SERVICES TO OPERATE TWO (2) 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 EAST HARTFORD.

DECISION

DECEMBER 7, 2018

## I. INTRODUCTION

### A. APPLICATION

By application filed on September 19, 2018, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Phoenix Professional Services, LLC dba Phoenix Professional Services (hereinafter "applicant") with a mailing address of 29 Connecticut Boulevard, East Hartford, Connecticut 06108 seeks authorization to operate two (2) 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, any federal, state or municipal agency between all points in Connecticut from a headquarters in East Hartford.

### B. HEARING

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

Tamar Draughn appeared pro se on behalf of the applicant. The applicant's mailing address is 29 Connecticut Boulevard, East Hartford, Connecticut 06108.

Ted Sanford, Program Supervisor, with Department of Children and Families (hereinafter "DCF") appeared in support of the application.

## II. FINDINGS OF FACT

1. The applicant seeks to operate two (2) motor vehicles under contract with DCF to provide transportation.
2. The applicant currently operates one (1) vehicle in governmental livery service for DCF.
3. The applicant will be operating one Honda Accord and one Volkswagen Jetta. The Accord is paid for while the Jetta needs to be purchased.

4. The applicant's first six months of expenses includes \$6,580 for insurance, \$58 for property tax, \$1,000 for maintenance and \$4,500 for the vehicle purchase.

5. The applicant has \$37,781 in cash with Bank of America.

6. Ted Sanford from DCF testified in support of the application. DCF will use the applicant's livery service in Hartford and Tolland county to transport children to supervised visits and other services.

7. The applicant already has an executed contract with DCF.

8. This application is 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: \$6,580 for insurance, \$58 for property tax, \$1,000 for maintenance and \$4,500 for a vehicle purchase for a total of \$12,138. The applicant has \$ 37,781 in the bank which is sufficient to cover these costs. The applicant has the financial suitability to be granted this authorization.

Regarding the applicant's suitability, a criminal record check was performed for Tamar Draughn which shows no criminal record. The applicant has been in the livery business working for DCF for one year without incident. The applicant has proven the suitability to provide this service.

On the issue of public convenience and necessity, Ted Sanford testified that DCF needs the applicant's livery service in Hartford and Tolland County. The applicant has performed well for DCF and there is additional work available for the applicant.

Based on all of the evidence presented, the applicant will be granted two (2) additional governmental livery permits for DCF.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, this application is hereby granted. Accordingly, Livery Permit Number 3619 standing in the name of Phoenix Professional Services, LLC dba Phoenix Professional Services is hereby approved and is reissued as follows:

**LIVERY PERMIT NO. 3619**

**DURATIONAL LIVERY SERVICE  
UNDER CONTRACT WITH DCF  
DOCKET NO. 1809-AVG0V-107-L-GRANTED ON DECEMBER 7, 2018**

Phoenix Professional Services, LLC dba Phoenix Professional Services is authorized to operate two (2) 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 DCF from a headquarters in East Hartford.

**RESTRICTIONS:**

**The applicant must register and insure the two (2) motor vehicles granted in this decision within sixty (60) days from the date of this decision. If these two (2) vehicles are not registered or insured within the sixty (60) day period, the authority granted herein will be revoked automatically.**

The authority for the two (2) vehicles granted in Docket No. 1809-AVG0V-107-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 DCF.

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

**DURATIONAL LIVERY SERVICE  
UNDER CONTRACT WITH DCF  
DOCKET NO. 1709-NGOV-98-L-GRANTED ON NOVEMBER 20, 2017**

Phoenix Professional Services, LLC dba Phoenix Professional Services is authorized to operate one (1) motor vehicle, having a seating capacity of less than eleven (11) passengers, for the provision of transportation for hire by virtue of a contract with DCF from a headquarters in East Hartford.

**RESTRICTIONS:**

The applicant must register and insure the one (1) motor vehicle granted in this decision within sixty (60) days from the date of this decision. If the vehicle is not registered or insured within the sixty (60) day period, the authority granted herein will be revoked automatically.

The authority for the one (1) vehicle granted in Docket No. 1709-NGOV-98-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 Department of Children and Families.

The permit holder shall notify the department of any termination of its contract with Department of Children and Families 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.

