



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

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DOCKET NO. 1812-N-157-L

RE: APPLICATION OF BRAND CHAUFFEUR SERVICES, LLC TO OPERATE ONE (1) GENERAL LIVERY VEHICLE, WITH A SEATING CAPACITY OF LESS THAN ELEVEN PASSENGERS, FROM A HEADQUARTERS IN HARTFORD.

DECISION

APRIL 8, 2019

I. INTRODUCTION

A. APPLICATION

By application filed on December 20, 2019, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Brand Chauffeur Services, LLC (hereinafter "applicant") with a mailing address of 72 Mapleton Street, Hartford, CT 06114 seeks authorization to operate one (1) motor vehicle, having a seating capacity of less than eleven (11) adults, in general livery service from a headquarters in Hartford.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on April 4, 2019.

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

Pablo Figueroa appeared pro se on behalf of the applicant. His mailing address is 72 Mapleton Street, Hartford, CT 06114.

II. FINDINGS OF FACT

1. The applicant seeks to operate one (1) motor vehicle in general livery service from a headquarters in Hartford.
2. The applicant had intrastate livery permit 3525 since 2014.
3. Before starting his own company, Mr. Figueroa drove for several livery companies.
4. The applicant will operate a 2014 Lincoln MKT, which has no financing.
5. The applicant has \$5,862 in a bank account.
6. The applicant's first six months of expenses includes insurance of \$3,606, maintenance of \$2,000, property tax of \$179 and cell phone costs of \$402.

7. Mr. Figeroa will drive the one vehicle requested.

8. Larry Elsner, owner of Soly Co, LLC, a one-car livery company. He will refer intrastate livery trips to the applicant. Mr. Elsner's company is doing some of the applicant's intrastate livery business that he cannot perform legally.

9. The applicant turns down about \$2,000 in intrastate trips per month or about five trips per week.

10. This application was 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.

Regarding the applicant's suitability, the applicant submitted a criminal record check for Mr. Figeroa, which shows a criminal record from long ago. He has since received a public service license and has many years of driving experience. Based on the evidence presented, the applicant has the necessary suitability to have this application granted.

As far as the applicant's financial ability is concerned the applicant presented evidence that the first six months of expenses includes insurance of \$3,606, maintenance of \$2,000, property tax of \$179 and cell phone costs of \$402 for a total expense of \$7,513. The applicant has \$15,802 in the bank, which is sufficient to cover these costs.

On the issue of public convenience and necessity, the applicant presented a livery company owner, Mr. Elsner, who performs some of his intrastate livery work. Mr. Elsner and the applicant hope to be able to refer intrastate business back and forth to each other since neither is available all the time. Based on all of the evidence presented, the applicant has shown that public convenience will be improved by a grant of this application.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application of Brand Chauffeur Services, LLC is hereby granted and Livery Permit Number 3525 is hereby issued as follows:

LIVERY PERMIT NUMBER 3525

Brand Chauffeur Services, LLC is hereby permitted to operate one (1) motor vehicle, having a seating capacity of less than eleven passengers, in general livery service from a headquarters in Hartford.

Brand Chauffeur Services, LLC is permitted and authorized to operate motor vehicles as a common carrier of passengers, in charter and special operations, in interstate commerce under such authorization as issued or amended by the Federal Motor Carrier Safety Administration in the issuance of Certificate Number MC-952276-C.

RESTRICTIONS:

The applicant must register and insure the one (1) vehicle granted in this permit within ninety (90) days. Failure to do so may result in revocation of the authority.

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 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 the 8th day of April 2019.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Judith Almeida
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Bureau of Finance and Administration