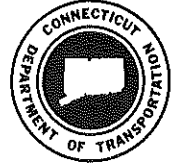




STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 1912-N-139-L

RE: APPLICATION OF GOLDEN YEARS HOMEMAKERS &  
COMPANIONS, LLC TO OPERATE ONE (1) GENERAL LIVERY  
VEHICLE, WITH A SEATING CAPACITY OF LESS THAN ELEVEN  
PASSENGERS, FROM A HEADQUARTERS IN PLAINVILLE.

DECISION

MARCH 11, 2020

## I. INTRODUCTION

### A. APPLICATION

By application filed on December 16, 2019, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Golden Years Homemakers & Companions, LLC (hereinafter "applicant") with a mailing address of 7 North Washington Street, Suite 109, Plainville 06062 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 Plainville.

### B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on March 5, 2020.

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

Miledy Marmol appeared pro se on behalf of the applicant. The applicant's address is 7 North Washington Street, Suite 109, Plainville, Connecticut 06062.

## II. FINDINGS OF FACT

1. The applicant seeks to operate one (1) motor vehicle in general livery service from a headquarters in Plainville.
2. Clients of the applicant's home care service need transportation to doctors' appointments. Many times the clients have to wait too long for livery transportation.
3. The applicant's first six months of expenses includes rent of \$7,500, insurance of \$1,276, maintenance of \$625, property tax of \$44, advertising of \$1,650 and communication costs of \$1,050.
4. The applicant has \$31,296 in a business bank account.

5. Ms. Marmol worked in insurance for twenty years before starting the home health company.

6. The applicant will hire drivers who have public service licenses. The vehicle to be used in the business is a 2005 Honda CRV. This vehicle has been paid for.

7. Ms. Marmol is the only member of the LLC. Her son, Jorge Cruz, is a manager at the business but not a member.

8. The applicant, Ms. Marmol, has a clean criminal record check.

9. The applicant has over 125 clients and receives referrals through various organizations.

10. This application is not opposed by any livery operator in the service area.

### 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, Ms. Marmol submitted a criminal record check that disclosed no criminal record. Ms. Marmol has worked in the insurance industry for twenty years and then transitioned into owning a home care business. Based on the evidence presented, the applicant is suitable to conduct the proposed business.

As far as the applicant's financial ability is concerned the applicant presented evidence that the first six months of expenses includes rent of \$7,500, insurance of \$1,276, maintenance of \$625, property tax of \$44, advertising of \$1,650 and communication of \$1,050 for a total expense of \$12,145. The applicant has \$31,296 in a bank account that will cover these expenses so the applicant is financially suitable.

On the issue of public convenience and necessity, the applicant operates a home health company. Many of her clients have difficulty getting transportation to and from doctors' appointments. The applicant intends to provide livery transportation to her clients as part of a package of services that her company offers. The applicant also receives clients by referrals from other organizations. Based on all of the evidence presented, this livery application is hereby granted.

#### IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application in the name of Golden Years Homemakers & Companions, LLC is hereby granted and Livery Permit Number 3694 is hereby issued as follows:

#### **LIVERY PERMIT NUMBER 3694**

Golden Years Homemakers & Companions, LLC is authorized to operate one (1) motor vehicle in general livery service, with a seating capacity of less than eleven passengers, from a headquarters in Plainville.

#### **RESTRICTIONS:**

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

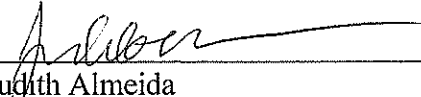
The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates thereunder for not less than twenty-four (24) months.

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 11th day of March 2020.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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