



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

(860) 594-2875

DOCKET NO. 2005-AV-31-L

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

DECISION

FEBRUARY 4, 2021

I. INTRODUCTION

A. APPLICATION

By application filed on May 15, 2020, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Golden Years Homemakers & Companions, Inc (hereinafter "applicant") with a mailing address of 7 North Washington Street, Suite 109, Plainville, Connecticut 06062 seeks authorization to operate one (1) additional motor vehicle, having a seating capacity of less than eleven (11) passengers, 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 January 26, 2021.

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 mailing address is 7 North Washington Street, Suite 109, Plainville, Connecticut 06062.

II. FINDINGS OF FACT

1. The applicant seeks to operate one (1) additional motor vehicle in general livery service from a headquarters in Plainville.

2. The applicant will operate a 2013 Honda CRV which is owned outright and has passed DOT inspection.

3. The applicant's first six months of expenses includes rent of \$3,750, insurance costs of \$1,389, maintenance costs of \$330, communication costs of \$262, advertising costs of \$1,500 and property tax of \$112.

4. The applicant has \$34,789 in a business bank account.
5. The applicant currently operates one (1) vehicle in livery service for its home care clientele.
6. The applicant has been operating a in home health service since 2010.
7. The applicant's clients often have difficulty getting transportation which is why in March 2020, Ms. Marmol got into the livery business.
8. The applicant will hire another driver for the second livery vehicle.
9. Ms. Marmol is currently the only officer in the corporation.
10. 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.

Regarding the applicant's suitability, the applicant submitted a criminal record check for Miledy Marmol, which disclosed no criminal record. Ms. Marmol has been operating in the home health care industry for the past ten years. About a year ago, she started a livery service to transport her clients primarily to doctor's appointments. 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 \$3,750, insurance costs of \$1,389, maintenance costs of \$330, communication costs of \$262, advertising costs of \$1,500 and property tax of \$112

for a total expense of \$7,343. The applicant has \$34,789 in a bank account which will cover these expenses so the applicant is financially suitable.

On the issue of public convenience and necessity, the applicant is already operating an ongoing livery business with one vehicle. The business has been successful, and the applicant wants to add an additional livery vehicle. The applicant has clients who are waiting to be transported. Based on the evidence presented, the applicant is suitable to expand her livery business.

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, Inc is hereby granted, and Livery Permit Number 3694 is hereby reissued as follows:

LIVERY PERMIT NUMBER 3694

Golden Years Homemakers & Companions, Inc is authorized to operate two (2) motor vehicles 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.

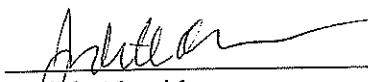
The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates thereunder for not less than twenty-four (24) months.

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 4th day of February 2021.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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