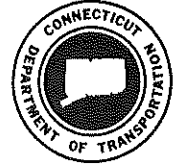




STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 2005-N-29-L

RE: APPLICATION OF K & A TRANSPORTATION, LLC TO OPERATE ONE (1) GENERAL LIVERY VEHICLE, WITH A SEATING CAPACITY OF LESS THAN ELEVEN PASSENGERS, FROM A HEADQUARTERS IN NEWINGTON

DECISION

JULY 16, 2020

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, K & A Transportation, LLC (hereinafter "applicant") with a mailing address of 60 Welles Drive, Newington, CT 06111 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 Newington.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on July 7, 2020, by telephone.

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

Anthony Claffey appeared pro se on behalf of the applicant. The applicant's mailing address is 60 Welles Drive, Newington, CT 06111.

II. FINDINGS OF FACT

1. The applicant seeks to operate one (1) motor vehicle in general livery service from a headquarters in Newington.
2. The applicant has been operating in interstate livery service since 2016.
3. The applicant plans to operate a 2019 Lincoln MKT sedan.
4. The applicant has \$10,429 in the business bank account.
5. The applicant's first six months of expenses includes property tax of \$355, insurance of \$2,615, vehicle costs of \$5,023, maintenance costs of \$213, advertising of \$7545 and cell phone costs of \$474.

6. The applicant wants to perform the intrastate livery trips that it is referring to other operators. This work amounts to three to five trips per month.
7. The applicant does not have a criminal record.
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.

Regarding the applicant's suitability, the applicant submitted a criminal record check for Mr. Claffey, which shows no criminal record. Mr. Claffey has been operating in interstate livery for four years. Based on his clean criminal record and past livery business experience, the applicant is suitable to perform this service.

As far as the applicant's financial ability is concerned the first six months of expenses includes property tax of \$355, insurance of \$2,615, vehicle costs of \$5,023, maintenance costs of \$213, advertising costs of \$75 and cell phone costs of \$474 for a total expense of \$8,755. The applicant has \$10,429 in the bank, which is sufficient to cover these initial costs.

On the issue of public convenience and necessity, the applicant has been operating an interstate livery service for the past four years. The applicant already has a customer base and will be able to stop referring work and perform these trips in house. At the current time, the applicant loses three to five livery trips every month which he could perform himself.

Based on the evidence presented; this livery application will be granted.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application of K & A Transportation, LLC is hereby granted, and Livery Permit Number 3561 is hereby reissued as follows:

LIVERY PERMIT NUMBER 3561

K & A Transportation, 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 Newington.

K & A Transportation, 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-990115-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.

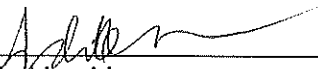
The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates thereunder for not less than twenty-four (24) months.

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 16th day of July 2020.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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