

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 2012-N-70-L

RE: APPLICATION OF TYPHOON ENTERPRISES, LLC TO OPERATE
ONE (1) VEHICLE IN GENERAL LIVERY SERVICE, WITH A
SEATING CAPACITY OF LESS THAN ELEVEN PASSENGERS,
FROM A HEADQUARTERS IN STAMFORD.

DECISION

FEBRUARY 10, 2021

I. INTRODUCTION

A. APPLICATION

By application filed on December 8, 2020, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Typhoon Enterprises, LLC (hereinafter "applicant") with a mailing address of P.O. Box 179, Stamford, Connecticut 06904 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 Stamford.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on February 3, 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

Tyrone Daniels appeared pro se on behalf of the applicant. The applicant's address is P. O. Box 179, Stamford, Connecticut 06904.

II. FINDINGS OF FACT

1. The applicant seeks to operate one (1) motor vehicle in general livery service from a headquarters in Stamford.
2. Mr. Daniels has been a professional driver since 2001.
3. In 2007 the applicant received his interstate livery authority.
4. The applicant will operate a 2017 Cadillac sedan which is being financed.
5. The applicant's first six months of expenses includes insurance costs of \$2,506, vehicle financing costs of \$4,110, vehicle maintenance costs of \$100, communication costs of \$960,

advertising costs of \$600 and property tax of \$162.

6. The applicant has \$36,861 in a business bank account.

7. Paul Bochicchio, the Vice President of Eveready Transportation, wrote a letter of support for the applicant. Eveready Transportation will refer excess intrastate livery trips to the applicant.

8. The applicant wants to perform medical livery work for both Veyo and general livery for the public.

9. Mr. Daniels has no criminal record.

10. This application was not opposed by any livery operator.

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. Daniels which disclosed no criminal record. The applicant has been operating an interstate livery service with one vehicle since 2007 and Mr. Daniels has a long history as a professional driver. Based on the evidence presented, the applicant is suitable to operate this proposed service.

As far as the applicant's financial ability is concerned, the applicant presented evidence that the first six months of expenses includes insurance costs of \$2,506, vehicle financing of \$4,110, vehicle maintenance costs of \$100, communication costs of \$960, advertising costs of \$600 and property tax of \$162 for a total expense of \$ 8,438. The applicant has \$36,861 in a business bank account which will more than cover these expenses. Based on the evidence presented, the applicant is financially suitable to be granted this authority.

On the issue of public convenience and necessity, the applicant presented a letter of support from Eveready Transportation which indicated it will refer excess intrastate work to the applicant. The applicant currently performs interstate work for Eveready. Mr. Daniels had discussions with Veyo to contract to perform medical livery service.

The applicant has been operating in interstate livery service for some time. Most recently, the applicant's livery customers have been using Bradley Airport in Connecticut more than the New York airports, so the applicant wants to expand his intrastate livery operation to accommodate those needs. Since the applicant already has a source for generating livery trips, it has proven public convenience and necessity would be improved by a grant of this application.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statutes Section 13b-103, as amended, the application in the name of Typhoon Enterprises, LLC is hereby granted, and Livery Permit Number 3139 is hereby reissued as follows:

LIVERY PERMIT NUMBER 3139

Typhoon Enterprises, 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 Stamford.

Typhoon Enterprises, 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 by the Federal Motor Carrier Safety Administration in the issuance of Certificate No. MC-593940.

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.

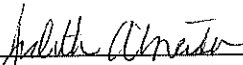
This permit shall remain in effect until it is amended, suspended or revoked by the department. Failure of the permit holder to maintain proper insurance and/or comply with all pertinent motor vehicle laws and other state statutes and/or rules, regulations and orders of the

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 10th day of February 2021.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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