



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:
(860) 594-2864

DOCKET NUMBER 2302-C-29-HG

RE: IN THE MATTER OF THE CITATION OF 2 YOUNG STUDS
MOVING, LLC

DECISION

MARCH 21, 2023

I. INTRODUCTION

A. General

By citation dated March 1, 2023, by the Department of Transportation (hereinafter “department”), pursuant to Connecticut General Statutes Section 13b-410 and 13b-414 as amended, 2 Young Studs Moving, LLC (“respondent”), holder of Certificate Number 1759, was ordered to come before the department to answer the allegations made therein.

Pursuant to said citation, the respondent was directed to appear by telephone to show cause why Certificate Number 1759, issued for the operation of a household goods motor carrier, should not be suspended, or revoked or a civil penalty imposed for violation of its household certificate pursuant to Connecticut General Statutes Section 13b-410 and 13b-414.

It is alleged that the certificate holder is in violation of the following Connecticut General Statutes and/or regulations:

- CGS, Section 13b-392 (Formerly Sec. 16-286): Considerations for granting certificate: suitability.
- CGS, Section 13b-410c(b) (Formerly Sec.16-288): Intrastate household goods carrier certificate. Intrastate motor contract carrier permit. Application. Fee. Regulations re annual fee for filing proof of insurance.
- CGS, Section 13b-410 (Formerly Sec. 16-304): Jurisdiction of Commissioner. Penalties.
- RCSA, Section 16-304-F22: Identification stamp.
- RCSA, Section 16-304-F23: Application for identification stamps.
- RCSA, Section 16-304-F24: List of vehicles operated.

The alleged incident in question violates the terms of the certificate which requires the certificate holder to comply with all pertinent motor vehicle laws and other statutes, and/or rules, regulations, and orders of the department.

More specifically, on February 14, 2023, the department completed an internal review of all 2023 cab card renewals for active household goods carrier certificates. The Regulatory & Compliance Unit found no record of receiving a renewal application or payment of this certificate. The Regulatory and Compliance Unit made multiple attempts to contact the certificate holder during the renewal period and was unsuccessful. After investigating the alleged incident, the department has determined that this certificate is out of compliance and the findings of the investigation give the department cause to challenge the suitability of the management for this certificate.

The citation was served upon the respondent at its listed mailing address of 48 Clark Street, New Haven, Connecticut 06511 by certified mail and recited the department’s reasons for issuing it.

B. Hearing Held

Pursuant to Section 13b-410 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on March 15, 2023. Notice of the citation and the hearing to be held thereon was given to the respondent and to such other parties as required by Connecticut General Statutes Section 13b-414 and 13b-407, as amended.

The hearing on this matter was conducted by a hearing officer designated by the Commissioner of Transportation, pursuant to Section 13b-17 of the Connecticut General Statutes.

C. Appearances

Christopher Monks appeared at the hearing for the respondent. The respondent was represented by Attorney Kelly Grey of the law firm Sheffy, Mazzaccaro, DePaolo & DeNigris, LLP. Attorney Grey's mailing address is 166 North Main Street, Southington, CT 06489.

Chris Russell, License and Application Analyst, for the Regulatory and Compliance Unit, presented the department's case in this matter.

Felipe Briseno, Staff Attorney 3 with the Regulatory & Compliance Unit also presented the department's case in this matter.

II. FINDINGS OF FACT

1. The respondent is the holder of Certificate 1759 standing in the name of 2 Young Studs Moving, LLC.
2. Despite several communications with the department concerning its filing of the Intrastate Certificate Application, no application or payment was received on time by the department.
3. The application and payment were received late by the department on March 7, 2023.
4. The respondent failed to change its mailing address with the department.
5. The respondent's mailing address on file with the Secretary of State is also incorrect.
6. The respondent's new mailing address is 44 Meadow View Road, New Haven, CT 06512.
7. Mr. Monks claims that he sent in the application and a check for \$70 to the department around October 3, 2022. No proof of this mailing was provided by the applicant.
8. The Regulatory & Compliance Unit will update the respondent's mailing address.
9. The Regulatory & Compliance Unit have suggested a \$500 civil penalty for the violations.

III. DEPARTMENT ANALYSIS AND CONCLUSIONS OF LAW

The Department of Transportation has jurisdiction over matters pertaining to the operation of motor vehicles in household goods service in the State of Connecticut accordance with Connecticut General Statutes Section 13b-410 and 13b-414, as amended.

Pursuant to Connecticut General Statutes Section 13b-410, the department may amend or for sufficient cause suspend or revoke any such permit. Further, the department may impose a civil penalty on any person who violates any provision of the governing chapter, or any regulation adopted under Section 13b-389 through 13b-415, as amended, with respect to fares, service, operation, or equipment, in an amount not to exceed one hundred dollars per day for each violation.

A review of the record shows that although the respondent claims to have sent the application and check around October 3, 2022, the department never received it. The respondent also never updated its mailing address with the department. As a result, the respondent is in violation of several statutes and

regulations as charged in the notice of hearing. The Regulatory & Compliance Unit has suggested a civil penalty of \$500. However, a similar case involving a late filed application and payment only resulted in a civil Penalty of \$400. Since this case is similar in its facts, that will be the same disposition in this matter.


IV. ORDER

Based on the above, Certificate 1759, standing in the name of 2 Young Studs Moving, LLC will pay a civil penalty of \$400. The respondent must pay the civil penalty of \$400 by certified check, bank check or money order made payable to the Treasurer, State of Connecticut to the Regulatory & Compliance Unit due on April 17, 2023.

This decision constitutes notice in accordance with Connecticut General Statutes Section 4-182(c).

Dated at Newington, Connecticut on this the 21st day of March 2023.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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