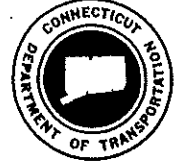




STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

DOCKET NUMBER 2410-C-8-L

RE: IN THE MATTER OF THE CITATION OF PERALTA'S ELITE
LIMOUSINE, LLC

DECISION

MARCH 5, 2024

I. INTRODUCTION

A. General

By citation dated January 30, 2024, by the Department of Transportation (hereinafter “department”), pursuant to Connecticut General Statutes Section 13b-102, 13b-103 and 4-182 as amended, Peralta’s Elite Limousine, LLC (hereinafter “respondent”), holder of Livery Permit Number 3550, 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 Livery Permit Number 3550, issued for intrastate livery service should not be suspended or revoked or a civil penalty imposed for violation of its permit pursuant to Connecticut General Statutes Section 13b-103, et seq.

More specifically, on November 28, 2023, the department received a complaint that alleges that respondent did not compensate former employee, Richard Ciuzio, for two separate trips that he completed as a driver under its livery permit on 07/29/23 and 08/07/23. The alleged unwillingness to compensate the contracted driver for work performed under the authority, raises the question of suitability to hold a permit. The citation was served upon the respondent by certified mail and recited the department’s reasons for issuing it.

B. Hearing Held

Pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on February 28, 2024. 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-103, 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

Mario Peralta appeared pro se on behalf of the respondent in this matter. His mailing address is 9 Walnut Street, Cos Cob, CT 06807.

Felipe Briseno, Staff Attorney 3 with the Regulatory and Compliance Unit, presented evidence in this matter.

Mario Andrukiewicz, License and Application Analyst with the Regulatory and Compliance Unit, presented evidence in this matter.

Richard Ciuzio appeared as the complainant in this matter. His mailing address is 63 Reniew Road, Hamden, CT 06514.

II. FINDINGS OF FACT

1. The respondent is the holder of Livery Permit Number 3550 in the name of Peralta’s Elite Limousine, LLC which operates three (3) livery vehicles in general livery service from a headquarters in Fairfield.

2. On November 28, 2023, the department received a complaint letter from Richard Cuizio regarding the failure of the respondent to pay him for two livery trips he performed as a driver.

3. On July 29, 2023, and August 7, 2023, the complainant drove in livery service for the respondent without compensation.

4. On December 5, 2023, the Regulatory & Compliance Unit sent a 15-day warning letter to the respondent asking for an explanation about the complaint.

6. The respondent did not cooperate in the department's investigation.

7. On the day of the hearing, the respondent paid the claimant the money he owes to him.

8. The Regulatory & Compliance Unit has proposed a civil penalty of \$500 for failure to pay the claimant and for failure to respond in the department's investigation.

9. The respondent has been in business for ten (10) years without incident.

III. DEPARTMENT ANALYSIS

The Department of Transportation has jurisdiction over motor vehicles in intrastate livery service in the State of Connecticut accordance with Connecticut General Statutes Section 13b-102, as amended. Pursuant to Connecticut General Statutes Section 13b-103, the department may amend or for sufficient cause suspend or revoke any such livery 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-103, as amended, with respect to fares, service, operation or equipment, in an amount not to exceed one thousand (\$1,000) dollars per day for each violation.

The evidence shows that the respondent did not pay his subcontractor or respond to the department's inquiry about the matter. Due to the respondent's actions, the respondent will be assessed a \$500 civil penalty. The respondent has already reimbursed Mr. Ciuzio for his driving services and fuel costs.

IV. ORDER

Based on the above, Livery Permit Number 3550, standing in the name of Peralta's Elite Limousine, LLC is ordered to complete the following by May 7, 2024:

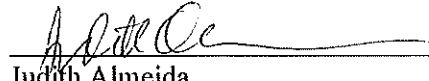
The respondent shall pay to the department, Regulatory & Compliance Unit, a \$500 civil penalty by certified check, bank check or money order made payable to the Treasurer, State of Connecticut.

Failure to of the respondent to comply with this order will result in the reopening of this citation matter with the possibility of further civil penalties, suspension, or revocation of respondent's Livery Permit Number 3550.

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

Dated at Newington, Connecticut on this 5th day of March 2024.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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