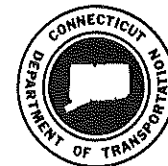




STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NUMBER 1911-C-123-L

RE: IN THE MATTER OF THE CITATION OF ONTIME LIMOUSINE, LLC.

DECISION

FEBRUARY 10, 2020

I. INTRODUCTION

A. General

By citation dated December 9, 2020, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-102, 13b-103 and 13b-106 as amended, OnTime Limousine, LLC (hereinafter "respondent"), holder of Intrastate Livery Permit Number 2884, was ordered to come before the department to answer the allegations made therein.

Pursuant to said citation, the respondent was directed to appear at the Newington office of the Department of Transportation to show cause why Livery Permit Number 2884, 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 13, 2019, the department was informed that insurance coverage for David Ferjuste, who drives under the authority of OnTime Limousine, LLC, reduced his insurance liability limits, this is a direct violation of Connecticut General Statutes Section 14-29(f).

B. Hearing Held

Pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, the public hearing for this citation was scheduled on January 16, 2020. Due to an incorrect address for the respondent, a second hearing was correctly noticed and rescheduled for February 6, 2020. 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

The respondent failed to appear in this matter. The respondent's mailing address is 1253 High Ridge Road, Stamford, Connecticut 06903.

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

Felipe Briseno, Staff Attorney 3 with the Regulatory and Compliance Unit, presented evidence at the hearing.

II. FINDINGS OF FACT

1. The respondent is the holder of Livery Permit Number 2884 in the name of OnTime Limousine, LLC operating from a headquarters in Stamford.

2. On November 13, 2019, Daniel Ferjuste, a contractor with the respondent company appeared at the DOT to register a vehicle. He was informed by the department that he did not have the proper insurance coverage and he called the Egan Insurance Company to have the insurance adjusted upward to 1.5 million as required in livery service under Connecticut General 14-29. Immediately after that, he called Eagan and had his policy reduced down to \$100,000.

3. On November 15, 2019, the respondent was sent a fifteen-day warning letter regarding the insurance issue.

4. The registration in question is still active and will not expire until March 31, 2021.

5. On November 22, 2019, the Department of Motor Vehicles sent Daniel Ferjuste a request to provide proof of insurance coverage. Brian Eagan sent a post dated policy showing 1.5 million.

6. After the second notice of hearing was drafted, a copy of it was sent to the respondent by email.
7. The respondent has livery authority to operate eight (8) livery plates from a headquarters in Stamford, however only seven (7) are currently registered.
8. The respondent failed to appear in this matter or contact the department.

III. DEPARTMENT ANALYSIS

The Department of Transportation has jurisdiction over the registration of 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 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.

After reviewing the evidence it is clear that the respondents driver intentionally dropped his livery insurance below a state minimum to avoid paying a higher insurance premium. As the certificate holder is responsible for making sure all insurance amounts are in compliance with Connecticut General Statutes Section 14-29, the respondent has committed a violation. Unfortunately, the respondent has not appeared in this matter to address the issue and therefore the permit in the name of OnTime Limousine, LLC is revoked.

IV. ORDER

Based on the above, the respondent's livery permit number 2884 is hereby revoked effective on February 28, 2020. The respondent shall return all issued livery plates to the Department of Motor Vehicles.

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

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