



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:

(860) 594-2875

DOCKET NO. 1912-AV-135-L

RE: APPLICATION OF EAGLE MEDICAL TRANSPORT, LLC TO OPERATE TWO (2) ADDITIONAL MOTOR VEHICLES, HAVING A SEATING CAPACITY OF LESS THAN ELEVEN (11) PASSENGERS, IN GENERAL LIVERY SERVICE FROM A HEADQUARTERS IN WATERTOWN.

DECISION

FEBRUARY 6, 2020

I. INTRODUCTION

A. APPLICATION

By application filed on December 10, 2019, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Eagle Medical Transport, LLC (hereinafter "applicant") with a mailing address of 336 Rear French Street, Watertown, Connecticut 06795 seeks authorization to operate two (2) additional motor vehicles, having a passenger seating capacity of less than eleven (11) adults, in general livery service between all points in Connecticut from a headquarters in Watertown.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing on this application was held on February 4, 2020.

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

Besmir Zaku appeared pro se on behalf of the applicant. The applicant's mailing address is 336 Rear French Street, Watertown, Connecticut 06795.

II. FINDINGS OF FACT

1. The applicant seeks to operate two (2) additional motor vehicles in general livery service.
2. The applicant currently operates two (2) livery vehicles under contract with Veyo.
3. The applicant has operated his livery service since May 2019.
4. The applicant has \$16,075 in a bank account.
5. The first six months of the applicant's expenses includes insurance of \$5,281, vehicle financing of \$9,259 and maintenance of \$500.

6. Anthony Freeman from Veyo supports the applicant's request for two additional vehicles to service New Haven and Litchfield County.

7. The applicant, Mr. Zaku, has a clean criminal record.

8. Mr. Zaku has networked with several different entities to expand his livery service to include other contract and private pay work.

9. 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.

To show financial support the applicant presented evidence that the first six months of expenses includes insurance of \$5,281, vehicle financing of \$9,259 and maintenance of \$500 for a total expense of \$15,040. There will be no property tax payment during the first six months. The applicant has \$16,075 in a bank account, which is sufficient to cover these initial costs and therefore financially suitable.

Regarding the applicant's suitability, a criminal record check was performed for Mr. Zaku which shows no criminal record. Mr. Zaku has been operating his own livery business successfully since May 2019. Based on the evidence submitted, the applicant has proven the necessary suitability to be granted a livery permit.

As far as public convenience and necessity goes Anthony Freeman, Provider Operations Coordinator, from Veyo testified in support of the application. Veyo needs bariatric wheelchair vehicles, which the applicant is purchasing.

In addition, the applicant has spoken to other individuals in the health care industry who like Charlotte Hungerford Hospital are using their service or OneCall who is in the process of contracting with them. Some of these clients would be private pay.

Testimony from Mr. Freeman illustrates that the applicant provides good customer service. Veyo has been sending calls to the applicant that it is unable to find other providers to perform. Based on all of the evidence presented, this application will be granted.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application of Eagle Medical Transport, LLC is hereby granted. Livery Permit Number 3656 standing in the name of Eagle Medical Transport, LLC is hereby approved and is reissued as follows:

LIVERY PERMIT NO. 3656

Eagle Medical Transport, LLC is authorized to operate two (2) motor vehicles, having a seating capacity of less than eleven (11) passengers, in general livery service from a headquarters in Watertown.

RESTRICTIONS:

The applicant must register and insure the two (2) vehicles 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.

**DURATIONAL LIVERY SERVICE
UNDER CONTRACT WITH VEYO
DOCKET NO. 1812-NGOV-159-L-GRANTED ON MARCH 21, 2019**

Eagle Medical Transport, LLC is authorized to operate two (2) motor vehicles, having a seating capacity of less than eleven (11) passengers, for the provision of transportation for hire by virtue of a contract with Veyo from a headquarters in Watertown.

RESTRICTIONS:

The two (2) vehicles granted in this decision must be registered within ninety (90) days from the date of that decision. Failure to do so will result in revocation of this authority.

The authority for the two (2) vehicles granted in Docket No. 1812-NGOV-159-L shall be durational in nature and shall exist only for the period of time that the permit holder has a current and continuing contract in effect for the provision of service with Veyo.

The permit holder shall notify the department of any termination of its contract with Veyo or the cessation of the active provision of service thereunder. The permit holder shall file with the department on an annual basis, upon registration or re-registration of the motor vehicles authorized in this decision, a current, executed copy of the extension of said contract. Failure to file an extension of the contract, or a new executed contract shall void the authority for the vehicles authorized pursuant to this contract.

This permit is not transferable and shall remain in effect until revoked by the department or until the contract under which this authority is granted has expired. 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 February 6, 2020.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Judith Almeida
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Bureau of Finance and Administration