

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546
Phone: (860) 594-2875

DOCKET NUMBER 0608-C-32-L

RE: IN THE MATTER OF THE CITATION OF TRI-STATE
LIVERY SERVICE, LLC.

Final Decision

May 8, 2007

I. INTRODUCTION

A. Background

By citation dated December 28, 2006, issued by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Tri-State Livery Service, LLC (hereinafter "respondent"), holder of Livery Permit Number 2708 was ordered to come before the department to answer 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 Permit Number 2708 for the operation of livery service should not be suspended or revoked or a civil penalty imposed for violation of Connecticut General Statutes Section 13b-102, 103 and 106 for failure to maintain a motor vehicle in general livery service with a valid registration and failure to provide adequate service for which authority was requested.

The citation was served upon the respondent by first class and certified mail and recited the department's reasons for issuing same.

B. Hearing

Pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on April 26, 2007.

Notice of the citation and of the hearing to be held thereon was given to the respondent and to such other parties as required by 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 General Statutes.

C. Appearances

The last known address of record for the respondent 715 Hope Street, Stamford, Connecticut.

Eugene Morris, of the Regulatory and Compliance Unit staff of the department of transportation, presented the department's evidence.

II. FINDINGS OF FACT

1. The respondent is holder of Livery Permit Number 2708 and is authorized to operate motor vehicles in general livery service to all points in Connecticut from a headquarters in Stamford.

2. The respondent has not registered a motor vehicle in livery service since September February 2003.

3. Records of the department of motor vehicles show that all of the respondent's vehicles have all had their registrations cancelled.

4. The citation notice sent by certified mail and the signed return receipt was received by the department on January 5, 2007.

5. The respondent failed to appear at the hearing.

III. DISCUSSION AND CONCLUSIONS OF LAW

The Department of Transportation has jurisdiction over matters pertaining to the operation of motor vehicles in 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-102 through 13b-109, as amended, with respect to fares, service, operation or equipment, in an amount not to exceed one thousand dollars per day for each violation.

The evidence in this matter shows that the respondent is holder of Permit Number 2708 for the operation of livery service to all points in Connecticut from a headquarters in Stamford. The evidence further shows that Department of Motor Vehicle records list the respondent's registrations for its livery vehicles as cancelled and the last time a vehicle was registered in the respondent's name was February 20, 2003.

The respondent failed to appear for the hearing, after due notice. Accordingly, it is reasonable to conclude that the respondent is no longer in business. Therefore, Permit Number 2708 will be revoked.

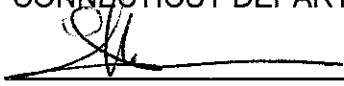
The evidence shows that the respondent has no vehicles registered and is no longer providing livery service, in violation of its permit issued in accordance with Connecticut General Statutes Section 13b-102, 103 and 106.

IV. ORDER

It is ordered that livery permit number 2708, standing in the name of Tri-State Livery Service, LLC, is hereby revoked, said revocation to be effective fifteen (15) days from the date of this final decision.

Dated at Newington, Connecticut on this 8th day of May 2007.

CONNECTICUT DEPARTMENT OF TRANSPORTATION


Laila A. Mandour
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Administrative Law Unit
Bureau of Finance and Administration