

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

(860) 594-2875

DOCKET NO. 2112-N-108-L

RE: APPLICATION OF HALE EXPRESS, LLC TO OPERATE ONE (1)
GENERAL LIVERY VEHICLE, WITH A SEATING CAPACITY OF
LESS THAN ELEVEN PASSENGERS, FROM A HEADQUARTERS IN
SHARON.

DECISION

FEBRUARY 28, 2022

I. INTRODUCTION

A. APPLICATION

By application filed on December 13, 2021, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, Hale Express, LLC (hereinafter "applicant") with a mailing address of 47 Calkinstown Road, Sharon, Connecticut 06069 seeks authorization to operate one (1) motor vehicle, having a seating capacity of less than eleven (11) passengers, in general livery service from a headquarters in Sharon.

B. HEARING

Pursuant to Connecticut General Statutes Section 13b-103, as amended, a public hearing by telephone was held on this application on February 15, 2022.

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

Christopher Hale appeared on behalf of the applicant. The applicant was represented by Attorney Michael Lynch with a mailing address is 106 Upper Main Street, P.O. Box 1776, Sharon, Connecticut 06069.

II. FINDINGS OF FACT

1. The applicant seeks to operate one (1) motor vehicle in general livery service from a headquarters in Sharon.
2. The applicant will operate a 2019 Cadillac XT5 which has no financing.
3. Mr. Hale is currently providing chauffeur services using his client's own vehicle. He also worked for a private school for twenty-five years in various positions.
4. The first six months of expenses includes insurance costs of \$5,660, maintenance costs of \$1,300, property tax of \$154, advertising costs of \$200 and communication costs of \$1950.

5. The applicant has \$9,750 in a bank account in the name of the company.
6. Mr. Hale is in the process of getting an endorsement to drive the livery vehicle.
7. The applicant will be operating out of his house. There are no zoning issues operating a home office from this residence.
8. The applicant will get customers through advertising, word of mouth and his customer base.
9. This application was 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.

Regarding the applicant's suitability, the applicant submitted a criminal record check for the only member, Christopher Hale, which disclosed no criminal record. Mr. Hale has been working as a private chauffeur for the past year or so. Based on the evidence presented, the applicant is suitable to conduct the proposed intrastate livery business.

As far as the applicant's financial ability is concerned, the applicant presented evidence that the first six months of expenses includes insurance costs of \$5,660, maintenance costs of \$1,300, property tax of \$154, advertising costs of \$200 and communication costs of \$1950 for a total expense of \$9,264. The applicant has \$9,750 in a bank account to cover these startup expenses and is therefore financially suitable.

On the issue of public convenience and necessity, the applicant has a plan to market the business through word of mouth and advertising. The applicant's community is small, and people

will likely hear about his livery service. He also has a customer base through his current job as a driver. Based on the evidence presented, the applicant will receive authorization for intrastate livery transportation.

IV. ORDER

Based upon the above and pursuant to Connecticut General Statute Section 13b-103, as amended, the application in the name of Hale Express, LLC is hereby granted, and Livery Permit Number 3732 is hereby issued as follows:

LIVERY PERMIT NUMBER 3732

Hale Express, LLC is authorized to operate one (1) motor vehicle in general livery service, with a seating capacity of less than eleven passengers, from a headquarters in Sharon.

RESTRICTIONS:

The applicant must register and insure the one (1) vehicle granted in this decision within ninety (90) days. Failure to do so may result in revocation of the general livery authority.

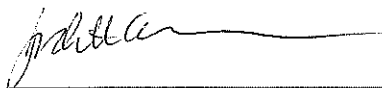
The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates thereunder for not less than twenty-four (24) months.

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.

Dated at Newington, Connecticut on the 28th day of February 2022.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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

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