



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:

DOCKET NO. 1203-N-39-T

RE: APPLICATION OF MOHAMMED FALSAL TO OPERATE ONE (1) MOTOR VEHICLE IN
TAXICAB SERVICE WITHIN AND TO AND FROM NEW MILFORD.

FINAL DECISION

January 9, 2013

I. INTRODUCTION

A. Applicant's Proposal

By application filed on March 22, 2012, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-97 of the Connecticut General Statutes, as amended, Mohammad Falsal (hereinafter "applicant") with a mailing address of 3 Homestead Avenue, Danbury, Connecticut 06810 seeks authorization to operate one (1) motor vehicle in taxicab service within and to and from the town of New Milford.

B. Hearing Held

Pursuant to Section 13b-97(a) of the Connecticut General Statutes, as amended, a public hearing on this application was held at the Department of Transportation in Newington, Connecticut on December 20, 2012.

Notice of the application and of the hearing to be held thereon was given to the applicant and to such other parties as required by Section 13b-97(a) of the Connecticut General Statutes, as amended. Legal notice to the public was given by publication on the department's website.

The hearing on this matter was conducted by a hearing officer, designated by the Commissioner of Transportation, pursuant to Connecticut General Statutes Section 13b-17.

C. Appearances

Mr. Mohammad Falsal appeared on behalf of the applicant. The applicant's mailing address is 3 Homestead Avenue, Danbury, Connecticut 06810.

D. Administrative Notice

Administrative notice was taken of the fact that the department's records show that there are no taxicab operators in the town of New Milford.

II. FINDINGS OF FACT

1. The applicant currently operates a taxicab in the Danbury area. He has also worked as a dispatcher.
2. The applicant seeks to operate one (1) taxicab in the town of New Milford.
3. There is no taxicab companies legally authorized in New Milford.
4. The applicant disclosed that two companies he had worked for Maffei's Taxi and A Cab both had performed New Milford work although neither had authority to do so.
5. The applicant has a cash balance of \$31,333 in the bank.

6. The applicant's insurance will be about \$4,500 per vehicle per year.

7. The applicant plans to use a 2009 Nissan Sentra as a taxicab which is owned outright. The applicant also has a 2005 Toyota Camry worth \$8,275 and a condominium with no mortgage valued at \$68,000, equity in his personal residence of \$139,038 which brings the total assets to \$409,672, giving the applicant a net worth of \$258,567.

8. The applicant's costs include the following: \$4,500 for annual insurance, property tax of \$233 annually, monthly vehicle repairs of \$45 and monthly fuel of \$150.

9. The applicant will operate this taxicab service 24 hours a day, 7 days a week if he can enlist the help of his brother. If not, he will request a waiver from the department to operate a reduced schedule.

10. The town of New Milford has a hospital, a high school and various commercial establishments.

III. DEPARTMENT ANALYSIS

The Department of Transportation has jurisdiction over common carriers, which include each person, association, limited liability company or corporation owning or operating a taxicab in the State of Connecticut in accordance with Connecticut General Statutes Section 13b-96, as amended. The Department is authorized to prescribe regulations with respect to fares, service, operation and equipment, as it deems necessary for the convenience, protection and safety of the passengers and the public.

Pursuant to Section 13b-97(a), as amended, any person who applies for authority to operate a taxicab shall obtain from the Department a certificate of public convenience and necessity certifying that the public's convenience and necessity requires the operation of a taxicab or taxicabs for the transportation of passengers. No certificate shall be issued unless the department finds that the person is suitable to operate a taxicab service. In so doing, the department must take into consideration any convictions of the applicant under federal, state or local laws relative to safety, motor vehicle or criminal violations, the number of taxicabs to be operated under the certificate, the adequacy of the applicant's financial resources to operate the service, the adequacy of insurance coverage and safety equipment and the availability of qualified operators.

With regard to suitability, the applicant submitted State Police Bureau of Identification Criminal History Form for the Mohammad Falsal which showed no criminal convictions. The applicant operates as a taxicab driver now and has also worked as a dispatcher in the past. The applicant is familiar with the rules and regulations governing taxicab service and has proven its suitability to operate the proposed service.

The applicant testified that if he drives the taxicab alone, he will apply for a waiver. However, if his brother is involved in the driving, he could then operate twenty-four hours a day.

A check of the department records reflects that there no legal authorized taxicab companies in New Milford. The applicant has worked as a taxicab driver in Danbury and while doing so has performed illegal New Milford taxicab trips. Since the town of New Milford has no authorized service, there is a presumption of public need that exists. The applicant will therefore be granted the taxicab authority.

As far as the applicant's financial suitability is concerned, the applicant has a cash balance of \$31,333 in the bank. The applicant plans to use a 2009 Nissan Sentra as a taxicab which is owned outright and

suitable to be used as a taxicab. The applicant also has a 2005 Toyota Camry worth \$8,275 and a condominium with no mortgage valued at \$68,000, equity in his personal home of \$139,038 which brings the total assets to \$409,672. This gives the applicant a net worth of \$258,567.

The applicant's costs include the following: \$4,500 for annual insurance, property tax of \$233 annually, monthly vehicle repairs of \$45 and monthly fuel of \$150. Based on the evidence provided, the applicant has shown the requisite financial ability to have this application granted.

IV. CONCLUSION

Therefore, based upon the above and pursuant to Connecticut General Statutes Section 13b-97, as amended, the application of Mohammad Falsal is hereby granted as follows:

CERTIFICATE NUMBER 1225
FOR THE OPERATION OF MOTOR VEHICLES IN TAXICAB SERVICE

Mohammad Falsal is hereby permitted and authorized to operate one (1) motor vehicle in taxicab service within and to and from New Milford to all points in Connecticut.

RESTRICTIONS

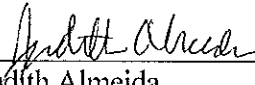
This certificate may not be sold or transferred until it has been operational, i.e., its vehicles registered with taxicab plates thereunder, for not less than twenty-four (24) consecutive months. This certificate is transferable only with the approval of the department.

This certificate shall remain in effect until it is amended, suspended, or revoked by the department. Failure of the certificate holder to maintain proper insurance and/or to comply with all pertinent motor vehicle laws and other State statutes and/or the rules, regulations and orders of the department, as this department may from time to time prescribe, shall be considered sufficient cause to amend, suspend or revoke this certificate.

Mohammad Falsal shall register a vehicle under the certificate granted in this decision within thirty (30) days from the date of this final decision.

Dated at Newington, Connecticut on this 9th day of January 2013.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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