



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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Phone:

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DOCKET NUMBER 1204-N-45-L

RE: APPLICATION OF ON THE ROAD AGAIN, LLC. TO OPERATE ONE (1) MOTOR VEHICLE, HAVING A SEATING CAPACITY OF TEN (10) ADULTS OR LESS IN LIVERY SERVICE TO TRANSPORT ELDERLY AND HANDICAPPED PASSENGERS BETWEEN ALL POINTS IN CONNECTICUT FROM A HEADQUARTERS IN WOODBRIDGE.

FINAL DECISION

April 18, 2013

I. INTRODUCTION

A. General

By application filed on April 5, 2012, with the Department of Transportation (hereinafter "department"), pursuant to Section 13b-105 of the Connecticut General Statutes, as amended, On The Road Again, LLC. (hereinafter "applicant") with a mailing address of 27 Lucy Street, Woodbridge, Connecticut 06525, seeks authorization to operate one (1) motor vehicle, having a seating capacity of ten (10) adults or less in livery service, for elderly and handicapped persons, between all points in Connecticut from a headquarters in the town of Woodbridge.

B. Hearing Held

Pursuant to Connecticut General Statutes Section 13b-105, as amended, a public hearing on this application was held on February 5, 2013 and April 9, 2013.

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 the Connecticut General Statutes Section 13b-103. 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

Paul Cassella appeared pro se on behalf of the applicant. His mailing address is 27 Lucy Street, Woodbridge, Connecticut 06525.

D. Finding of Facts

1. The applicant seeks to operate one (1) livery vehicle for transporting elderly and handicapped persons from a headquarters in Woodbridge.

2. The applicant will specialize in performing livery service for seniors with an emphasis on providing companionship as well as providing a driving service.

3. The applicant presented several witnesses who will be seeking employment with the company if the application is approved.

4. The applicant plans to use a 2002 Lincoln sedan in the business. This vehicle has a fair market value of \$8,312 and has no loans outstanding.

5. The applicant's annual expenses include insurance costs of \$2,975, property tax of \$198, fuel costs of \$3,640 and repair costs of \$1,560.

6. The applicant has \$4,110 in the bank to pay the startup costs for the first six months. There are no outstanding loans against the company.

7. The applicant currently operates his own business which is involved in advertising.

8. The applicant feels its service would be different from other livery services in that it would be more reasonable in price and it would not bill customers for things they did not need.

9. Many times patients are waiting a long time at doctor's offices for return trips.

10. Everett Dotson works for a medical livery provider and he supports the application. He testified that the applicant's livery service is cheaper than the transportation service his company provides and that his company only handles medical transportation. Several of his customers have requested other types of transportation including for shopping and attending social events but his company is unable to perform these services.

11. The applicant also presented two witnesses who would like to work for the new company the business get authority.

12. There was no opposition to the application.

II. DEPARTMENT ANALYSIS

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.

In support of financial wherewithal the applicant has presented evidence that the applicant plans to use a 2002 Lincoln sedan in the business. This vehicle has a fair market value of \$8,312 and has no loans outstanding. The applicant's annual expenses include insurance costs of \$2,975, property tax of \$198, fuel costs of \$3,640 and repair costs of \$1,560. The applicant has \$4,110 in the bank to pay the startup costs for the first six months. Based on the evidence presented, the applicant has proven the financial suitability to operate this livery service.

With regard to suitability, the applicant provided the requisite criminal conviction history for Mr. Cassella which showed no convictions. The applicant current operates another business so he has business experience. In addition, applicant has worked on this business for some time and has located other individuals that he wants to help operate the service. The applicant has shown the ability to 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 regulations.

The applicant must also prove that the service it proposes is needed in the community. The applicant presented the testimony of several witnesses in this matter. The witnesses agree that there are transportation issues for seniors because they are left waiting for a ride at various medical establishments. There is also a need to provide non-medical transportation to these seniors to do other trips which include social trips and shopping.

Taking all of the factors into consideration, the applicant will be approved to operate one (1) livery vehicle in intrastate livery service from a headquarters in Woodbridge.

III. CONCLUSION AND ORDER

Based upon the above and pursuant to Connecticut General Statutes Section 13b-103, as amended, the application of On The Road Again, LLC. is hereby granted and Livery Permit Number 3296 is issued as follows:

LIVERY PERMIT NO. 3296 FOR THE OPERATION OF LIVERY SERVICE

On The Road Again, LLC. is hereby permitted and authorized to operate one (1) motor vehicle, having a seating capacity of ten (10) adults or less, in livery service for handicapped and elderly persons from a headquarters in Woodbridge to all points in Connecticut.

RESTRICTIONS:

The applicant must register the one vehicle granted under this decision within sixty (60) days from the date of this decision.

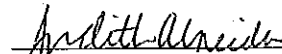
The authority granted under this permit may not be sold or transferred until it has been operational, i.e. a vehicle registered with livery plates there under for not less than twenty-four (24) months.

This permit shall remain in effect until 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 the rules, regulations and orders of the department may from time to time prescribe thereunder.

A memorandum of this permit, bearing the seal of the department, shall be kept conspicuously posted in the motor vehicles operated under this permit.

Dated at Newington, Connecticut on this 18th day of April 2013.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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