



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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Phone:

(860) 594-2875

DOCKET NUMBER 1209-C-133-L

RE: IN THE MATTER OF THE CITATION OF ANYTIME LIMOUSINE
SERVICE, LLC.

Final Decision

April 2, 2013

I. INTRODUCTION

A. General

By citation dated November 30, 2012, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Anytime Limousine Service, LLC. (hereinafter "respondent"), holder of Permit Number 3094, was ordered to come before the department to answer the 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 3094, issued for the operation of livery service, should not be suspended or revoked or a civil penalty imposed for violation of its certificate pursuant to Connecticut General Statutes Section 13b-103, et seq.

More specifically, it is alleged that the respondent violated Connecticut General Statute Section 13b-103 for failure to have an active headquarters and Section 16-325-1 of the Regulations of Connecticut State Agencies for failure to have an active headquarters as defined.

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

B. Hearing Held

Pursuant to Section 13b-103 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on March 21, 2013.

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

C. Appearances

Withny Milbrun appeared pro se at the citation hearing. The respondent's mailing address is 2416 High Ridge Road, Stamford, Connecticut 06903.

Eugene Morris, Transportation Public Transit Inspector with the Regulatory and Compliance Unit, presented evidence on behalf of the department.

Richard Majka, Transportation Public Transit Inspector with the Regulatory and Compliance Unit, acted as a witness in this matter.

II. FINDING OF FACT

1. The respondent filed an application for additional vehicles without a hearing.
2. A part of the application process requires that the department perform a headquarters check. As a result of that headquarters check performed by Inspector Richard Majka on September 24, 2012, the respondent was not found to have been at his proper headquarters address of record at 2416 High Ridge Road, Stamford, Connecticut 06903.

3. The respondent sent a letter on October 17, 2012, to the department explaining that he had moved to an office down the street from his house and he was now operating out of that address at 1492 High Ridge Road, Stamford, Connecticut 06903.

4. According to the applicant, License an Application Analyst, Celeste Martires, told him he could operate his headquarters in this way.

III. CONCLUSION

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-103, as amended, with respect to fares, service, operation or equipment, in an amount not to exceed one thousand dollars per day for each violation.

Since the respondent attempted to gain the correct information about the headquarters and was misled by the department as how to operate a proper headquarters, this matter will be resolved without a civil penalty, suspension or revocation.

IV. ORDER

Based on the above, the livery permit in the name of Anytime Limousine, LLC, Permit Number 3094, will not be revoked, suspended or a civil penalty assessed. However, the respondent is still responsible for filing the correct paperwork.

The respondent has fourteen (14) days from the date of this decision to provide, in writing, to the department an updated information sheet with a defined headquarters, headquarters hours and mailing address. The respondent must also comply with the list of headquarters obligations that he was given at the hearing. There will be additional site visits to the headquarters made by the department.

Dated at Newington, Connecticut on this the 2nd day of April 2013.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Judith Almeida
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Administrative Law Unit
Bureau of Finance and Administration