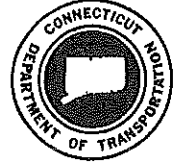


STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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

Phone:
(860) 594-2875

DOCKET NUMBER 1304-C-231-T

RE: IN THE MATTER OF THE CITATION OF FLAVIO Q. ZEA
D.B.A FK TAXI.

Final Decision

October 8, 2013

I. INTRODUCTION

A. General

By citation dated May 22, 2013, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-97, as amended, Flavio Q. Zea d.b.a. FK Taxi (hereinafter "respondent"), holder of Certificate Number 1201, 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 Certificate Number 1201, issued for the operation of taxicab service, should not be suspended or revoked or a civil penalty imposed for violation of its certificate pursuant to Connecticut General Statutes Section 13b-96, et seq.

More specifically, it is alleged that the respondent violated the following Regulations of Connecticut State Agencies:

1. 13b-96-41(5) A/C not working
2. 3b-96-41 (c) Operating taxi while unsafe (loose battery box)

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-96 of the Connecticut General Statutes, as amended, the public hearing for this citation was held on September 19, 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-96, 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

Flavio Zea appeared pro se on behalf of the respondent. The respondent's mailing address is 22 Willow Street, West Haven CT 06516.

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

II. FINDINGS OF FACT

1. The respondent is the holder of Certificate 1201 and is authorized to operate in taxicab service.
2. On May 24, 2013, the Department of Transportation along with the Department of Motor Vehicles conducted an inspection of taxicabs at the New Haven Rail Station.
3. One of respondent's vehicles, T4980T, was cited for violations of the Regulations of Connecticut State Agencies Section 13b-96-41 (5) for not having its air conditioning working and Section 13b-96-41 (c) for having a loose battery box and an unsecured fuse block.

4. The respondent submitted an inspection report from the Department of Motor Vehicles showing that T4980T had passed inspection on June 5, 2012, only a week after the initial inspection.

III. DEPARTMENT ANALYSIS

The Department of Transportation has jurisdiction over matters pertaining to the operation of motor vehicles in taxicab service in the State of Connecticut accordance with Connecticut General Statutes Section 13b-96, as amended.

Pursuant to Connecticut General Statutes Section 13b-97, 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-96, as amended, with respect to fares, service, operation or equipment, in an amount not to exceed one hundred dollars per day for each violation.

The respondent promptly handled the two violations by correcting the mechanical violations and having the vehicle inspected within one week. To show proof of the inspection, the respondent submitted the passed inspection sheet it received from the Department of Motor Vehicles. Since the violations are minor in nature, the respondent immediately corrected the problems and has not had a previous citation hearing, there will be a small civil penalty of \$25 assessed in this case due to the safety issue that the loose battery caused.

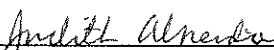
IV. ORDER

Based on the above, the respondent is hereby ordered to pay to the Department of Transportation, a civil penalty in the amount of twenty-five dollars (\$25), by certified check, bank check or money order made payable to the "Treasurer, State of Connecticut," within thirty (30) days from the date of this final decision.

Failure of the respondent to comply with this order shall result in revocation without further proceeding. This final decision constitutes notice in accordance with Connecticut General Statutes Section 4-182(c).

Dated at Newington, Connecticut on this the 8th day of October 2013.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



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