



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



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NEWINGTON, CONNECTICUT 06131-7546

Phone:
(860) 594-2875

DOCKET NUMBER 1204-C-59-T

RE: IN THE MATTER OF THE CITATION OF RENE HUGHES
D.B.A. LUCY'S TAXI

FINAL DECISION

August 1, 2012

I. INTRODUCTION

A. General

By citation dated May 3, 2012, by the Department of Transportation (hereinafter "department"), pursuant to Connecticut General Statutes Section 13b-103, as amended, Rene Hughes d.b.a. Lucy's Taxi (hereinafter "respondent"), holder of Certificate Number 1173, 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 1173, 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-96-32 Failure to carry or display driver I.D.
2. 13b-96-43 (b) (2) Failure to keep vehicle free from debris and litter

The department subsequently withdrew the driver I.D. charge on the record.

At the hearing the respondent waived her notice requirement to several subsequent charges for a defective left front headlight, a defective right side parking light and a loose battery.

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 July 12, 2012.

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

Rene Hughes appeared pro se on behalf of the respondent. The respondent's mailing address is 445 Front Avenue, 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 1173 in the name of Rene Hughes d.b.a. Lucy's Taxi.
2. On February 27, 2012, the Regulatory & Compliance Unit assisted the MTA police and New Haven Parking authority in a taxicab inspection at the New Haven Rail Station.
3. One of respondent's taxicabs was found to have several violations, the vehicle with license plates T4462T. The alleged violations of the Regulations of Connecticut State Agencies is 13b-96-43 (b) (2) Dirty Inside and the additional charges for T4462T which includes two defective lights and a loose battery..
4. Ms. Hughes testified that she was unaware that her drivers were not to have anything on the front passenger seat of the vehicle and was also unaware of a subsequent charge for a defective left front headlight, a defective right side parking light and a loose battery.
5. The respondent has not been the subject of any other citation actions in the past.

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 agrees that there were violations as described in the hearing notice but says it did not have previous knowledge of them. The respondent has not had a citation hearing despite its many years in the taxicab business.

Based on the respondent's past clean record and the lack of severity of the violations, the respondent will be assessed a minimal civil penalty for the violations.

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 ONE HUNDRED DOLLARS (\$100), by certified check, bank check or money order made payable to the "Treasurer, State of Connecticut," within fourteen (14) 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 1st day of August 2012.

CONNECTICUT DEPARTMENT OF TRANSPORTATION



Judith Almeida
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