

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 14V-0053EC

IN THE MATTER OF THE PETITION OF BRNCOS LIMOUSINE SERVICE, LLC, FOR AN ORDER OF THE COMMISSION AUTHORIZING A WAIVER OF RULE 6305(B) (AGE OF VEHICLES) OF THE RULES REGULATING TRANSPORTATION BY MOTOR VEHICLE, 4 CCR 723-6.

DECISION GRANTING WAIVER IN PART

Mailed Date: March 7, 2014
Adopted Date: March 5, 2014

I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. This matter comes before the Commission for consideration of a Petition for Waiver/Variance of Limited Regulation Carrier Rules filed on January 14, 2014, by Broncos Limousine Service, LLC (Broncos Limousine).

2. Broncos Limousine requests a waiver of Rule 6305(b) of the Rules Regulating Transportation by Motor Vehicle, 4 *Code of Colorado Regulations* (CCR) 723-6 (Age of Motor Vehicles).

3. The vehicle for which a waiver is requested is a 2003 Lincoln Town Car, VIN No. 1L1FM81W13Y673799. The waiver is requested from “as soon as possible”¹ through December 31, 2015.

¹ The requested period for the waiver was shown as from January 14, 2014, through December 31, 2015, in the notice mailed on January 27, 2014.

4. The Commission noticed this petition to all interested persons, firms, and corporations pursuant to § 40-6-108(2), C.R.S., on January 27, 2014.

5. No petition to intervene or otherwise participate in this proceeding has been filed. This proceeding is therefore uncontested. Pursuant to § 40-6-109(5), C.R.S., this matter may be determined without a hearing.

6. Pursuant to Rule 1003 of the Rules of Practice and Procedure, 4 CCR 723-1, the Commission may grant waivers or variances from tariffs, Commission rules, and substantive requirements contained in Commission decisions and orders for good cause. In making a determination, the Commission may take into account, but is not limited to, considerations of hardship, equity, or more effective implementation of overall policy on an individual basis.

7. Rule 6305(b), 4 CCR 723-6, states that “luxury limousine carriers shall not use vehicles older than ten model years as of July 1 of each year.” Broncos Limousine does not currently hold authority from the Commission to operate as a limited regulation passenger carrier (luxury limousine).²

8. In support of this Petition, Mr. Marcos Weisman the owner of Broncos Limousine states:

The car is in perfect condition inside and out as the pictures show. I had this car just checked out, maintenance report and vehicle inspection and both are perfect. This is a beautiful car. As I have already purchased this car and would like to start my fleet with this car. Please allow me to use this beautiful car.

² Pursuant to Rule 6003, 4 CCR 723-6, any person may petition the Commission for a waiver or variance of any rule in this Part 6 as provided in Rule 1003, 4 CCR 723-1.

9. Broncos Limousine did submit pictures of the interior and exterior of the vehicle. The 2003 Lincoln Town Car has been modified to be a large, stretched limousine with a luxurious interior.

10. In consideration of the fact that this vehicle has been modified to be a stretch limousine, the Commission finds that good cause has been shown to grant a waiver of Rule 6305(b) for the 2003 Lincoln Town Car named in this petition.

11. Broncos Limousine is advised that the grant of the waiver of Rule 6305(b) for the vehicle named in this petition does not ensure that this vehicle will pass a future safety inspection by the Staff of the Commission.

II. ORDER

A. The Commission Orders That:

1. The petition of Broncos Limousine Service, LLC, for a waiver of Rule 6305(b) for the 2003 Lincoln Town Car, VIN No. 1L1FM81W13Y673799, is granted, in part, from the mailed date of this Decision through December 31, 2015.

2. Broncos Limousine Service, LLC shall keep a copy of this Decision in the Lincoln Town Car, VIN No. 1L1FM81W13Y673799, named in this petition. Broncos Limousine Service, LLC. shall provide this Decision immediately on request by any Commission enforcement official.

3. The 20-day time period provided by § 40-6-114(1), C.R.S., to file an application for rehearing, reargument, or reconsideration shall begin on the first day after the Commission mails this Decision.

4. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
March 5, 2014.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JOSHUA B. EPEL

PAMELA J. PATTON

GLENN A. VAAD

Commissioners