



**Motor Carrier Attachment**

**Notice to Appear on NOV Issued September 1, 2018 Dated September 11, 2018**

**Schoharie, NY October 6, 2018**

**HWY19MH001**

(14 pages)



# NOTICE OF VIOLATION

Form TF 122 (5/06)

Related NOV's: \_\_\_\_\_

CARRIER

Last <b>HUSSAIN</b>		First <b>NAUMAN</b>		MI
Company				
No. <b>776</b>	Street <b>RTE 9</b>			
City <b>GANSEVOORT</b>		State <b>NY</b>		ZIP <b>12831</b>
Telephone <b>518-879-3039</b>		Auth. <b>NONE</b>		

REGISTRANT

Last		First		MI
Company (if applicable) <b>SHAHED HUSSAIN</b>				
No. <b>776</b>	Street <b>RTE 9</b>		Apt.	
City <b>GANSEVOORT</b>		State <b>NY</b>		ZIP <b>12831</b>
Telephone		DOB		
Plate	VIN # <b>1FMNU48551E</b>			
State <b>NY</b>	Make <b>FORD</b>		Model <b>EXC</b>	
Year <b>2001</b>	Type	Exp. <b>05</b>	<b>31</b>	<b>19</b>

DRIVER

Last		First		MI
No.	Street		Apt.	
City		State		ZIP
Telephone		DOB		
DL #	Class <b>A</b>	State <b>NY</b>	Exp.	

### Transportation Law/17 NYCRR Violation(s) Charged

Section 93 (unified carrier registration)  \$ 100.00

Section 140 (safety certificate)

*Operating w/o NYSDOT inspection*

Section 152 (passenger authority)

*Operating w/o NYSDOT authority*

Section 191 (household goods authority)

Section 197 (household goods tariff)

Section \_\_\_\_\_  \$ \_\_\_\_\_

17 NYCRR \_\_\_\_\_  \$ 500

17 NYCRR \_\_\_\_\_  \$ 500

17 NYCRR \_\_\_\_\_  \$ 500

17 NYCRR \_\_\_\_\_  \$ 500

17 NYCRR **820.4** ref: **392.96**

*Operating w/o safety reg./USDOT#*

17 NYCRR **721.3 b**

*Operating NYSDMV 19-a disqual. driver*

17 NYCRR \_\_\_\_\_  \$ \_\_\_\_\_

17 NYCRR \_\_\_\_\_  \$ \_\_\_\_\_

Explanation: *Operating dba 'Saratoga Luxury Limousine'; performed \$795 charter carriage 8/25/18.*

*Associated DVER# NYSP60017993*

C.R. # \_\_\_\_\_

HEARING TO BE SCHEDULED FOR ABOVE VIOLATIONS

D.O.T. AGENT

RESPONSIBLE PARTY (Check One)

Carrier  Registrant  Driver

AFFIRMED UNDER PENALTY OF PERJURY

Issued By (print) **MARTIN DUFFY**

Signature \_\_\_\_\_

Location **VIA US POSTAL SERVICE**

Date **09 01 16** Time **1010 AM** :PM

FAILURE TO RESPOND TO THIS NOTICE IN A TIMELY MANNER AND/OR FAILURE TO APPEAR AT A HEARING MAY RESULT IN A SIGNIFICANTLY HIGHER CIVIL PENALTY BEING ASSESSED.

## SEE INSTRUCTIONS ON REVERSE SIDE

NOV exhibit index F08858

- A. Driver Vehicle Examination Report NYSPG0017993
- B. 19-A System query Driver Lisinicchia
- C. Charter contract
- D. Photo: Vehicle driver side windshield
- E. Registration and DMV inspection
- F. Vehicle rear
- G. Vehicle profile
- H. DMV inspection detail



**NEW YORK STATE POLICE**  
**Commercial Vehicle Enforcement Unit**  
 Troop G

Ex. A

**DRIVER/VEHICLE EXAMINATION REPORT**  
 Report Number: NYSPG0017993  
 Inspection Date: 08/25/2018  
 Start Time: 11:00 AM End Time: 12:13 PM  
 Insp. Level: 3 - DRIVER ONLY  
 HAZMAT Insp:

TE241f (7/01)

NAUMAN HUSSAIN  
 776 RTE 9  
 GANSEVOORT, NY 12831  
 USDOT#: Phone#: 5188793039  
 MC/MX#: Fax#:  
 State#:

Driver: [REDACTED]  
 License#: [REDACTED] State: NY  
 Date of Birth: [REDACTED]  
 CoDriver:  
 License#:  
 Date of Birth: State:

Location: SARATOGA SPRINGS MilePost:  
 Highway: WIEBLE AVE Origin: SALEM Shipper:  
 County: SARATOGA Destination: SARATOGA SPRINGS, NY NY Bill of Lading:  
 Cargo: PASSENGER

**VEHICLE IDENTIFICATION**

Unit	Type	Make	Year	State	License #	Equipment ID	VIN #	GWWR	CVSA #	OOS#
001	LM	FORD	2001	NY	[REDACTED]	16	1FMNU40S51EB [REDACTED]	17		

**BRAKE ADJUSTMENTS** NO BRAKE MEASUREMENTS REQUIRED FOR LEVEL 3 INSPECTIONS

**VIOLATIONS**

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
383.93B2	383.93(B)(2)	D	Y		U		NO PASSENGER VEHICLE ENDORSEMENT ON CDL
390.19	390.19	1	N		N		MOTOR CARRIER FAILED TO FILE FOR MCS-150 AS REQUIRED
390.21B	390.21(B)	1	N		N		CARRIER NAME AND USDOT NUMBER NOT DISPLAYED AS REQUIRED ON SIDES OF VEHICLE

HazMat: NO HM TRANSPORTED Placard: Cargo Tank:

Special Checks:

Pursuant to the authority contained NYS Transportation Law, I hereby notify and declare SCOTT LISINICCHIA Out of Service.  
 No Motor Carrier shall permit or require this driver to operate any motor vehicle until: DRIVER HAS PROPER CDL ENDORSEMENT

- 1.) NOTE TO DRIVER: Return this report to the motor carrier whose name appears at the top.
- 2.) NOTE TO REPAIRER: If entries are made in the violation section above, please sign the report when repairs are completed.

Signature Of Repairer X: \_\_\_\_\_ Facility: \_\_\_\_\_ Date: \_\_\_\_\_

3.) Sign and return this report ONLY if violations are entered in the violation section.

**RETURN ADDRESS:**

New York State Department of Transportation  
 Truck Inspections  
 50 Wolf Road POD 53  
 Albany, New York 12232

- 4.) TRAFFIC TICKETS: If issued, MUST be returned to the COURT whose address appears on the front of the TICKET.
- 5.) MOTOR CARRIER CERTIFICATION: I hereby certify that all violations entered on this report have been corrected and action has been taken to assure compliance with the NYS Transportation Law and Regulations.
- 6.) If the vehicle has NOT been repaired and HAS been permanently removed from service, initial here \_\_\_\_\_ and sign the report.

Signature of Motor Carrier X: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Report Prepared By:

DAVID [REDACTED] A ROY [REDACTED]

Badge #:

[REDACTED]

Copy Received By:

[REDACTED]

[REDACTED]

X \_\_\_\_\_

X \_\_\_\_\_



NYSPG0017993

**DRIVER**

Client ID: [REDACTED] SSN: [REDACTED] DOB: [REDACTED]

Last Name: [REDACTED] First Name: [REDACTED] MI: [REDACTED]

Out of State License: [REDACTED]

Ex B

**DRIVER DETAILS**

Client ID: [REDACTED] DOB: [REDACTED]

Last Name: [REDACTED] First Name: [REDACTED] Middle Initial: [REDACTED] Gender: **M**

Street: [REDACTED] City: [REDACTED] State: [REDACTED] ZIP: [REDACTED]

Status: **DISQUALIFIED** School Status: **HAS NEVER APPLIED FOR SCHOOL BUS PRIVILEGES** State of License: **NY**

O/S License Number: [REDACTED] NYSID: [REDACTED]

Driver Notes

**LICENSE DETAILS**

Overall Med Cert Status: **CERTIFIED**

License Class: **CDL \*A\*** Expires: [REDACTED] Privilege: **FULL** Status: **VALID** Comm Privilege: **FULL** Comm Status: **VALID**

CDL Endorsements: **TANK,DOUBLE/TRIPLE** CDL Restrictions: **NONE**

No. of Records: 1 of 1

**CARRIER LIST**

Federal ID	Business ID	Business Name	Hire Date	School Indicator	Termination Date
[REDACTED]	[REDACTED]	[REDACTED]	12/30/2014	N	2015-01-10

EXC

SARATOGA LUXURY LIMOUSINE  
776 SARATOGA ROAD  
GANSEVOORT, NY 12831  
[www.saratogaluxurylimo.com](http://www.saratogaluxurylimo.com)  
[saratogaluxurylimo@yahoo.com](mailto:saratogaluxurylimo@yahoo.com)  
(518) 306-7663

Please review the following terms and agreements pertaining to your Limousine Rental:  
Rental of limousines and or other vehicles from SARATOGA LUXURY LIMOUSINE SERVICE is subject to the following terms and conditions:  
Unless otherwise specified, all reservations require a major credit card. Reservations are finalized upon receipt of a signed contract/agreement. All deposits are non-refundable and a 2 week cancellation policy is required. Any bookings made prior to a 2 week cancellation are non refundable as soon as booked. Time of your trip starts when driver arrives to pickup destination and concludes when all passengers/items are out of the limousine at final destination. Any overage on time at conclusion of ride has to be paid for at the end of final destination. No possession, sale or consumption of any type of narcotics or illegal drugs is permitted. Violations will result in immediate termination of contract and services and forfeiture of all paid deposits and fees for service. Client and renter are responsible for his/her guests, for any damage to the interior and equipments of the vehicle. This is including but not limited to: gum, wine and alcohol spillage, vomiting, breakage of champagne, wine and drink glasses, breakage of dentures, breakage of lights, television, VCR, radio, CD player. Repair and replacement of items shall have a minimum charge of at least \$300. If anyone gets sick in the car there is a \$250 clean up charge. All passengers agree to behave in an orderly and well-behaved manner. SARATOGA LUXURY LIMOUSINE SERVICE reserves the right to expel any person from the vehicle and/or terminate this contract in the event of a violation of any of these conditions by any passenger. In the event of such early termination, no portion of the rental fees shall be refunded. While we are happy to let you bring personal compact disks, videotapes and other various personal items we do not take any responsibility for items that are left in the vehicle during or after completion of the limousine rental period.

SARATOGA LUXURY LIMOUSINE SERVICE shall not be held responsible for late arrival caused by (but not limited to) acts of nature, traffic, delays, breakdown, incorrect pickup and drop-off information, and any situation beyond our control. In the event any part of this contract is declared unenforceable, the remaining provisions of this agreement shall remain in full force and effect. If the limousine rental is for a minor under the age of (18) eighteen this agreement must be signed by either a parent or legal guardian over the age of (18). All vehicles are quoted subject to availability at the time of booking. Rates are subject to change without notice. A deposit of 50% of the total amount is required at the time of booking and is nonrefundable. The balance is due one week prior to service. If desired date is less than a week we require full payment.

SARATOGA LUXURY LIMOUSINE SERVICE reserves the right to substitute the limousine or the color of the vehicle at its own discretion.  
By signing this form, I agree to the terms and conditions of this agreement. I declare that I am over the age of (18) eighteen and I sign with full agreement and understanding of the terms and conditions described above. I accept full responsibility for other persons in my party.

Name \_\_\_\_\_  
Date Of Service 8/25/2018  
Pick up Address \_\_\_\_\_  
Drop off Address Saratoga Race Course, Frank Sullivan Pl, Saratoga Springs, NY  
Time of Service 9:30 AM Duration Drop-off Price \$795 + tp/tax Deposit Full 12866  
Credit Card \_\_\_\_\_ Exp \_\_\_\_\_ Sec.Code \_\_\_\_\_  
Phone \_\_\_\_\_ Email \_\_\_\_\_  
X \_\_\_\_\_



EXD

16

Super EXCURSION

5 19

LT265/75R16 120016 R  
RAIT RA

EX. E

NEW YORK

HB858238



5

LT 05/31/19

1FMNU40S51EB [REDACTED]

2001 FORD LIM [REDACTED]

[REDACTED] OML 7 G

19

VEHICLE REGISTRATION



NEW YORK STATE

SAFETY/EMISSIONS INSPECTION CERTIFICATE

2019



JAN	DEC
FEB	NOV
MAR	OCT
APR	SEP
MAY	AUG
JUN	JUL

[REDACTED]



Ex F



Ex 6



16

SEARCH CRITERIA

Ex #1

Sticker Num: 4232152

INSPECTION SYSTEM

Reference Num

Permissible Use

1. For use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a Federal, State, or local agency in carrying out its functions.

Status: Valid

Inspection Due Date: 05/31/2019

Sticker Num: 4232152

Inspection Date Time: 2018-05-11-16.38.52.000000

Emission Test Date: 05/11/2018

Safety Test Date: 05/11/2018

Gas Cap Test Date: 05/11/2018

DMV Extension Date:

Test Type: Low Enhanced

On Board Diagnostic:

Inspection Unit: NYVIP

Emission Results: Low Enhanced

Safety Results: Pass

Gas Cap Results: Pass

DMV Extension Source:

Incomplete Test:

Tampering Check: Pass

VEHICLE

Reg/Vin Plate: [REDACTED]

Reg NYMA: Outside NYMA

Last Activity Date: 05/11/2018

Class: OML

NYMA Change: Not Used

Inspection Plate: [REDACTED]

Reg Expiration: 05/31/2019

No Reg Reason: Blank

Traction Code:

Vin: 1FMNU40S51EB [REDACTED]

Odometer: 192717

Year: 2001

Fuel:

Make: FORD

Weight: 10,001 - 18,000

FACILITY

Facility Name: MAVIS;DISCOUNT;TIRE

Address: 145 SOUTH BROADWAY

SARATOGA SPRGS, NY 12866

Facility Num: 7 [REDACTED]

County: SARATOGA



Department of Transportation

ANDREW M. CUOMO Governor

PAUL A. KARAS Acting Commissioner

SEP 11 2018

Nauman Hussain
776 Saratoga Road
Gansevoort, N.Y. 12831

NOTICE TO APPEAR

Table with 4 columns: Violation #, Section of the Law, Description, Penalty. Includes rows for F08858 with violations 140, 152, 820.4, and 721.3, and a Total row.

Total
Hearing held on the above matter: 10/05/2018
Hearing Time: 10:30 AM - PROMPTLY
Hearing Location: NEW YORK STATE DEPT. OF TRANSPORTATION
PETER LOOMIS HEARING RM #6N06
50 WOLF ROAD - POD 53
ALBANY, N.Y. 12232

Room: A/B/C
Floor: 1ST

You are hereby directed to answer for the violation(s) cited above on or before the hearing date stated here. You may contact the New York State Department of Transportation (NYSDOT) at any time to resolve this proceeding by calling (518)457-2411 or emailing NOV@dot.ny.gov.

To plead guilty, sign this Notice and return it with a certified check or money order payable to "NYSDOT" within 7 days of this notice. If you plead guilty, you DO NOT need to appear at the hearing. Mail Payments to:

NYSDOT - POD 53
50 WOLF ROAD
ALBANY, NY 12232

You are urged to contact NYSDOT to resolve this Notice of Violation (NOV). If you appear at the hearing, evidence will be presented and an ORDER issued. For additional information, please read side 2 of the Notice of Violation or 17 NYCRR Part 505.

REPRESENTATION: You can represent yourself or be represented by a licensed attorney. You can also be represented by a person, who has been designated by you in writing, but you must sign a verified (notarized) statement to that effect and present it at the hearing or submit it by mail to the address above.

FAILURE TO APPEAR WILL RESULT IN AN ORDER WITH A CIVIL PENALTY OF UP TO \$5,000. A JUDGEMENT MAY BE FILED WITH THE COUNTY CLERK AFFECTING YOUR CREDIT HISTORY. YOUR OPERATING AUTHORITY AND VEHICLE REGISTRATION(S) MAY BE SUSPENDED AND/OR REVOKED WITHOUT FURTHER NOTICE OR HEARING.

I hereby waive my right to a hearing and plead guilty to the above charge(s). Enclosed is a certified check or money order in the amount specified above.

(Signature, Title and Date)

---

NOTICE OF VIOLATION HEARING RECORD

HEARING DATE: October 5, 2018

NOV #F08858

RESPONDENT:  
Nauman Hussain

NOV ISSUED: September 1, 2018

[ ] REPORTER [ ] TAPE: SIDE: \_\_ START: \_\_ STOP: \_\_

HEARING LOCATION: \_\_\_\_\_

ALJ: ~~Alicia McNally~~

APPEARING FOR RESPONDENT

APPEARING FOR DEPARTMENT

~~Ivic Bondes~~ Associate Attorney

~~Martin Duffy~~

SECTION(S) CITED/DISPOSITION/PENALTY

G=GUILTY GNP=GUILTY, NO PENALTY DIS=DISMISSED  
RES = RESERVED WITH = WITHDRAWN

SECTION	DESCRIPTION	FINDING	PENALTY
-----	-----	-----	-----
140	SAFETY INSPECTION CERT.....		500
152	PASSENGER AUTHORITY/NONE.....		500
820.4	DRIVING OF COMMERCIAL MOTOR VEHICLES.....	DG	500
721.3	DRIVER REQUIREMENTS.....		500
			2000

TOTAL CIVIL PENALTY: \$ \_\_\_\_\_

SHIPPER \_\_\_\_\_ REFUND: \$ \_\_\_\_\_

NOTES

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_