METROPOLITAN TRANSPORTATION LICENSING COMMISSION
RULES AND PROCEDURES

ADMINISTRATION

1. MEETINGS
The Commission shall hold its monthly meetings within a public facility convenient for public participation on the fourth Tuesday of each month unless an alternative date and time is determined. All meetings are open to the public. Special, called meetings will be held in public facilities and will be open to the public as well.

2. ORGANIZATION
The Commission shall organize itself with a Chair and a Vice Chair, with the Commission Director serving as Executive Secretary. The Chair of the Commission shall certify the organization of the Commission by letter to the Metropolitan Clerk, listing offices of the Commission and the date of the election.

3. ELECTION OF OFFICERS
The Commission, at its October meeting of all even number years, will elect a Chair and Vice Chair for a term which will last two years. Both the Chair and Vice Chair may succeed themselves. In case of resignation, removal or any other departure of either Chair or Vice Chair, a special election will be held to fill the position. [1]

4. COMPLAINTS
Complaints (by the public or regulated individuals or companies) regarding taxicabs, wreckers or other functions of the Transportation Licensing Commission must be filed in writing by the complainant. Any one wishing to file a complaint may do so by letter, fax or e-mail. Upon request, a complaint form will be mailed. Complaints must be returned to the Commission office at least 14 days prior to a Commission meeting in order to be considered for the agenda. The Commission reserves the right to hear a complaint which does not meet the 14-day time period.

5. ACCOMMODATIONS
Reasonable accommodations will be made for individuals with a disability who require or request the services of the Commission. All requests for accommodations should be made to the Transportation Licensing Commission staff by calling (615) 862-6777.

6. COMMISSION HEARING NOTIFICATION
Persons or companies, who are required to appear before the Commission, will be mailed a notice by certified mail 10 days prior to the Commission hearing. A copy of the correspondence will be provided to the driver's company. [1]

7. ROBERT'S RULES OF ORDER
The Commission adopts Robert's Rules of Order as its normal procedural guide. The Commission may make modifications. Changes must be part of the record and placed in a Commission operations guide. [1]

8. AGENDA ITEMS
All items to be presented to the Commission must be delivered to the Commission Staff at least 15 days prior to the meeting in order for the items to be considered for the agenda. The Commission Director may, with discretion, add items for the agenda which do not meet this criterion. [1]

9. INTERNET ACCESS
Effective July 1, 2002, all companies operating under the Commission's Certificate of Convenience and Necessity must be able to communicate and be communicated with through the Internet. Each company must have an active e-mail address and the ability to access Internet websites. All changes to the e-mail address must be reported to the Commission staff within 24 hours of the change. In addition, regulated companies must be able to electronically (Internet) file documents with the Commission. [1]

10. POSITIVE DRUG TEST
If a positive drug/alcohol test is reported for a new driver applicant, the applicant will be ineligible for a driver's permit for six months. At this end of this period, an applicant may reapply for the permit, but must test negative for drugs/alcohol and will be placed on a six-month probationary period. During the six months probationary period, the applicant must consent to random testing not to exceed one test per month. If the applicant tests positive a second time, the applicant will be ineligible to reapply for a period of one-year, Appeals of the denial may be made to the Commission. [1]

11. FINANCIAL STATEMENT DEFINITION
Certified financial statements, when required by the Metropolitan Code of Laws, is defined (by rule) as an audit which is completed by a certified public accountant or a statement of net financial worth totaling $500,000 accompanied by a review of financial statements describing in detail (including real property and other assets) assets and liabilities prepared by a certified public accountant. Whenever the Commission requires a certified financial statement, the statement will be submitted within sixty (60) days of the date of certification. [2,12]

12. APPLICATION OR TRANSFER OF LICENSE OR CERTIFICATE
When there is an application to transfer a license or a certificate from an existing regulated company to another company (individual or corporation), the application must be filed 30 days prior to the Commission meeting. At the Commission meeting, the application will be presented to the Commission for its consideration then automatically deferred to the next meeting. This period will be used for evaluation, consultation and investigation. If the Commission Director deems the situation to be an emergency, a special meeting may be called or the issue added to the current Commission meeting if proper notification has been

accomplished. Other companies or individuals wishing to apply must apply 30 days prior to the meeting in which the transfer will be considered. [2,12]

13. APPLICANT DISQUALIFICATION

When an applicant for a driver's permit does not answer all questions truthfully and fully on the application, and particularly the question relating to arrests, violations of laws, or convictions; or when the answer to this question is "none" and a background check reveals otherwise, then the application is disqualified and shall not be placed on the agenda for a hearing. [13]

TAXICABS

1. COMPLETE APPLICATION REQUIRED
Unless all information requested is presented on any application for a Certificate of Public Convenience and Necessity or an application for a driver's permit, the application will not be put on the agenda for consideration.

2. PHYSICIAN CERTIFICATES
In addition to the requirement to provide a current federal D.O.T. medical card with the application for a driver permit, any driver whose D.O.T. medical card is certified by a medical examiner as qualified for less than two years shall be required to provide a new valid medical card on or prior to its expiration date. Failure to do so may result in suspension of the driver's permit until a new medical card is provided. 12

3. RETENTION OF TAXICAB PERMITS
All cab companies presently operating ten (10) cabs or less shall be allowed to retain one extra permit only; all cab companies presently operating more than ten (10) cabs shall be allowed to retain extra permits in a number equivalent to ten percent (10%) of the number of cabs in operation; all permits in excess of these quotas as defined above shall automatically be canceled thirty (30) days from the date of their issuance. Any permit cancellation executed by the staff of the Transportation Licensing Commission may be appealed to the Commission only on the basis that the staff's action was made using inaccurate vehicle insurance and registration information.

4. CHANGING FARE RATES
Before any taxicab company may change its fares within the minimum and maximum rates prescribed in the taxicab ordinance, a letter setting out the proposed fares to be charged must be filed and approved by the Transportation Licensing Commission. 12

5. DIRECT DESTINATION REQUIRED
All taxicab drivers shall drive the shortest and most direct route in transporting a passenger from the point of pick-up to the point of destination, unless requested otherwise by the passenger.

6. RULES ON CONDITION AND INSPECTION OF VEHICLES
a. All cabs when damaged and drivable must be repaired within two (2) weeks of the accident by a licensed mechanic and/or a licensed paint and body shop. In the event that said repairs are not made within the time allotted, the cab shall be removed from service. It shall be made the duty of the taxicab inspectors to determine whether proper repairs have been made, and they shall have the authority to order the removal of a cab from service for noncompliance with this rule or to extend the time for repairs to be made upon a showing of good cause.
b. All cabs shall be kept in good mechanical condition.

c. All driver permit cards must be placed on the sun visor of the passenger side visible to all passengers.
d. An inspection form shall be adopted by the Transportation Licensing Commission to be used by the taxicab inspectors in their inspection of said taxicabs. It shall be mandatory for all taxicabs to be approved for all categories listed thereon.
e. The following equipment shall be in all new, existing and replacement vehicles:

1. Two-way radios
2. Four-inch identification numbers not to exceed 3 digits and to be placed on each side and rear of the taxicab
3. Toplights
4. Taximeters [12]

7. LIABILITY INSURANCE
The forms for filing liability insurance agreements shall be furnished to all taxicab companies by the Transportation Licensing Commission.

8. OPERATION OF USED, MARKED, EQUIPPED TAXICABS
Any owner of a vehicle used, marked, painted or equipped, as a taxicab shall not operate said vehicle for any purpose unless the vehicle is assigned or under contract to a company who holds a Certificate of Public Convenience and Necessity issued by this Commission. In the event a vehicle used marked, painted or equipped as a taxicab is not assigned or under contract with a company holding a Certificate of Public Convenience and Necessity issued by the Commission, then, within seventy-two (72) hours from the time the association or contract is terminated, the driver of said vehicle, or the owner of the said vehicle holding a drivers certificate or owners certificate issued by this Commission, shall remove all evidence what would mislead the public into believing that said vehicle was associated with a particular taxicab company.

9. SIZE-SPECIFICATION OF TAXICABS
Size and specifications of vehicles used as taxicabs:
a. All vehicles must have a minimum of four (4) side doors, or equivalent (such as vans).
b. All vehicles must have a minimum one hundred (100) inch wheelbase as set forth in the Southeastern edition of the National Automobile Dealers Association Official Manual.

10. INSURANCE COVERAGE
Insurance companies who provide insurance coverage to the owners or operators of taxicabs in the Metropolitan area shall provide proof of such coverage to the Transportation Licensing Commission by filing with the Commission Staff a copy of the insurance policy. In the event that a policy is not available for filing with the Commission Office, a sixty (60) day binder may be filed but the policy must be on file with the Office prior to the expiration date indicated on the binder.

11. CERTIFICATE CHANGES
Once a Certificate of Public Convenience and Necessity is issued, no change of address, name, officers and management or any other material item in a taxicab company's application may be made without the prior approval of the Transportation Licensing Commission.

12. TAXIMETERS
In accordance with Metro Code Section 6.72.265, only a company certified by a taximeter manufacturer and approved by the Transportation Licensing Commission may perform authorized installation, service and repairs on a taximeter. Said certification shall be on file with the Commission. A certificate holder's failure to have installation, service and repairs performed by a certified company may result in having the taxicab removed from service until such time as the installation, service or repairs are made in compliance with this rule. A certificate holder's failure to remove the taxicab from service when ordered to do so may result in suspension or revocation of the certificate. [3,12]

13. SOLICITATION RESTRICTIONS
No taxicab driver or owner, or taxicab company owner, or holder of Certificate of Public Convenience and Necessity issued by this Commission, or any agent of the aforementioned, may offer to pay any person, company or corporation any money or other thing of value for the purpose of soliciting passengers for any taxicab. [12]

14. VEHICLE RESTRICTIONS
a. The year model of a vehicle placed in service for the first time as a taxicab shall not be older than five (5) years.
b. Any taxicab, not over five (5) years of age, may be moved from one taxicab company to another, as long as all other requirements are met, including passing reinspection. Any taxicab over five years of age may be moved from one taxicab company to another, as long as the move is completed within ninety (90) days and all other requirements are met, including passing re-inspection.
c. Within seventy-two (72) hours after a taxicab is taken out of service, the owner of the vehicle shall remove all evidence that would mislead the public into believing that said vehicle is still associated with a particular taxicab company. All equipment removed from the vehicle must be returned to its owner. [12]

15. HOSPITALITY TRAINING
Taxicab driver applicants approved for a new permit who have successfully completed the Taxi Pro School will be credited with receiving hospitality training within the current training cycle. Certificate holders may negotiate with the Tennessee Foreign Language Institute to sponsor additional Taxi Pro School sessions, if approved by the Commission. [12]

16. MEDICAL EXCEPTIONS
The exceptions currently allowed by the Commission to Metropolitan Code of Law 6.72.110(C)(5), which requires a taxicab driver applicant to provide a current and valid D.O.T. medical card, are as follows:

- loss of vision in one eye
- insulin-using diabetes

17. TAXICAB WAIVER

The following requirements apply to a taxicab seeking a one-year waiver from the nine-year age restriction contained in Metropolitan Code of Law 6.72.245:

- the vehicle must be in service as a taxicab at the time of the application,
- the vehicle owner must file a waiver request annually no later than July 1,
- the vehicle must not have more than four hundred thousand miles on the odometer,
- the vehicle must not have been used as a commercial or law enforcement vehicle prior to service as a taxicab,
- the vehicle must not have been in service as a taxicab for more than five years.

Any vehicle granted a one-year waiver will be required to have a mechanical inspection every four months and the inspection report must be filed with the Commission. No vehicle shall be granted more than two waivers.

18. MECHANIC/SERVICE CENTERS

Any mechanic or service center performing taxicab mechanical inspections, as required in Metropolitan Code of Law 6.72.240, will complete and sign a form provided by the Commission. The form will require the mechanic to certify that he/she is ASE certified and has no financial interest in a taxicab vehicle, taxicab company, or meter installation/repair company. Taxicab vehicle owners will be required to obtain and submit a copy of this form and a safety certificate form detailing the results of the mechanical inspection to the commission. 12

19. MINIMUM STANDARDS

Minimum standards for certificates and permits that will be considered by the Commission when reviewing applications for additional permits are as follows:

- volume of complaints per annum,
- defined complaint resolution process,
- dispatcher training and accreditation program,
- vehicle self-inspection program,
- capital investment per annum (for vehicles, dispatch/communications and office management tools),
- driver training programs,
- driver probation period,
- driver rewards program,
- underserved areas service program,
- special passenger accommodations (disabled, senior citizens). 12

20. FLAT FARES

The Commission authorizes a mandatory flat or set fare of $25.00 for taxicabs traveling between the following destinations:

Metropolitan Nashville International Airport; Music Valley Drive (including the Opryland Hotel/Opry Mills mall complex and addresses as far north as 2520

Music Valley Drive); and downtown Nashville (defined as the area inside the Interstate-40/Interstate-24 loop, and south of Jefferson Street). The flat fare includes the airport surcharge for departures from the airport. This rate shall be displayed in full view of the passenger(s). 7

21. DISPLAY OF DRIVER PERMITS
Taxicab driver permits shall be displayed in full view of the passenger(s).

22. PASSENGER ASSISTANCE
A taxicab driver is required to assist passengers with getting in and out of the taxicab, if requested or needed. The driver must also be able and willing to assist with a reasonable amount of passenger belongings. If a taxicab driver is unable to perform these duties, the driver must provide a physician's statement to that effect to the Commission.

23. BILL OF RIGHTS
The Commission adopts a "Bill of Rights for the Driver of Taxicabs" which falls within the authority of the Commission. This information will be posted in each taxicab and will be available to passengers upon request:

Taxicab drivers have the right to:

- Refuse or discharge any passenger for disorderly or verbally abusive behavior,
- Refuse any passenger who is involved in any illegal activity,
- Discharge any passenger who becomes dangerous and causes harm to others,
- Refuse a fare which could lead the driver into a dangerous situation,
- Disallow any smoking or drinking in the taxicab,
- Collect the exact fee as determined from the taximeter or flat-rate fee plan,
- Know the exact destination of the passenger before embarking on any trip.

The Bills of Rights will be provided by the Commission and will be shall be displayed in full view of the passenger(s) at all times. 12

24. FEES FOR RECORDS CHECK
A $75 fee, pursuant to Metropolitan Code of Law 6.72.110. F., will be assessed for all record checks requiring an investigation by law enforcement agencies. 4

25. CLASSIC AUTOMOBILES
A "Classic Automobile", pursuant to Metropolitan Code of Law 6.72.245, is defined as a vehicle at least 35 years old. The vehicle must be in good working order and in sound physical condition. Further, the vehicle must pass all appropriate mechanical inspections, as well as annual inspections by Commission staff, as well as meeting the waiver provisions in Rule 18. Classic Automobiles must meet all standards established for taxicabs in Davidson County. 12

26. SPECIAL EVENTS SURCHARGE
This section is reserved.

27. ADVERTISEMENT ON TAXICABS
Advertising is permissible on Taxicabs. Pursuant to Metropolitan Code of Law 6.72.420, the Commission limits advertisement to the inside of the vehicle (while not obstructing the driver's view); to the roof (not to obstruct the top light, but the top light may be incorporated into the advertisement); and on the trunk and hood (while not obstructing the driver's view). All local, state and federal restrictions and guidelines apply. Advertisement determined to be non-compliant must be removed, pending a hearing before the Commission. [20]

28. ADDITIONAL PASSENGERS
Additional passengers may be charged $1 per person (beyond the primary passenger) if all are going to the same location. Additional passenger fees will also apply to any flat rate fares. [17]

29. WIRELESS COMMUNICATION (Cell Phone) USAGE
Taxicab drivers are prohibited from using cell phones unless the taxicab is lawfully standing or parked. [1]

30. DRIVER PERMITS WITH COMPANY IDENTIFICATION
All driver permits will carry the name of the taxicab company of which the driver is affiliated. When a driver makes a change, a new permit with the appropriate taxicab company name must be issued and a $10 fee paid by the driver. [1]

31. DRIVER CHANGING COMPANY AFFILIATION
In the event of a driver choosing to move to a new company, the driver must complete a form provided by the Commission. Once completed, the receiving company must complete the appropriate section of the form. The driver then must file the completed form with the Commission staff and pay $10 for a replacement permit for the new company. Drivers shall not drive until the application has been filed, approved and the fees paid. [1]

32. ADA-ACCESSIBLE TAXICABS AND WAIVERS
a. Vehicles identified as ADA-Accessible Taxicabs must meet the "Accessibility Specifications for Transportation Vehicles (Part 38)[Code of Federal Regulations][Title 49, Volume 1, Parts 1 to 99][Revised as of October 1, 1997]."
b. Vehicles identified as ADA-Accessible Taxicabs must pass an annual inspection, as directed by the Commission. This inspection will include a mechanical inspection of the vehicle as well as an inspection of the lift/ramp system and secure systems for the lift/ramp and the wheelchair, as appropriate. A copy of the inspection report must be filed with the Commission.
c. Drivers operating ADA-Accessible Taxicabs must successfully complete a training program, as directed by the Commission.
d. The year model of a vehicle placed in service for the first time as an ADA-Accessible Taxicab shall not be older than eight (8) years. Any ADA-Accessible

Taxicab, not over eight (8) years of age, may be moved from one taxicab company to another, as long as all other requirements are met, including passing reinspection.

e. The following additional requirements apply to an ADA-Accessible Taxicab seeking a waiver from the nine-year age restriction contained in Metropolitan Code of Law 6.72.245:

1. the vehicle must be in service as an ADA-Accessible Taxicab at the time of
2. the application;
3. the vehicle owner must file the waiver request annually no later than July 1;
4. the vehicle must not have more than three hundred twenty-five thousand
5. (325,000) miles on the odometer;
6. the vehicle must not have been in service as a taxicab for more than five
7. years.
8. no vehicle shall be granted more than three waivers. [5]

33. AIRPORT SURCHARGE

With the exception of trips to destinations covered by the flat fare, the Commission authorizes an airport departure surcharge of $4.00 for departures from the Metropolitan Nashville International Airport ground transportation area. This surcharge will be effected by activation of the taximeter at the “For Departures From The Airport Only” rate of $7.00. [7,12]

34. COMPANY REPORTING AND PAYMENT OF FEES

All taxicab companies will submit current vehicle and driver lists to the commission staff, in a format prescribed by the director, no later than the first of each month. Quarterly decal fees must be paid no later than January 1, April 1, July 1, and October 1 of each year. [12]

35. DRIVER APPEARANCE

Drivers are prohibited from wearing the following as outer garments: T-shirts and other undergarments, tank tops, swimwear, jogging suits, body shirts, shorts, cut-off pants, trunks, sandals, clogs, and other similar attire. Offensive words or symbols on clothing are also prohibited. [12]

36. TAXICAB DECALS

A uniquely numbered decal, signifying compliance with requirements for permitting, payment of quarterly fees, and vehicle inspection will be affixed to the rear window of each taxicab by a Transportation Licensing Inspector. This will be accomplished during annual inspection or during the inspection required when a new or replacement vehicle is placed into service as a taxicab. These decals are not transferable. When any vehicle is to be removed from service as a taxicab, the decal shall be removed, and evidence of its removal shall be provided to the Commission office. [15]

37. TEMPORARY FUEL SURCHARGE

Effective June 28, 2011 a temporary fuel surcharge, increasing the per-mile meter rate to $2.10/mile, is approved. This temporary fuel surcharge shall go into effect on July 10, 2011 and expire on January 10, 2012. [17]

WRECKERS

1. APPLICATION FORMS FOR LICENSE

Applications shall contain:

a. The name and address under which applicant will conduct wrecker service;

b. The full names and addresses of persons and partnership members, or if a corporation, the names and addresses of executive officers;

c. A description of the duties of each position in the business;

d. Previous experience in the wrecker and towing business;

e. Number of wreckers to be used;

f. A description of each wrecker: trade name, model, type, and serial number;

g. Location and description of place and premises from which operation of wrecker and towing services is to be operated;

h. Declaration of whether equipment is owned or leased on full-time or part-time basis;

i. Financial statement of applicant:

- Description of extent of ownership in business,
- Detailed list of assets,
- What assets are to be used in the business,
- List of debts and liabilities of owners and members of partnership,
- Names and addresses of at least two references as to applicant's financial responsibility, including banks.
- Certified financial statements must be made available for emergency zone applicants.

j. Description of available space where applicant intends to accommodate and protect all towed motor vehicles;

k. List of name and address of all drivers;

l. Evidence of required liability and garage keeper insurance;

m. Certification by the applicant that the company is an equal-opportunity employer and will comply with the applicable Federal Wage and Hour regulations;

n. Statement If any governmental license has been refused and date of refusal; and

o. Sworn statement as to truth and correctness of statements contained in application.

2. LICENSES AND PERMIT

A license shall be issued to each company, approved by the Commission to operate within the Metropolitan area, showing the name, address, and expiration date. The license shall be prominently and conspicuously displayed at all times upon the premises of the licensee. The permit issued for each wrecker the licensee operates shall be a gummed, numbered decal, and shall be displayed at all times on the lower right-hand side of the windshield.

3. APPLICATION FOR WRECKER DRIVER PERMITS

Each application for a wrecker driver permit shall be signed by the applicant and shall be duly attested by a notary public. The applicant must appear in person with a valid Tennessee driver's license to apply for a license. All appropriate fees must be paid in advance. Applicants must complete a criminal background check.

a. An applicant shall be disqualified if the applicant has been convicted, pled guilty, placed on probation or parole, pleaded nolo contendere, or been released from incarceration within a period of five years prior to the date of application for any of the following offenses under the laws of Tennessee, or any other state of the United States:

Homocide;
Rape;
Aggravated assault;
Kidnapping;
Robbery, Burglary, or Auto Theft;
Child sexual abuse;
Any sex-related offense;
Leaving the scene of an accident;
Criminal solicitation, or criminal attempt to commit any of the above;
Perjury or false swearing in making any statement under oath in connection with the application for a driver's permit; or
The felony possession, sale or distribution of narcotic drugs or controlled substances.

b. If, at the time of application, the applicant has been charged with any of the above offenses, consideration of the application shall be deferred until entry of a plea, conviction, acquittal, dismissal, or other final disposition of the charges.

c. An applicant shall also be disqualified if the applicant has been convicted of or released from incarceration due to two or more felony offenses within the past ten years.

Applicants with a record of lesser convictions may be required to appear for a Commission hearing to determine if a permit will be approved. A management representative of the employing wrecker company must also appear at the hearing. Upon denial of an application for a wrecker driver permit, no new application may be submitted for consideration for a period of 3 months. 9,11, 18

4. RIDERS IN WRECKERS

There shall be no riders on the wrecker or in the car being towed, other than employees of the wrecker service or the driver or passengers of the disabled vehicle.

5. EQUIPMENT REQUIRED TO BE ON EMERGENCY WRECKER SERVICE WRECKERS, AND GENERAL WRECKERS RESPONDING TO ROADSIDE EMERGENCIES

a. Equipment for all wrecker units in service:

- Shovel or scoop
- Broom

- Firefighter's ax
- Crowbar
- Fire extinguisher - must be a minimum of 20 lbs
- Absorbent material (i.e. OIL-DRY) - minimum of 10 lbs

b. Equipment for wreckers used in towing: Rubber type belt, tow sling, or steel tow bars.

The wrecker company shall inquire at the time of notification of the wreck if a rollback is required and necessary to move the wreckage from the street. 9

6. VEHICLES TOWED WITHOUT OWNER'S CONSENT OR ON ORDERS OF THE POLICE DEPARTMENT

Any vehicle towed without consent of the owner, or upon order of the Police Department, must be reported to the Metropolitan Police Department Vehicle Impound Lot within one hour of towing the vehicle.

7. POLICE DISPATCHER CALLING WRECKER COMPANIES

The dispatcher shall not attempt to call any wrecker company through the tow-in lot. The dispatcher shall first call the applicable zone wrecker company. If there is no answer, the dispatcher shall then call the next nearest zone wrecker company. The dispatcher shall report to the Transportation Licensing Commission, all companies who do not answer their phones, or who do not respond promptly. 9

8. WRECKER COMPANIES TOWING TO ANY DESIGNATION

The wrecker company shall transport the vehicle by the most direct safe route, and the arrival at the scene of the accident shall be within 30 minutes. Once a vehicle is undertow, it will be transported without delay or stops, unless requested by the vehicle owner or warranted by emergency, to its destination.

9. REGULATION OF EMERGENCY WRECKER SERVICE APPLYING TO ZONES

a. In the case of an accident involving one or more motor vehicles, where services of a wrecker are needed, the police dispatcher shall contact the zone wrecker by telephone. If the dispatcher cannot reach the zone wrecker, he may contact another wrecker service. The police dispatcher shall make the final decision as to which wrecker service to contact if he/she is unable to reach the zone wrecker.

b. Should any licensee of a wrecker company, or his/her employee, who receives a call for an accident from the police dispatcher and the accident is not in his assigned zone, the licensee or employee must immediately notify the police dispatcher of the error. Any wrecker company licensee or employee of a wrecker company who intentionally violates the aforesaid rule by operating in an unauthorized zone will be subject to disciplinary action by the Transportation Licensing Commission. 9

10. EMERGENCY PRECAUTIONS
When any wrecker is engaged in towing a vehicle, whether it be during daylight hours or nighttime hours, the wrecker must be displaying the emergency flashing lights, as well as the lights on the top of the wrecker cab. Drivers of emergency wrecker services will wear reflective clothing when clearing vehicles. 9

11. INTERPRETATION OF CODE SECTIONS
a. In Section 6.80.520.B(3), the radio at the wrecker company's principal place of business shall be staffed by at least one person 6 a.m. until 10 p.m. each day.
b. In Section 6.80.520.B(4), the words "direct line" should be interpreted to mean "telephone". 18

12. A B C D WRECKER REGULATIONS
a. Police dispatcher shall be furnished a list of the size of wreckers serving each emergency zone.
b. Police officer on scene of accident will notify dispatcher when to call A, B, C or D class wreckers direct and verify departure time.
c. Wrecker inspectors shall certify all new C class wreckers.
d. All C class wreckers must meet the State Wrecker Service Standards, a copy of which is on file in the Metropolitan Clerk's office, and is by reference incorporated herein.

13. CLARIFICATION FOR TOWING HOURLY RATES, CHARGES
Any labor time must be shown on the VR report, with the time indicated and verified by the police officer at the scene of the accident. 9

14. CLARIFICATION OF THE SPECIAL PREPARATION FOR TOWING CIRCUMSTANCES
Per Section 6.80.550(G) the operator of any wrecker service vehicle, summoned to tow away any vehicle, whether on a public street, public property, or private property, shall not tow the vehicle away if the operator of the vehicle returns prior to the wrecker vehicle having left the location to which summoned. 9

15. LOCATION OF EMERGENCY WRECKER ZONE COMPANIES
A company designated as an Emergency Wrecker Service shall be located within Davidson County and within the boundaries of the zone to which it is assigned. However, subject to the Commission's approval, a company designated as an Emergency Wrecker Service may be located a reasonable distance outside of the boundaries of the zone to which it is assigned, but within Davidson County.

16. WRECKER DISPATCHING ERRORS
Any emergency wrecker service which receives a call from the Emergency Communications Center (ECC) dispatcher, and then determines that they were given an incorrect address, and the location is in another zone, shall inform the dispatcher of the error, but will also acknowledge that the company will respond to the call. The company will then notify the Transportation Licensing Commission staff of the error within 3 business days, to enable the staff to determine if there are discrepancies between the official zone map and the ECC

computerized map, and to resolve them. Any emergency wrecker service, which takes a zone call, arrives on the scene and then determines the location is outside their zone, should take the call, but inform the MPD officer that the vehicle is located outside their assigned zone. If the MPD officer orders the emergency wrecker service to tow the vehicle regardless (in lieu of summoning the proper emergency wrecker service for that zone), the wrecker service must take the vehicle to the storage lot of the responding zone company, or to the Metro Impound Lot, as directed by the officer. 18

17. UNSOLICITED WRECKERS
If a wrecker company is at the scene of an accident when a police officer arrives without being called by police or person involved, the officer in charge should ask the unsolicited wrecker to leave the scene unless it is the appropriate zone wrecker. 2

18. SOLICITATION PROHIBITED
The owner, operator or representative of any wrecker company is prohibited from soliciting business at the scene of an accident. 2

19. CHASING PROHIBITED
All wreckers are prohibited from “chasing or running” wrecks or breakdowns” without an official call from the Metropolitan Police dispatcher or at the request from an owner. 2

20. NOTIFICATIONS CONCERNING EMPLOYEE MISCONDUCT
Wrecker Companies will notify the Commission office if an employee is arrested, cited by the police, fired for cause or any other situation that could cause concern for public safety. 9

21. PERSONAL PROPERTY
Personal property contained in towed vehicles must be released to an owner upon their request, unless the investigating officer places a hold on the vehicle or otherwise restricts such release. Reasonable proof of ownership must be required prior to the release of property. 9

22. REPAIR WORK
Wrecker company operators shall not perform repair work on towed vehicles without the owner’s written consent. 2

23. STATE REGULATIONS
All regulations imposed and enforced by the state of Tennessee are adopted as a part of the Transportation Licensing Commission Operating Rules and Procedures. 2

24. NONCONSENT TOWING FROM PRIVATE PROPERTY
Prior to towing a vehicle (or personal property) from private property without the vehicle (or personal property) owner’s consent, the towing company must have express written authorization for towing of that vehicle (or personal property) from

the owner of the private property or designated agent. When an individual is designated by a private property owner to act as an agent to authorize towing from the property, such designation must be in writing and signed by the private property owner. There shall be some relationship between the private property owner and the designated agent, and there may be no relationship between the designated agent and the towing company. No employee of a wrecker company or designee of a wrecker company may patrol or otherwise participate in the decision making process about which vehicles are to be towed: this includes placing any sticker, signal or any other form of designation on any vehicle to be towed. Contracts or written agreements between a towing company and private property owners for nonconsent towing must be retained by the towing company, and must include the property owner's signature and the signature(s) of any agent(s) designated by the private property owner. The towing company must make these documents available for inspection by the Commission or any designated representative at any time. Maximum allowable rates for nonconsent towing from private property will be as specified in Section 6.80.550(H) of the Metropolitan Code of Laws. [7,9]

25. EMERGENCY WRECKER SERVICES DRIVER TRAINING

Effective May 1, 2012 all drivers of Emergency Wrecker Services Class C wreckers must have completed the following training:

a. A nationally-recognized recovery training course approved by the Commission director; and
b. NIMS training modules IS-100b and IS-700.

Emergency wrecker services shall provide evidence of training completion to the Commission office before allowing a driver to drive a Class C wrecker. [18]

26. WRECKER VEHICLE INSPECTION STANDARDS

a. Effective November 14, 2011 wrecker vehicles will be lettered with the name of the entity operating the wrecker. No name or distinctive logo of another licensed company may appear on the vehicle.

b. Reserved. [19]

HORSE-DRAWN CARRIAGES

1. CARRIAGE DRIVER PERMIT FEES
A $20 fee shall be collected annually for anyone applying to operate a horse drawn carriage. In addition, a $75 fee will be assessed for all records checks requiring an investigation by law enforcement agencies. There shall be a $10 replacement fee charged. [4]

2. CARRIAGE FEES
A $25 fee shall be collected annually for each horse-drawn carriage to be operated on any Metropolitan street. [2]

3. ANNUAL CARRIAGE COMPANY CERTIFICATE FEES
A $100 fee shall be collected annually for each company wishing to operate a horse drawn carriage service within Metro. If a request for an amendment or a temporary change of the certificate is made, a $25 fee shall be collected. [2]

4. CESSATION OF OPERATIONS FOR ADVERSE TEMPERATURE CONDITIONS
Carriage operations may not be conducted when temperatures are below 25 degrees Fahrenheit or there is ice on the road. Operations may not be conducted when temperatures are above 95 degrees Fahrenheit. Official temperature will be as reported by TDOT 511. Exceptions to this Rule may be granted by the Director, on a case-by-case basis, for special events only. [8, 14]

5. SOLICITATION PROHIBITED
Any representative of a horse-drawn carriage company is prohibited from soliciting business in any manner inside the Interstate-40/Interstate-24/Interstate-65 loop, except that a driver or carriage company owner may respond to questions from the public while the carriage is parked at a carriage stand. [10]

6. NEW DRIVER TRAINING
All newly-permitted carriage drivers must complete a training program under the supervision of a qualified instructor or trainer prior to operating a horse-drawn carriage alone on city streets. Company owners shall develop training programs and submit instructor/trainer qualifications information to the Commission director for approval. At a minimum, driver training must include the following sequence:

a. Demonstrating proficiency under the direct supervision of the instructor/trainer on at least 20 rides without passengers;
b. Demonstrating ability to successfully negotiate an approved obstacle course;
c. Demonstrating ability to control the carriage horse by voice commands and rein control; and
d. Demonstrating proficiency under the direct supervision of the instructor/trainer on at least 10 rides with passengers.

Company owners will be responsible to ensure all previously-permitted drivers can meet requirements b. and c. above. [14]

7. CARRIAGE EQUIPMENT AND VISIBILITY

Carriages shall be equipped with rear-view mirrors, tail lights, brake lights, rear-facing turn signals, and side-facing lights. Lights must be clearly visible at night for a distance of at least 80 feet. [14]

8. INSURANCE

Proof of insurance coverage shall be required for a minimum of six passengers. If the carriage is a limousine carriage or other carriage capable of transporting more than six passengers, then the proof of insurance shall be required for nine passengers. [14]

9. DOCUMENTATION REQUIRED FOR OPERATIONS DURING DAYLIGHT HOURS OR SPECIAL EVENTS

Any carriage driver who is operating a horse-drawn carriage from any stand or on any route on public property within the metropolitan area which deviates from the following standard downtown tour route:

West from stands on Broadway; then
South on Fourth Avenue; then
West on Demonbreun; then
North on Fifth Avenue; then
East on Broadway; then
Around Riverfront Circle; then
West on Broadway, Return to Carriage Stands

or which deviates from the signed and restricted-use carriage stands on Broadway, must have documentation signed by the appropriate official at the Mayor's office, or the Traffic and Parking Commission, or the Metro Parks and Recreation Board. This documentation must specifically authorize all deviations, and must include: the purpose for which it is approved, the start time and end time, and detailed routes and stops (including loading and unloading areas) which have been pre-approved. Drivers will be required to present this documentation to transportation licensing inspectors or police officials on demand. [18]

OTHER PASSENGER VEHICLES FOR HIRE

1. SPECIAL TEMPORARY SERVICE PERMITS

Certificate holders operating livery or shuttle services may apply for special temporary permits for rental/leased vehicles in anticipation of a need to meet temporary peak business demands or for temporary replacement of permitted vehicles, according to the procedures listed below. Vehicles to receive temporary service permits must meet all vehicle requirements for the classification of service to be performed.

a. The application for the special temporary service permit must include:

- a statement of justification for the use of a temporary permit instead of a regular permit; and
- a certificate of insurance indicating that hired vehicles are covered by the policy.

b. A nonrefundable application fee of $20, plus $25 for each special temporary permit decal requested, must accompany the application.

c. When approved, Commission staff will record the numbers of all special temporary permit decals issued to the Certificate holder.

d. Prior to affixing a decal to any rental/leased vehicle, the Certificate holder must provide the following additional information:

- the period (start date and time – end date and time) when the special temporary permit will be in effect;
- the name of the permitted driver(s) who will operate the vehicle;
- a copy of the lease agreement, and
- the make, model, year, color and vehicle identification number (VIN) of the vehicle.

e. The Commission staff will record the special temporary permit decal number to be assigned to each rental/leased vehicle.

f. The Certificate holder will affix the numbered decal to the windshield of the vehicle.

g. At the end of the temporary period, the Certificate holder must remove the decal and return it to the Commission office within three working days. All unused special temporary permits expire and must be returned to the Commission office no later than March 31. [16]

2. VEHICLE WAIVER

The following requirements apply to a certificate holder seeking a one-year waiver from the vehicle age and mileage limits contained in Metropolitan Code of Law 6.74.230:

- the vehicle must be in service as a passenger vehicle for hire at the time of the application;
- the vehicle owner must file a waiver request annually no later than December 1;
- the vehicle must not have been used as a law enforcement vehicle prior to service as a passenger vehicle for hire;

Any vehicle granted a one-year waiver will be required to have a mechanical inspection every six months, and the inspection report must be filed with the Commission.

ADOPTED: September 23, 1980
AMENDED: July 27, 1982
August 23, 1983
August 28, 1984
March 25, 1986
December 21, 1993
February 24, 1998
July 27, 1999
November 28, 2000
April 23, 2002 1
October 22, 2002 2
June 24, 2003 3
July 27, 2004 4
May 24, 2005 5
July 26, 2005 6
August 28, 2007 7
September 25, 2007 8
April 29, 2008 9
September 23, 2008 10
October 27, 2009 11
January 26, 2010 12
August 24, 2010 13
December 14, 2010 14
January 25, 2011 15
May 24, 2011 16
June 28, 2011 17
July 26, 2011 18
October 25, 2011 19
November 15, 2011 20