

METROPOLITAN NASHVILLE-DAVIDSON COUNTY

TRANSPORTATION LICENSING COMMISSION

Minutes

August 27, 2013

The Metropolitan Nashville-Davidson County Transportation Licensing Commission (TLC) met in regular session on this date at the Historic Metropolitan Courthouse.

- Present were Commissioners Tom Turner, Rhonda Marko, Sam Patel, Curt Wallen and Pat McNally. Also present were Metro Legal Adviser(s) Theresa Costonis and Rachelle Gallimore-Scruggs; TLC staff members Lisa Steelman, Darlene Turnbo and Interim Director, Billy Fields.

In the absence of the Chairman Sal Hernandez, Commissioner Turner (acting chair) called the meeting to order at 1:35 PM, led the Pledge of Allegiance, and read the *Notice of Appeal Statement* which outlines the right of an appeal for decisions of the Transportation Licensing Commission.

Minutes

Commissioner Marko, with a second from Commissioner Wallen, moved to approve the minutes from the previous meeting with one spelling correction.

ACTION: Approved 4-0

Taxicabs

Taxicab USA, represented by Mike Solomon, appeared to request conversion of existing Nashville Cab to a specially marked vehicle painted teal in support of American Cancer Society and efforts to ovarian cancer and other female cancers. Commissioner Marko moved, with a second from Commissioner McNally, to approve the conversion for a one year period.

ACTION: Approved 4-0

Taxicab USA, represented by Mike Solomon, appeared to request a change of name and color scheme for 1-800-TAXI. He requested to operate the current 36 approved vehicles as "Taxi Taxi" using a black and yellow color scheme.

Doug Trimble, President of Yellow Cab, asked the TLC to not approve the request because there was too much yellow in the proposed color scheme and that it infringed on their company colors. Brandy Dismang, Checker Cab Manager, also spoke against the proposed scheme because checks were used which she believes infringes on Checker Cab. Interim Director Fields explained that the Metropolitan Code of Law addressed this issue in the following manner:

6.72.200 - Vehicle to display company name, color scheme insignia and numbering—Restrictions.

A. Each taxicab shall bear on the outside of each front door, in painted letters not less than three inches in height, the name of the company and may, in addition, bear an identifying design which has been approved by the metropolitan transportation licensing commission.

B. No vehicle covered by the terms of this chapter shall be licensed which bears a color scheme, identifying design, monogram or insignia which, in the opinion of the metropolitan transportation licensing commission, conflicts with or imitates any color scheme, identifying design, monogram or insignia used by a vehicle or company in such manner as to be misleading or such that it tends to deceive or defraud the public.

After some discussion, Commissioner Wallen, with a second from Commissioner Marko, moved to approve the name and color scheme change.

ACTION: Approved 3-1

One Stop Auto Repair, represented by Akrem Hasan, appeared to request approval to operate a taximeter installation service and presented his certification for Centrodyne meters.

Commissioner McNally, with a second from Commissioner Patel, moved to approve the request.

ACTION: Approved 4-0

Ali Makhtar Hussein appeared to request a permit to drive a taxicab. Interim Director Fields explained that Mr. Hussein had failed to disclose drug charges on his original application and that several complaints had been lodged against him from other drivers for operating illegally as a driver. After some discussion, Commissioner Wallen, with a second from Commissioner McNally, moved to deny the request.

ACTION: Approved 4-0.

Wreckers

The following individuals were presented for consideration of a request for a permit to operate a wrecker:

Cantrell, Christopher Jason
Jackson, William David
Johnson, Manuel Thomas

Trail, John Edward
Turner, James

Commissioner Marko, with a second from Commissioner Wallen, moved to approve.

Other Passenger Vehicles for Hire

Tawfig Abdelhadi appeared to request approval of his application to be a vehicle for hire driver as well as approval for a Certificate of Convenience and Necessity to operate passenger vehicle for hire company, "Baba Transportation". Interim Director Fields explained that Mr. Abdelhadi had multiple complaints lodged against him for operating a transportation service without a permit; had regularly used taxicab stands to solicit business and did not disclose all of tickets and changes. After some discussion, Commissioner Patel, with a second from Commissioner Wallen, moved to deny the application.

ACTION: Approved 4-0.

Edwin P. Carter appeared to request a permit as a passenger for hire vehicle driver. Interim Director Fields explained that Mr. Carter failed to disclose some charges on his original application and asked the TLC to consider the application. Commissioner Marko moved, with a second by Commissioner Wallen to approve this application.

ACTION: Approved 4-0

Christopher L. Medlin appeared to request a permit as a passenger for hire vehicle driver. Interim Director Fields explained that Mr. Medlin failed to disclose some charges on his original application and asked the TLC to consider the application. Commissioner Patel moved, with a second by Commissioner Marko to approve this application.

ACTION: Approved 4-0

Lisa Murray applied for a passenger for hire vehicle driver, but was not present. Commissioner Patel, with a second from Commissioner McNally, moved to defer the application until September, 2013 meeting.

ACTION: 4-0

Public Hearings

Consideration of rule modification request by taxicab companies to extend the September 1, 2013 deadline for compliance with TLC Rule 7 (b) regarding minimum limits of liability insurance.

Interim Director Fields reminded the TLC that it had passed a rule to require higher liability insurance for taxicabs effective September 1, 2013. He explained that he had multiple calls and comments that some of the vehicle owners have been unable to obtain the necessary insurance cover. He requested that the TLC consider extending the deadline.

The following individuals appeared to speak on the issue:

David Watts

Godwin Poima

Habib Al Shawa
Ibrahim Azrag
Shimeless Tafesse
Nathan Spears

Jenni Williams
Yeshaw Getahun
Doug Trimble
Roger Baker

The Chair closed the public hearing. After some discussion, Commissioner McNally, with a second Commissioner Patel, moved to extend the deadline for 50-100-50 of liability insurance to Dec. 31, 2013.

Discussion of existing or needed rules and ordinances regarding Horse Drawn Carriage operations and adoption of rules determined needed.

Interim Director Fields explained why he had requested this public hearing which included issues related to the number of companies, permits available as well as downtown operation restrictions. He also said that the Traffic and Parking Commission has undertaken a study of mobility in the downtown area.

The Chair opened the public hearing and the following individuals spoke:

Clint LeMoine
Johnny Smith
Stacey Romines
Rick Williams

Sara Beth Williams
Gary Blackburn
Sam Roberts

The chair closed the public hearing. Ms. Costonis described the rule-making authority which is when authority of the TLC. She mentioned specifically Horse-Carriage Rule 9 which outlines routes to be used by the carriage operators as well as authority which has been delegated to the TLC Director as well as the Traffic and Parking Commission. The Chair asked if it would be appropriate to ask the Interim Director to work with the individuals developing the downtown mobility study and Ms. Costonis said it was appropriate. Commissioner Wallen, with a second from Commissioner Patel, to ask Interim Director Fields to help us understand better routes, zones, stands, spaces, the moratorium and time limits and get input from Traffic and Parking and the Police Department to on how it affects carriage stands and carriages moving forward.

ACTION: Approved 4-0

Other Business


The TLC requested that consideration of moving the regular meeting to a different day, however, after some discussion, no action was taken to move the meeting dates.

With no further business, the meeting was adjourned at 3:55 PM.

ATTEST:


Billy Fields
Interim Director

APPROVED:


Tom Turner
Acting Chair