

**METROPOLITAN NASHVILLE-DAVIDSON COUNTY
TRANSPORTATION LICENSING COMMISSION**

Minutes

September 26, 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 Sal Hernandez, 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 and Interim Director Billy Fields.

Vice Chairman Sal Hernandez called the meeting to order at 1:35 p.m., 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 McNally, with a second from Commissioner Turner, moved to approve the minutes from the previous meeting.

ACTION: Approved 5-0

Public Hearing

The chair asked Interim Director Fields to explain the modification of Taxicab Rule 20 "Flat Fares". Mr. Fields said that the purpose of the modifications was to take into consideration the growth and expansion of the commercial business on Music Valley Drive as well as McGavock Pike with respect to the flat fare. Mr. Fields proposed the rule to be:

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

Metropolitan Nashville International Airport; Music Valley Drive-Opryland area (including the Opryland Hotel/Opry Mills Mall complex, all of Music Valley Drive as well as McGavock Pike from Briley Parkway to Riverview 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).

The chair opened the public hearing, but there was no public comment and was then closed.

Commissioner McNally, with a second from Commissioner Turner, moved to adopt the proposed rule.

Action: Approved 5-0.

Wreckers

General Wrecker Applications

A & Z Towing and Recovery requested to be granted a license to operate a general wrecker company along with its owners Hajar and Tarik Hussein as wrecker drivers. Hajar Hussein was not present. Commissioner McNally, with a second from Commissioner Turner, moved to approve the wrecker company application and the driver application for Tarik Hussein and defer action on Hajar Hussein's application.

Action: Approved 5-0

Wrecker Driver Applications

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

- | | |
|------------------------|--------------------|
| 1. Barwari, Ismai | 8. Maddox, James |
| 2. Brandon, Aaron | 9. Martin, Timothy |
| 3. Carter, Jeremy | 10. Rediker, Keith |
| 4. Clendenon, Geoffrey | 11. Taye, Seleshi |
| 5. Ford, Kenneth | 12. Key, Louis |
| 6. Horn, David | 13. Welch, Grady |
| 7. Loftis, Melissa | |

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

Action: Approved 5-0

Taxicab

Taxicab Driver Applications

Fesha Gehbre appeared to request approval of his taxicab driver application. Mr. Fields explained that Mr. Gehbre had failed to fully disclose charges on his application. After some discussion, Commissioner Marko, with a second from Commissioner Turner moved to approve.

Action: Approved 5-0

Degu Janka appeared to request approval of his taxicab driver application. Mr. Fields explained that Mr. Janka failed to fully disclose charges on his application. After some discussion, Commissioner McNally, with a second from Commissioner Patel, moved to approve, but must have a company assignment before issuance.

Action: Approved 5-0

Other Passenger Vehicles for Hire

Mr. Fields explained that Lisa Murray, whose application for other vehicle for hire driver permit was deferred from the previous meeting, needed to be deferred again. Commissioner Wallen, with a second from Commissioner Patel, moved to defer.

ACTION: Approved 5-0.

Booting

Value Parking LLC requested a license to operate a booting service. After some discussion, Commissioner Marko, with a second from Commission Turner, moved to approve.

ACTION: Approved 5-0

Other Business

Proposed Change to the Metropolitan Code of Laws Regarding Horse and Carriage Operations

Mr. Fields asked the TLC to consider recommending legislation to the Metropolitan Council which would change the manner in which horse and carriages operate on public streets. The proposed legislation allows the Traffic and Parking (T & P) staff to establish zones and/or routes as opposed to current ordinances rules which allows only for routes. Mr. Fields explained that this would give the T & P staff more leeway and authority to provide a wider area for operations as well as be able to respond more rapidly when changes needed to be considered.

Mr. Fields provided the TLC with the following proposed ordinance change:

ORDINANCE NO. BL2013-551

An ordinance amending Section 12.54.200 (A)(9) and 12.54.310 of the Metropolitan Code of Laws, pertaining to Routes for horse-drawn carriage operation, by adding the ability of Zones to be created and by delegating duties to the staff of the Traffic and Parking Commission.

WHEREAS, under 12.54.200 (A)(9) and 12.54.310 of the Metropolitan Code of Laws, horse-drawn carriages shall only operate upon routes approved by the Traffic and Parking Commission; and,

WHEREAS, the Transportation Licensing Commission, the Traffic and Parking Commission, and respective staffs believe that the implementation of designated zones in addition to routes would be beneficial to the order and safety of the industry, citizens of the Metropolitan Government, and visitors thereof; and,

WHEREAS, delegating the responsibility of establishing such routes and zones to the Traffic and Parking Commission staff will aid in efficiency and timely alterations, as needed.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the Council of the Metropolitan Government of Nashville and Davidson County does hereby amend Section 12.54.200 (A)(9) of the Metropolitan Code of Laws by replacing it with the following:

12.54.200 (A)(9) – Conduct of drivers.

A. A driver shall at all times:

9. Travel only those routes or zones designated for horse-drawn carriage travel, including special occasion travel routes or zones as approved by the traffic and parking commission staff;

Section 2. That the Council of the Metropolitan Government of Nashville and Davidson County does hereby amend Section 12.54.310 of the Metropolitan Code of Laws by replacing it with the following:

12.54.310 – Approved Routes and Zones.

- A. A certificate holder shall operate horse-drawn carriages only upon streets within zones or upon routes developed through consultation with the metropolitan traffic and parking commission staff.
- B. Horse-drawn carriages operating for-hire are barred from using streets which:
 - 1. Have a speed limit exceeding thirty-five (35) m.p.h., unless prior approval is obtained from the traffic and parking commission staff;
 - 2. Are designated as major arterial streets by the metropolitan planning commission, except during the hours of six p.m. to six a.m. and on Saturday, Sunday and holidays, as determined in consultation with the traffic and parking commission staff. Exceptions may be made only with the express consent of the traffic and parking commission staff.
- C. The authorized zones, routes, and tether locations shall be subject to amendment as needed through consultation with the metro traffic and parking commission staff to ensure safe and efficient movement of traffic.
- D. Upon approval of the traffic and parking commission staff, advance charter tours may deviate from the route or zone, provided the company operates on streets approved for routes or zones.
- E. A company shall receive prior approval of the traffic and parking commission director to deviate from approved routes, zones, or destinations, which require the use or crossing of streets designated as arterial streets by the metropolitan planning commission.
- F. In the event of a funeral, a company may notify the traffic and parking commission director twenty-four hours in advance of its intention to use a non-authorized route or zone.

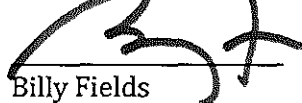
Section 3. This ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring.

After some discussion, Commissioner Turner, with a second from Commissioner McNally, moved to recommend the legislation to the Metropolitan Council for approval.

Action: Approved 5-0

With no further business, the meeting was adjourned at 2:30 p.m.

ATTEST:



Billy Fields
Interim Director/Executive Secretary

APPROVED:  Acting Chair

Sal Hernandez
Vice Chair