

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

Minutes

December 10, 2015

The Metropolitan Nashville-Davidson County Transportation Commission (TLC) met in regular session on this date in the Jury Assembly Room of the Historic Courthouse. Present were Chairman Sal Hernandez, and Commissioners Sam Patel, Ben Jordan, Curt Wallen and Pat McNally (5). Present were Metro Legal Advisers Theresa Costonis as well as TLC staff members Millie Carman, Lisa Steelman and Billy Fields.

The Chair called the meeting to order at 1:30 p.m. then led the Pledge of Allegiance followed by a reading of the Notice of Appeal Statement which outlined the right of appeal for TLC decisions.

Commissioner McNally with a second from Commissioner Wallen moved to approve the minutes from the previous meeting with corrections offered by Director Fields.

ACTION: Approved 3-0

Complaint Hearing

Director Fields advised the TLC that Volunteer Taxi advised the TLC staff that a driver, Wondimu Borena had been suspended and was no longer working with a GPS and was not responding to company calls or requests. Volunteer Taxi, represented by Sharon Jacobs explained the situation to the TLC. Mr. Borena was present to explain his position. Adburab Numan and Kenya Cujo also spoke on behalf of Volunteer taxi.

After some discussion, Commissioner McNally with a second from Commissioner Jordan moved to issue a warning to Mr. Borena not to operate a taxicab unless he was in compliance with the Metropolitan Code of Law 6.72.020 and 6.72.175 as well as Taxicab Rule 38.

ACTION: Approved 4-0

Mr. Borena asked for a document to outline this decision. Commissioner McNally with a second from Commissioner Jordan moved to adopt TLC resolution describing the TLC actions.

ACTION: Approved 4-0

Director Fields advised the TCL that a complaint had been filed against carriage driver Clint LeMoine for unsafe conduct by Johnny Smith, Michael Stokes, David Miller and Debra Cox (two complaints). Bryant Kroll, representing the complainants, outlined the details of the complaint. Mr. LeMoine was present to explain his position. After some discussion, Commissioner Patel with a second from Commissioner Jordan moved to take no action.

ACTION: Approved 4-0

Low Speed Vehicles

Joseph B. Ward appeared to request a permit to operate a low speed vehicle. Director Fields stated that he failed to fully disclose his background. Commissioner Wallen with a second from Commissioner Jordan moved to approve.

ACTION: Approved 4-0

Pedal Vehicles

Sprocket Rocket, owner Emmitt Martin, appeared to request four additional pedal carriages. Director Fields explained that his application was filed prior to November meeting, but missed the deadline for the agenda. Director Fields reminded the TLC that Pedal Vehicles Rule 1 provides for an annual meeting to consider applications such as this, but this was submitted prior to the rules passage and that future applications would only be presented on the date selected by the TLC. After some discussion, Commissioner McNally with a second from Commissioner Wallen moved to approve the four vehicles.

ACTION: Approved 4-0

Wreckers/Towing Services

Advanced Towing and recovery appeared to request a permit to operate as a non-consent service. Director Fields explained that the company had met the requirements of the rules. After some discussion, Commissioner Wallen, with a second from Commissioner Jordan moved to approve.

ACTION: Approved 4-0

Taxicabs

Director Fields presented a request from TennCab to dress alter its logo for the sides of the vehicle with no change in colors.. After some discussion, Commissioner Jordon with a second from Commissioner Wallen moved to approve.

ACTION: Approved 4-0

Abiy Mekuria appeared to request a permit to operate a taxicab. Director Fields explained that his application had been deferred two meetings and that he had failed to fully disclose his background. After some discussion, Commissioner Patel with a second from Commissioner Jordan moved to approve.

ACTION: Approved 4-0

With no further business, the meeting was adjourned at 3:01 p.m.

ATTEST:

APPROVED:

Billy Fields
Director/Executive Secretary

Sal Hernandez
Chair

**THE TRANSPORTATION LICENSING COMMISSION
OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
RESOLUTION RS 2015-1**

WHEREAS, the Metropolitan Transportation Licensing Commission (MTLC) has exclusive jurisdiction over the licensing of taxicabs pursuant to the Metropolitan Code of Laws Section 2.100.030; and

WHEREAS, pursuant to the Metropolitan Code of Laws Section 6.72.020 no person shall operate or permit to operate a taxicab without first having obtained a Certificate of Public Convenience and Necessity; and

WHEREAS, Volunteer Taxi has been granted a Certificate to operate a taxicab service within the Metropolitan Government; and

WHEREAS, Wondimu Borena, who is permitted by the MTLC to operate a taxicab within the Metropolitan area, has been affiliated with Volunteer Taxi; and

WHEREAS, Volunteer Taxi has advised the MTLC of the suspension of Mr. Borena as a driver for this company; and

WHEREAS, Mr. Borena advised the MTLC that he has continued to operate his vehicle as a taxicab subsequent to his suspension from Volunteer Tax, despite the fact that the vehicle's GPS has been turned off for most of that time; and

WHEREAS, all taxicab drivers and vehicles must be affiliated with a certificate holder pursuant to the Metropolitan Code of Laws Sections 6.72 020 and 6.72.175; and

WHEREAS, pursuant to Taxicab Rule 38 all taxicab vehicles must be equipped with operational GPS devices which allow for the recording of all appropriate data; and

NOW, THEREFORE BE IT RESOLVED BY THE METROPOLITAN TRANSPORTATION LICENSING COMMISSION:

Section 1. The MTLC hereby advises Mr. Borena that he is required to comply with Metropolitan Code Sections 6.72.020 and 6.72.175.

Section 2. The MTLC hereby advises Mr. Borena that he is required to comply with Taxicab Rule 38.

Section 3. The MTLC, through an approved action during the MTLC December meeting, warns Mr. Borena that his continued operation of his vehicle as a taxicab will be deemed to constitute a violation of the above-referenced Metropolitan Code sections as well as the above-referenced rule of the MTLC Rules and Regulations, and as such would subject him to disciplinary action pursuant to Metropolitan Code Section 6.72.180.

ATTEST:

APPROVED:

Billy Fields
Director/Executive Secretary

Sal Hernandez
Chairman