

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

Minutes

October 27, 2016

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, Vice Chair Tom Turner and Commissioners Curt Wallen, Pat McNally, Freddie Carr (arrived after the third agenda item) and Rhonda Marko (6). Present were Metro Legal Adviser Tara Ladd as well as TLC staff members Lisa Steelman and Billy Fields.

The Chair called the meeting to order at 1:32 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 Wallen with a second from Commissioner McNally moved to approve the previous meeting minutes.

ACTION: Approved 4-0

Executive Secretary Fields advised that TLC rules require the election of a new chair and vice chair during the October meetings of all even years. Commissioner Marko with a second from Commissioner McNally moved to reelect Chair Hernandez.

ACTION: Approved 4-0

Commissioner Marko with a second from Commissioner McNally moved to reelect Vice Chair Turner.

ACTION: Approved 4-0

Low Speed Vehicle and Pedal Vehicle Application Review

A review of Low Speed (LSV) and Pedal Vehicle application followed. The low speed vehicle applications included Joyride (existing) and Cool Running (new). The pedal vehicle applications included American Bad Ass Pedal Bar (new), Country Music Crawler (existing), Event Center Rides (new), Middle Tennessee Bike Taxi (new), Nashville Bar Bike (new), Nashville Pedal Tavern (existing), Nashville Pedicab LLC (existing), Pedal Chariots LLC (new) and 615 Pedal Tours (new).

The Chair reminded the TLC that the Public Hearing for the application was held in August, 2016 and deferred to allow a study of slow moving vehicles to be complete. Bob Murphy of RPM Transportation Consultants was present to share the findings. Metro Police Lieutenants Harold Burke and Ben Rodgers were present to share the view of the police department. After some discussion, Commissioner McNally with a second from Commissioner Marko moved to find the need for additional Certificates of Convenience and Necessity was not proven then moved that all applications for new pedal vehicles and additional pedal vehicles be denied and that pedal vehicles not be allowed to work during the hours 7-9:30 a.m. and 4 to 6:30 p.m. on Monday through Fridays.

ACTION: Approved 5-0

Commissioner McNally with a second from Commissioner Wallen moved to find the need for low speed Certificates of Convenience and Necessity had not been proven then moved that all applications for new low speed companies as well as additional low speed vehicles be denied and that low speed vehicles not be allowed to work during the hours of 7-9:30 a.m. and 4 to 6:30 p.m. on Monday through Fridays.

ACTION: Approved 5-0

Other Passenger Vehicles for Hire

Director Fields said Accurate Services LLC, Apex Transportation LLC, Excelsior Transportation LLC, Six Star, Steps Ahead LLC, TN Music City, Titan Solid LLC dba Solid Executive, Transportation and 007 Transport LLC all applied to operate an OPVH Company. Vice Chair Turner moved with a second from Commissioner Wallen to approve.

ACTION: Approved 5-0

Daniel's Limousine requested to add Zenebe Degefa as a partner. Commissioner Marko moved with a second from Commissioner Wallen to approve.

ACTION: Approved 5-0

Taxicabs

Director Fields presented an application for transfer of Tennessee National, but said action would not be required until the November TLC meeting.

Alieu Joaque applied for a taxicab driver, but failed to fully disclose his background. Commissioner Wallen with a second from Commissioner McNally moved to deny the application.

ACTION: Approved 5-0

Wreckers and Towing Services

Eric Armstrong applied to drive a wrecker, but failed to fully disclose his background. Commissioner Marko with a second from Commissioner McNally moved to approve.

ACTION: Approved 5-0

Angel Herreo applied to drive a wrecker, but failed to fully disclose his background. Director Fields advised the TLC that Mr. Herreo is planning to apply to operate a wrecker service and has been cited by the Metro Codes and Building Safety Department for several codes violations and would have to reappear before the TLC for consideration of the company application if it is filed. After some discussion, Commissioner Marko, with a second from Commissioner Wallen moved to approve.

ACTION: Approved 5-0

William Troupe applied to drive a wrecker, but failed to appear at the September meeting and was deferred until the October meeting, but was still not present. Commissioner Wallen with a second from Vice Chair Turner moved to defer until the November meeting.

ACTION: Approved 5-0

Christopher Parker applied to drive a wrecker, but failed to fully disclose his background. Commissioner Marko with a second from Commissioner McNally moved to approve.

ACTION: Approved 5-0

Horse-Carriage

Carriage Driver Jamie Lee and Darin Danialson appeared to file a complaint against carriage driver Clint LeMoine. Gary Blackburn, representing the complainants as well as Sugar Creek Carriages, presented the complaints. Mr. LeMoine appeared on his own behalf. After some discussion, Vice Chair Turner with a second from Commissioner McNally moved to suspend Mr. LeMoine for 100 days and place him on probation for 180 days for violation of 12.54.200. A.1.

ACTION: Approved 5-0

Public Hearing

The Chair opened a public hearing to discuss changing Taxicab Rule 14 which would allow a seven year old car to enter service as a taxicab. No one asked to speak and the hearing was closed. Commissioner McNally with a second from Commissioner Marko moved to alter taxicab Rule 14 to allow vehicle's seven years old to enter service.

ACTION: Approved 5-0

Other Business

Director Fields asked the TLC to reconfirm its approval of the transfer of both Kwik Cab and Pink Taxi. Commissioner McNally with a second from Vice Chair Turner moved to reconfirm the action.

ACTION: Approved 5-0

