

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

Minutes

July 27, 2017

The Metropolitan Nashville-Davidson County Transportation Licensing Commission (TLC) met in regular session on this date in the Jury Assembly Room of the Historic Courthouse. Present were Chair Sal Hernandez and Commissioners Mona Lisa Warren, Rhonda Marko, Curt Wallen and Pat McNally (5). Present were Metro Legal Advisers Tara Ladd as well as TLC staff members Lisa Steelman and Billy Fields.

The Chair called the meeting to order at 1:33 p.m. then led the Pledge of Allegiance followed by a reading of the Notice of Appeal Statement which outlined the right of appeal of TLC decisions.

Commissioner Wallen with a second from Commissioner McNally moved approval of the previous meeting minutes.

ACTION: Approved 4-0

Complaint Review Against Joyride

Director Fields explained that Bob Mendes filed a complaint against Joyride for operating on streets which violated the operational boundary rules as well as against driver Steffanie Dykes. Mr. Mendes explained his complaint and presented photographs. Joyride Manager Danielle Wannamaker and Ms. Dykes were both asked questions. After some discussion, Commissioner McNally with a second from Commissioner Wallen moved to find there was a violation of the Metropolitan Code of Law in 6.673.300 and 6.73.380. Commissioner Wallen moved to suspend Joyride's Certificate of Public Convenience and necessity for 30 days. After additional discussion, Commissioner Wallen amended his motion to suspend Joyride's Certificate of Public Convenience and necessity as well the Ms. Dykes LSV drivers permit for 10 days and place the company on probation and Ms. Dykes on probation for a period of one year to begin the Monday after the next TLC meeting (August 28, 2017).

ACTION: Approved 4-0

Director Fields explained the suspension period would be August 28 through September 5, 2017.

Complaint Review Against Express Towing and Recovery

Sharmarke Abdi appeared before the TLC to complain that Express Towing and Recovery had violated several sections of Metropolitan Code of Law during the non-consent towing of his vehicle. Express Towing and Recovery, represented by Bryan Lewis, stated that had been no violations. Mr. Lewis asked Allen Mann, Mike Copeland and Irby Trotter several questions regarding the complaint. Abdurab Numan, who had requested the non-consent tow, also explained his actions and answered questions. Director Fields explained that there had been other issues including problems with accepting credit card payments due to faulty equipment, failure to register and properly mark equipment and other record keeping issues. Mr. Mann advised the TLC that his company had been using the abbreviated identification of the company name as ETR on the vehicle's and asked permission to continue this practice. After some discussion, Commissioner McNally with a second from Commissioner Wallen moved to dismiss the complaint, but to place Express Towing and Recovery on a six month probation period related to issues described by Director Fields and to require the company to have documentation of continuing availability of credit card payments.

ACTION: Approved 4-0

Public Hearing to Consider Wrecker-Towing Service Price Changes

Jim Mitchell, chairman of the Davidson County Emergency Wrecker Association, appeared to request modifications to Metropolitan Code of Law 6.80 Wrecker and Towing services as well as price moderation. He explained that there had been no increases since 2012 and expenses had continued to increase. Director Fields agreed that no increases had been recommended to the Metropolitan Council since 2012 and that there were some "housekeeping" issues which could be addressed at the same time including making certain the Metropolitan Code of Law language was consistent with state laws. After some discussion, Commissioner McNally with a second from Commissioner Wallen moved to recommend the changes and price increases to the Metropolitan Council.

ACTION: Approved 4-0

Taxicabs

Checker Cab requested a change of address to 4901 Linbar Drive, Nashville 37211 and the addition of Yonathon Mulugeta as General Manager. Commissioner Wallen with a second from Commissioner McNally moved to approve.

ACTION: Approved 4-0

Other Passenger Vehicles for Hire

Elite Music City Fleet and Black Ice Livery applied to operate as an OPVH company. Commissioner McNally with a second from commissioner Wallen moved to approve the applications.

ACTION: Approved 4-0

The Limo Company of Nashville requested that Emmanuel Victo-Hugo Miranda be added as a partner. Commissioner McNally with a second from Commissioner Warren moved to approve the applications.

ACTION: Approved 4-0

Derrick Rydale Clendening applied to be a driver but failed to fully disclose. Commissioner Marko with a second from Commissioner McNally moved to approve.

ACTION: Approved 4-0

Kenneth Maurice Floney Sr. applied to be a driver but failed to fully disclose. Commissioner Marko with a second from Commissioner McNally moved to approve.

ACTION: Approved 4-0

Quenton Randall Mullins applied to be a driver and was referred to the TLC for a hearing. Commissioner Warren with a second from Commissioner Marko moved to approve.

ACTION: Approved 4-0

Charles Geer Stockard IV applied to be a driver but failed to fully disclose. Commissioner McNally with a second from Commissioner Marko moved to approve.

ACTION: Approved 4-0

Wrecker and Towing Services

Justin Alan Hart, whose permit was suspended at the previous TCL meeting, appeared to explain the circumstances of the complaint filed against him at the July meeting. After some discussion, Commissioner McNally with a second from Commissioner Wallen asked the director to review the video evidence and if there were no apparent violations reissue the driver permit.

ACTION: Approved 4-0

Danny Matthew Hines applied to be a driver, but was referred by the director for a hearing. Commissioner McNally with a second from Commissioner Warren moved to approve the application.

ACTION: Approved 4-0

John Oscar Roberts Jr., whose application was deferred from the June TLC meeting, failed to appear. Commissioner Wallen with a second from Commissioner McNally moved to disapprove.

ACTION: Disapproved 4-0

Calvin Eugene Russell Jr. applied to be a driver, but was referred by the director for a hearing. Commissioner McNally Jr. with a second from Commissioner Marko moved to approve the application.

ACTION: Approved 4-0

David Ray Simpson applied to be a driver, but was referred by the director for a hearing. Commissioner McNally with a second from Commissioner Marko moved to approve the application.

ACTION: Approved 4-0

Michael Lynn Vernon applied to be a driver, but the application was withdrawn.

Other Business

Director Fields announced that Nashville Pedicab LLC has requested seven additional bike permits, Music City Party Bike has requested a Certificate of Public Convenience and Necessity to operate 1 bike and Pedal Chariots LLC has requested a certificate of Convenience and necessity to operate 5 bikes.

Director Fields explained that inquiries had been made regarding the deadline for applications for additional or new pedal vehicle companies. After a conversation with the Chair, the Director instructed those who made inquiries to appear to share their concerns with the TLC. Grover Collins and Robert Pizzatola appeared to discuss why neither had been able to meet the deadline for applications on July 7. After additional discussion, Commissioner McNally with a second from Commission Wallen moved to reopen the application process for pedal vehicles until Noon on August 4 and hold the annual meeting to review all applications as scheduled on August 24, 2017.

ACTION: Approved 4-0

With no further business, the meeting was adjourned at 4:47 p.m.

ATTEST:

APPROVED:

Billy Fields
Director/Executive Secretary

Sal Hernandez
Chair

Date