

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

Minutes

October 26, 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, Vice Chair Tom Turner, Commissioners Rhonda Marko, Curt Wallen and Pat McNally (5). Present were Metro Legal Advisers Theresa Costonis and Tara Ladd as well as TLC staff members Lisa Steelman and Billy Fields.

The Chair called the meeting to order at 1:35 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

Director Fields explained that a staff generated complaint filed against Hat Creek Carriages should be withdrawn due to personal illness of the owner, Sam Roberts. In addition, Director Fields explained that a sale has been made by Hat Creek to Southern Comfort Carriages owned by Paul Morrison. Director Field's explained that the Metropolitan Code of Law (MCL) section 12.54 provides that a carriage company sale makes the Certificate of Public Convenience and Necessity invalid and is automatically voided. Mr. Morrison expressed a desire to make application for the company and its permits, however, the Chair stated the next hearing when this can be discussed will be in November, 2018 since no one filed to be heard at the 2017 annual meeting for Horse-Drawn Carriages Certificates or additional carriage permits.

Patricia Mixon appeared to explain a complaint she filed against Sprocket Rocket Tours (LSVs) for operating outside the LSV zone. Sprocket Rocket Manager Valeria Eredia and Attorney Shawn Henry responded to the complaint. After some discussion, Commissioner McNally with a second from Commissioner Wallen moved to find Schocket Rocket Tours in violation of MCL 6.73.380.

ACTION: Approved 4-0

Commissioner McNally with a second from Commissioner Wallen moved to place Sprocket Rocket Tours on a 90 day probationary period, but could be reconsidered at the November meeting if additional internal corrective actions and information is presented.

ACTION: Approved 4-0

Additional complaints were shifted to later in the agenda.

Wrecker and Towing Services

Matthew E. Barnes applied to be a wrecker driver but failed to fully disclose his background. Commissioner McNally with a second from commissioner Marko moved to approve.

ACTION: Approved 4-0

Kuwade Huey Robinson applied to be a wrecker driver (September), but was not present, issue deferred until October, but was not present. Commissioner Wallen with a second from Commissioner McNally moved to deny.

ACTION: Application Denied 4-0

Jonathon A. Wiggins applied to be a wrecker driver. After discussion, the application was moved to the November meeting for additional review.

Jesse Pecora appeared to request his company assignment restriction be removed. After some discussion, Commissioner McNally with a second from Vice Chair Turner moved to allow the applicant to work for Southside Towing, but could not participate in non-consent towing.

ACTION: Approved 4-0

Other Passenger Vehicles for Hire (OPVH)

The following companies applied to operate as an OPVH company:

CLH Investments dba 615 VIP Rides

Nash 509 Limo Services

Commissioner McNally with a second from Commissioner Marko moved to approve the applications.

ACTION: Approved 4-0

Music City Limo requested a name change to Zack Limos. Vice Chair Turner with a second from Commissioner Marko moved to approve.

ACTION: Approved 4-0

Horse Drawn Carriages

American Melody Carriages requested that the operating restrictions be lifted. After discussion, Commissioner Marko with a second from Commissioner McNally moved to lift the previous imposed operating restrictions.

ACTION: Approved 4-0

Other Business

Director Fields advised the TLC that a change has been proposed in ownership for Checker Cab and the request had to be presented at one meeting then considered later.

Director Fields presented a name change for Kwik Cab LLC. to Kwik Cab Red LLC. Commissioner Wallen with a second from Commissioner McNally moved to accept.

ACTION: Approved 4-0

Director Fields presented the proposed 2018 TLC meeting schedule which included filing deadlines for annual public hearings/meetings. Commissioners Wallen with a second from Commissioner McNally moved to approved.

ACTION: Approved 4-0

Additional Complaint Reviews

Russell Bassett appeared to request the TLC review several complaint's he filed against Sugar Creek Carriages and its owner, Johnny Smith. Gary Blackburn, attorney representing Sugar Creek Carriages, asked to speak to remind the TLC that none of the witnesses would be giving testimony under oath which was acknowledged. Mr. Bassett spoke and presented several videos to illustrate his complaints. Mr. Blackburn, attorney for Sugar Creek, asked Mr. Bassett questions.

Vice Chair Turner made a motion regarding the violation, but withdrew the motion as well as a motion to suspend the Certificate of Public Convenience and Necessity for Sugar Creek Carriages for 180 days. In both cases, the motions were approved. However, Vice Chair Turner asked to withdraw both motions in order to restate them which was agreed upon by the TLC.

Mr. Blackburn asked that the videos be a made a part of the record.

Vice Chair Turner with a second from Commissioner Marko moved to find Sugar Creek Carriages in violations of MCL section 12.54.070, A. 2 and A. 9.

ACTION: Approved 4-0

Vice Chairman Turner with a second from Commissioner McNally moved to suspend the Certificate of Public Convenience and Necessity for Sugar Creek Carriages for 180 days for violations of MCL 12.54.

ACTION: Approved 4-0

Sprocket Rocket, represented by Manager Valeria Eredia and Attorney Shawn Henry, were present to explain a complaint filed against Joyride for overloading an LSV. Chris Sizemore, representing Joyride, responded. Commissioner McNally moved with a second from Vice Chair Turner that Joyride was found to be in violation of 6.73.380.

ACTION: Approved 4-0

Chris Sizemore was present to explain the complaint filed against Sprocket Rocket for operating outside the operational areas. Sprocket Rocket, Sprocket Rocket Manager Valeria Eredia and Attorney Shawn Henry responded to the complaint. After some discussion, Commissioner McNally moved with a second from Vice Chair Turner that Joyride was found to be in violation of 6.73.380.

ACTION: Approved 4-0

Commissioner McNally with a second from Vice Chair Turner moved no further sanction be imposed against Sprocket Rocket

ACTION: Approved 4-0

Commissioner McNally moved with a second from Commissioner Marko from that Joyride be placed on 30 days probation and that verification be provided at the next meeting regarding GPS equipment.

ACTION: Approved 4-0

With no further business, the meeting was adjourned at 4:49 p.m.

ATTEST:

APPROVED:

Billy Fields
Director/Executive Secretary

Sal Hernandez
TLC Chair

Date

2018 TLC Meetings

January 25

Meeting & Annual Taxicab Hearing

Deadline for filing applications is Friday, Dec. 8, 2017 at Noon

February 22

March 22

April 26

May 24

June 28

Meeting & Annual Emergency Wrecker Zone Hearing

Deadline for filing applications is Friday, May 4, 2018 at Noon

July 26

August 23

Meeting & Annual LSV & Pedal Vehicle Hearing

Deadline for filing applications is Friday, July 6, 2018 at Noon

September 27

October 25

November 15

Meeting & Annual Horse Drawn-Carriage Hearing

Deadline for filing applications is Friday, Sept. 28, 2018 at Noon

December 13

Approved 10-26-17