

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

Minutes

March 22, 2018

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 Chairman Tom Turner, Commissioners Pat McNally, Mona Lisa Warren, Sarah Lingo and Jessica Powell. (6) Present was Metro Legal Advisers Tara Ladd and Theresa Costonis as well as TLC staff members Lisa Steelman, Howard Morris 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 of TLC decisions.

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

ACTION: Approved 5-0

Wrecker and Towing Services

Marc T. Carn applied to be a wrecker driver, but failed to appear in February or in this meeting. Commissioner McNally with a second from Vice Chair Turner moved to disapprove the application.

ACTION: Disapproved 5-0

Taxicabs

Checker Cab appeared to ask that American Music City Taxi be allowed to provide Checker Cab with dispatch services. Commissioner McNally with a second from Vice Chair Turner moved to approve the request.

ACTION: Approved 5-0

Director Fields announced that a public hearing would be scheduled for April to review a requested transfer of Certificate of Public Convenience and Necessity from Nashville Taxi Ride LLC dba Checker Cab to American Music City Taxi Co. Inc.

Other Passenger Vehicles for Hire

The following companies applied to operate as OPVH businesses:

- Allure Transportation LLC
- Black on Black Transportation LLC
- Green Rides LLC
- MacDrive
- McDougold Transportation LLC dba Nashville Black Car
- Mint Julip Experiences
- Tennessee Medicare Transportation and Blue Shield Ambulances

Commissioner McNally with a second from Vice Chair Turner moved to approve the request.

ACTION: Approved 5-0

808 Transportation requested changes on its certificate to be an LLC, change address change and remove Toby Wright as a partner. Commissioner McNally with a second from Vice Chair Turner moved to approve the request.

ACTION: Approved 5-0

Paris Limousine requested an address change on its certificate to 135 Antler Ridge Circle, 37216. Commissioner McNally with a second from Vice Chair Turner moved to approve the request.

ACTION: Approved 5-0

Zack Limo requested an address change on its certificate to 6932 Highway 70S #302, 37221. Commissioner McNally with a second from Vice Chair Turner moved to approve the request.

ACTION: Approved 5-0

Complaint Reviews

Kaleh Mallard filed a complaint against Nashville Booting, but was not present. After reviewing the complaint, Commissioner McNally with a second from Vice Chair Turner moved to dismiss the complaint.

ACTION: Approved 5-0

Kama Warren-Zuniga, represented by Bryant Kroll, filed complaints against Southern Comfort Carriages. After the complaint was described, Paul Morrison, and his representative Ed Hiland offered explanations and rebuttal. Commissioner McNally with a second from Commissioner Powell moved to find there was a violation if 12.54.060 for failing to have appropriate rear lights, but there would be no sanction due to the problem being corrected.

ACTION: Approved 5-0

Commissioner McNally with a second from Commissioner Powell moved to dismiss the complaint regarding a carriage blocking a lane of traffic.

ACTION: Approved 5-0

Commissioner McNally with a second from Vice Chair Turner moved to dismiss the passenger standing in the carriage while it is moving as well as a complaint for an improper horse diaper being used.

ACTION: Approved 5-0

Jennifer Mulgrew filed a complaint against Southern Comfort Carriage alleging a violation for allowing the horse to move at faster than trot pace. Director Fields advised the TLC that Ms. Mulgrew, due to an emergency at her office, would not be present today. Commissioner McNally with a second from Vice Chair Turner moved to dismiss the complaint.

ACTION: Approved 5-0

Tina Doherty filed a complaint against Southern Comfort Carriages for a violation of allowing the horse to move at a pace faster than a trot. Ms. Doherty offered a video of the incident. After some discussion, Vice Chair Turner with a second from Commissioner McNally moved to continue this complaint hearing until April and requested Director Fields to gather additional information from the University of Tennessee regarding the speed at which a horse moves and require the driver, Jessie Monville to appear.

ACTION: Approved 5-0

Music City Touring, owner Kenneth Ross represented by Kenneth Redditt, appeared to respond to a violation of 6.73.060 section F for failing to have insurance. Director Fields stated that the TLC office was advised in January that the liability insurance was canceled. After a brief hearing, Commissioner McNally with a second from Vice Chair Turner moved to find Music City Touring had violated 6.73.060 by failing to have insurance.

Action: Approved 5-0

Commissioner McNally with a second from Commissioner Powell moved to levy a fine on Music City Touring of \$25 per day (97 days at \$2425) since the insurance was canceled, must be paid within 30 days and the company would be placed on probation for 180 days.

ACTION: Approved 5-0

Nashville Pedal Tavern appeared to respond to complaints by Sherrie Berg and Darlene Boston, but neither was present. The matter was deferred to April meeting.

Public Hearings

The Chair called for a public hearing to review request by Roadmaster (dba as Cotton's and Tow Pro) to transfer and operate Emergency Wrecker Zone currently operated by AB Collier. James Weaver spoke representing Roadmaster along with David Williams. David Dunn, AB Collier owner spoke as well. Jim Mitchell, owner of West Nashville/Dad's Wrecker also presented an application to operate the current zone. In addition, Christopher Graham, Kenneth Carruthers and Emerson Boguskie spoke on the topic. After some questions and answers as well as discussion, Commissioner McNally with a second from Vice Chair Turner moved to transfer operation of this zone to Roadmaster.

ACTION: Approved 5-0

Due to time restraints, Director Fields asked the Commission to consider deferring a public hearing until April for the purpose of reviewing the KCI Technologies Slow Moving Vehicle Traffic Study's conclusions and proposed recommendations concerning the operation of pedal vehicles (pedicabs and pedal carriages) and Low Speed Vehicles (LSVs), along with consideration of whether to recommend amendments to commission rules and/or to recommend Metropolitan Code of Law changes to the Metropolitan Council to reflect the study's findings.

Commissioner McNally with a second from Vice Chair Turner moved to defer the public hearing on the KCI Technology study until the April meeting and move a review of the KCI Technology horse-carriage recommendation until the May meeting.

ACTION: Approved 5-0

With no further business, the meeting was adjourned at 4:40 p.m.

ATTEST:

APPROVED:

Billy Fields
Director/Executive Secretary

Sal Hernandez
Chair

Date