

TRANSPORTATION LICENSING COMMISSION

Minutes

June 28, 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, Commissioners Pat McNally, Mona Lisa Warren and Sarah Lingo. (4) Present was Metro Legal Advisers Tara Ladd and TLC staff member 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 Warren with a second from Commissioner Lingo moved approval of the previous meeting minutes.

ACTION: Approved 3-0

Public Hearings

Director Fields explained the Metropolitan Code of Law requirement to hold a Transportation Licensing Commission (TLC) meeting annually to consider any requests for changes to the Emergency Wrecker Zone assignments. He advised the Chair that there were no requests for changes including no new company applications, but the public hearing should be held in order to meet the legal requirement. The Chair opened the public hearing. Jim Mitchell, operator of West Nashville and Dad's towing appeared to thank the TLC for its work. He also requested that recent changes in the ownership of other emergency towing services have created a need to review back-up assignments. The public hearing was then closed. The TLC asked Director Fields to review the back-up assignments and return with recommendations for consideration.

Commissioner Lingo with a second from Commissioner Warren moved to make no changes to the current emergency zone assignments.

ACTION: Approved 3-0

The Chair opened a public hearing to consider a request from TLC staff to modify TLC Administrative Rule 4 which states:

TLC Administrative Rule 4: COMPLAINTS

Complaints (by the public or regulated individuals or companies) regarding taxicabs, wreckers or other functions of the Transportation Licensing Commission must be filed in writing by the complainant. Anyone wishing to file a complaint may do so by letter, fax or e-mail. Upon request, a complaint form will be mailed. Complaints must be returned to the Commission office at least 14 days prior to a Commission meeting in order to be considered for the agenda. The Commission reserves the right to hear a complaint which does not meet the 14-day time period.

Director Fields asked that all complaints be filed within 30 days from the incident. No one requested to speak and the hearing was closed.

After some discussion, Commissioner McNally with a second from Commissioner Warren moved to limit complaint filing to within 30 days of the incident, but the TLC would reserve the right to hear complaints outside of the parameters.

ACTION: Approved 3-0

Wreckers and Towing Services

Stephen I. Holder applied to be a wrecker driver, but was referred to the TLC for review. After some discussion, it was determined that Mr. Holder was not eligible. Commissioner McNally with a second from Commissioner Warren moved to decline a review of the application

ACTION: Approved 3-0

David T. Reed applied to be a wrecker driver, but was not present. Commissioner McNally with a second from Commissioner Lingo moved to defer consideration until July.

ACTION: Approved 3-0

Low Speed Vehicles

Bethany A. Shelton applied to be a Low Speed Vehicle Driver, but was not present. Commissioner McNally with a second from Commissioner Lingo moved to defer consideration until July.

ACTION: Approved 3-0

Other Passenger Vehicles For Hire

Robert English applied to be an OPVH driver, but was not present. Commissioner McNally with a second from Commissioner Warren moved to defer the application.

ACTION: Approved 3-0

Mesfun Limo requested that Abraham Yimer be added as a partner. Commissioner Warren with a second from Commissioner Lingo moved to approve.

ACTION: Approved 3-0

The following Companies applied to operate as an OPVH company:

- Alex Limo
- Broadway and Backroads LLC
- The Leo Rides
- Royal Limo LLC
- Zain's Limo Service

Commissioner McNally with a second from Commissioner Lingo moved to approve each applicant.

ACTION: Approved 3-0

Disciplinary Issues

James Bradford filed a complaint against taxi Driver Tariku Yirga, however, was not available for the hearing. Commissioner McNally with a second from Commissioner Warren moved to take no action.

ACTION: Approved 4-0

Emmit Martin filed a complaint against Joyride LSVs and driver Jonathon Lister for overloading a violation of the Metropolitan Code of Law (MCL) 6.73.200.3. Chris Sizemore was present representing Joyride, but Mr. Lister was not present. After some discussion, Commissioner McNally with a second from Commissioner Warren moved to find there was a violation of 6.73.200.3.

ACTION: Approved 4-0

Commissioner McNally with a second from Commissioner Warren moved to ban Mr. Lister from driving a LSV for a period of one year.

ACTION: Approved 3-0

Morgan Polikoff filed a complaint against taxicab driver Mourad Taki for a meter violation. Director Fields requested that this hearing be rescheduled for September. Commissioner McNally with a second from Commissioner Warren moved to hold this complaint in abeyance and be placed on the September agenda.

ACTION: Approved 3-0

Joel Bundy filed a complaint against Nashville Booting for failing to meet booting requirements. Mr. Bundy was not present. Commissioner McNally with a second from Commissioner Lingo moved to dismiss the complaint, but allow it to be refiled.

ACTION: Approved 3-0

Judah Elite Travel and Transport appeared to answer a complaint regarding allowing a non-permitted driver to operate an OPVH vehicle. After some discussion, Commissioner Warren with a second from Commissioner McNally moved to find that there had been a violation of 6.74.100.

ACTION: Approved 3-0

Commissioner Warren with a second from Commissioner McNally moved to place Judah Elite Travel and Transport on probation for six months.

ACTION: Approved 3-0

Lori Lancaster filed a complaint against American Melody Carriages from a violation of 12.54.240 B-1 regarding proper shoeing for carriage horses. After some discussion, Commissioner McNally with a second from Commissioner Lingo moved to take no action.

ACTION: Approved 3-0

Tina Doherty and Kama Warren-Zuniga filed complaints Cumberland Carriage for violation of 12.54.200.14 regarding a horse moving above a trot. Sara Beth Willaims stated that she had allowed the horse to canter. Commissioner McNally with a second from Commissioner Warren moved to find there was a violation of 12.54.200.14, but suspend any action on a penalty for a period of six months.

ACTION: Approved 3-0

Zenedia Ramirez, Kama Warren-Zuniga, Daniel Balazi and Glennis Wheat filed complaints against Southern Comfort Carriages for employee misconduct. After some discussion Commissioner McNally with a second from Commission Lingo moved to dismiss the complaints filed by Mr. Balazi and Mr. Wheat.

ACTION: Approved 3-0

Following additional discussion, Commissioner Lingo with a second from Commissioner McNally moved to discuss the complaints filed by Ms. Ramirez and Ms. Warren-Zuniga.

ACTION: Approved 3-0

Russell Bassett filed a complaint against Sugar Creek Carriages for violations of 12.54.200 for violating probation. After some discussion, Commissioner McNally with a second from Commissioner Warren moved to dismiss the complaint.

ACTION: Approved 3-0

Other Business

Music City Tour (LSVs) and owner Ken Ross appeared to explain why a fine imposed by the TLC was not paid prior to the deadline. After some discussion, Commissioner Warren with a second from Commissioner Lingo moved to find a violation of the TLC order and issue a fine against Music City Touring for an additional \$350 (seven work days at \$50 per day) and the fine be paid by July 2, 2018.

ACTION: Approved 3-0

With no further business, the meeting was adjourned at 4:12 p.m.

ATTEST:

APPROVED:

Billy Fields
Director/Executive Secretary

Sal Hernandez
Chair

Date