

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

**Minutes
May 23, 2019**

The Metropolitan Nashville-Davidson County Transportation Licensing Commission (TLC) met on this date in the Jury Assembly Room of the Historic Courthouse. Present were Chairman Sal Hernandez, Vice Chair Pat McNally and Commissioners Mona Lisa Warren, Jessica Powell and Carey Rogers (5). Present were Metro Legal Advisers Tara Ladd and Theresa Costonis along with TLC staff members Lisa Steelman and Billy Fields.

Chairman Hernandez called the meeting to order at 1:39 p.m., and 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.

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

ACTION: Approved 4-0

Public Hearings

Chairman Hernandez announced that public hearings had been scheduled for the purpose of consideration of requests for expansion of Shared Urban Mobility Device (SUMD) fleets from Jump, Lyft and Bird, however, each company requested the issue be deferred. Chairman Hernandez asked to use this time to discuss what recommendations the MTLC might offer to the Metropolitan Council which would be a part of a study required under 12.62 of the Metropolitan Code of Law:

12.62.100 - Study by metropolitan government.

- A. The MTLC shall conduct a study no later than July 1, 2019 to:
1. Determine if revenue generated by fees covers the cost of permitting, administration, compliance and enforcement;
 2. Determine the impact of SUMDs; and
 3. Recommend changes to this ordinance or other metropolitan government ordinances, policies or practices.

Chairman Hernandez suggested the following rule changes to be considered by the MTLC in June, which the Metropolitan Council granted discretion to MTLC to promulgate under current Ordinance:

1. Increase utilization threshold before considering additional fleet expansion
2. Restrict hours of operations

Chairman Hernandez also suggested the following recommendations for amendments to the Ordinance be included in the Metro Council report:

1. Create mandatory parking "Corrals" to eliminate all sidewalk parking
2. Implement a fee increase to provide specific resources for (a) greater levels of police enforcement and (b) other expenses generated from regulating SUMDs.
3. Reduce the number of scooters and how that may be implemented.
4. Establish a process to issue Certificates of Public Convenience and Necessity, similar to that for other transportation vehicles regulated by MTLC (taxis, low speed vehicles, pedal vehicles)
5. Require mandatory use of helmets
6. Removing the two hour allowance for company operators to correct illegally parked scooters before SUMD Company may be assessed a fine.

Chairman Hernandez requested that these issues as well as others be considered at a public hearing to be held in June to develop recommendations for MCL 12.62 for the Metropolitan Council.

Complaints/Disciplinary Issues

Melody Robinson, operator American Melody Carriages, was present to present her complaint against Kama Zuniga for violation of section 12.54.020 of the Metropolitan Code of Laws (MCL) . Gary Blackburn was present representing Ms. Zuniga who was also present. The Chair administered the oath to Ms. Robinson, Ms. Zuniga, Johnny Smith and Brenda Smith. At the conclusion of the presentation and the response, Vice Chair McNally with a second from Commissioner Powell moved to dismiss the complaint.

ACTION: Approved 4-0

David Witt filed a complaint against Express Towing for violations of MCL 6.81 regarding method of payment, unpermitted driver and display of wrecker company license. Mr. Witt was not present. Allen Mann, owner of Express Towing was present. After some discussion, Vice Chair McNally with a second from Commissioner Powell moved to dismiss the complaint.

ACTION: Approved 4-0

Fadi Bousmara filed a complaint against Abraham Derbo, a taxicab driver, alleging a violation of MCL 6.72.265, but was not present. Mr. Derbo was present. After some discussion, Vice Chair McNally with a second from Commissioner Powell moved to dismiss the complaint.

ACTION: Approved 4-0

Low Speed Vehicles

Timothy W. Fisher applied to be a Low Speed Vehicle (LSV) driver, but was not present. Commissioner Powell with a second from Vice Chair McNally moved to defer action.

ACTION: Approved 4-0

Daniel M. Medley applied to be a LSV driver. Vice Chair McNally with a second from Commissioner Warren moved to approve.

ACTION: Approved 4-0

Wrecker and Towing Services

Jose M. Marmol applied to be a wrecker driver as well as operate as a wrecker company. Commissioner Powell with a second from Vice Chair McNally moved to approve.

ACTION: Approved 4-0

Mitchell's West Nashville Wrecker Service requested permission to relocate its storage lot to 6400 Louisiana Avenue. Vice Chair McNally with a second from Commissioner Warren moved to approve the request.

ACTION: Approved 4-0

Pedal Vehicles

Parris A. McKinney Jr. applied to be a pedal vehicle driver. Vice Chair McNally with a second from Commissioner Warren moved to approve the request.

ACTION: Approved 4-0

Other Passenger Vehicles for Hire

Arthur G. Davis applied to be an OPVH driver. After some discussion, Vice Chair McNally with a second from Commissioner Rogers moved to deny the application.

ACTION: Approved 4-0

Harris B. Tucker Jr. applied to be an OPVH driver. After some discussion, Vice Chair McNally with a second from Commissioner Powell moved to approve the application.

ACTION: Approved 4-0

William Smallwood applied to be an OPVH driver. After some discussion, Commissioner Powell with a second from Vice Chair McNally moved to approve the application.

ACTION: Approved 4-0

Kevin W. Yates applied to be an OPVH driver. Vice Chair McNally with a second from Commissioner Warren moved to approve the request.

ACTION: Approved 4-0

Vice Chair McNally with a second from Commissioner Warren moved to approve the following Other Passenger Vehicles for Hire Company Applications for:

- Commodore Transportation
- BM Limo Service
- 3 Guys in Bowties
- Limo Limo
- Nashville Limo Trans
- Newroz Limo Service
- TG Limousine
- Zero TN LLC

Action: Approved 4-0

Alex Limo requested to add Fitsum Dumessa as a partner. Vice Chair McNally with a second from Commissioner Warren moved to approve the following Other Passenger Vehicles for Hire Company Applications for:

Action: Approved 4-0

Director Fields reported to TLC that Mayor Briley has issued a letter to the Shared Urban Mobility Device (SUMDs) company operators which outlined his concerns for public safety.

With no further business, the meeting was adjourned at 3:56 p.m.

ATTEST:

Billy Fields
Director/Executive Secretary

APPROVED:

Sal Hernandez
Chair

Date