

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

**Minutes
May 27, 2021**

The Metropolitan Nashville-Davidson County Transportation Licensing Commission (TLC) met for a regular meeting on this date in the Jury Assembly Room of the Historic Courthouse. Present were Chair Sal Hernandez, Vice Chair Pat McNally and Commissioners Carey Rogers and Freddie Carr (4). Present were Metro Legal Advisers Theresa Costonis along with TLC staff members Lisa Steelman and Billy Fields.

The Vice Chair called the meeting to order at 1:40 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.

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

ACTION: Approved 3-0

Public Hearing

The Chair announced a public hearing for Shared Urban Mobility Devices (SUMDs). Legal adviser Teresa Costonis explained the reasons for the public hearings related SUMDS as well as explained the proposals. After some discussion, the Chair opened the Public Hearing.

The following individuals were present to speak:

Kevin Warner
Sam Reed
Frank Speek
Amy Crownover

The Chair closed the public hearing.

After some discussion, Vice Chair McNally with a second from Commissioner Rogers moved to award Certificates of Public Convenient and Necessity to Bird, Lime and Spin to operate Shared Urban Mobility Device companies.

ACTION Approved 3-0

After some discussion, Commissioner Rogers with a second from Vice Chair McNally moved to adopt the following rule amendment:

“Section 080 – Number of Shared Urban Mobility Devices allowed

- A. Permitted operators’ fleets shall be limited in number with separate limitations for each type or category of SUMD, such as bicycles, powered bicycles, and powered scooters. The MTLC may establish other categories of SUMDs.
- B. Each operator shall be allowed to have an initial fleet of 500 scooters each. In addition to the 500 scooters, within three months of the date of the issuance of their certificate of public necessity and convenience, each operator shall offer to the public a number of powered or nonpowered bicycles equivalent in number to the ratios of bikes to scooters that they proposed to have in their response to the RFP, but with respect to Bird and Spin they may increase their number of bikes and e-bikes to match the ratio proposed by Lime. Any powered bikes that the operators add to their fleet per this provision must meet the definition of Class 1 electric bicycles as defined in Tennessee Code Annotated 55-8-301. Any other types of powered bicycles would be subject to the further fleet expansion criteria in Subsection C. of this section, below. Bird and spin can go up to the 125 that Lime has.
- C. [Reserved - reasonable and objective criteria for further permitted fleet expansion based on performance-based criteria per Ordinance No. BL2019-109 to be adopted at a future meeting.]”

ACTION Approved 3-0

After some discussion, Vice Chair McNally with a second from Commissioner Carr moved to adopt the following rule amendment for 050.M.3:

“Section 050 – Operations of Shared Urban Mobility Device Systems

No ride zone – any Metropolitan greenways, to the extent applicable rules and regulations of the Board of Parks and Recreation would prohibit them; ... ”

ACTION Approved 2-0-1

After some discussion, Vice Chair McNally with a second from Commissioner Carr moved to adopt the following rule amendment for 060.A:

“Section 060 – Data Sharing

A. Permitted operators shall provide the Metropolitan Information Technology Services Department ("Metro ITS") with anonymized and aggregated location data sharing and open data information regarding SUMD locations, ridership, aggregated (5 trip minimum) SUMD traffic patterns, and shall provide to Metro’s third-party vendor other data as required by Metro ITS, in a format acceptable to Metro ITS and Metro ITS’ third-party vendor. Metro’s third party vendor will contract with Metro for the specific purpose of aggregating and anonymizing the data provided to it by the operators, for Metro’s benefit. Such data provided to Metro’s third party vendor that constitutes “raw” data, that is not anonymized and aggregated, will not be hosted on Metro servers.”

ACTION Approved 3-0

After some discussion, Commissioner McNally with a second form Commissioner Carr moved to adopt corrections and clarifications in sections 010, 020, 025, 030, and 080 as presented.

ACTION Approved 3-0

The chair announced a Public Hearing for the purposes of consideration of a booting services application for Parking Authority.

The Chair opened the hearing but there are no comments, so the Public Hearing was closed.

After some discussion, Vice Chair McNally with a second from Commissioner Rogers moved to approve the application.

ACTION Approved 3-0

The Chair recognized Jayce Sanders of Magic Trolley Bus Co. to allow him to comment and request clarification on TLC authority over vehicles transportation more than 15 passengers (including the driver) and/or vehicles weighing 10,000 pounds or more. Director Fields confirmed that TLC does not regulate these vehicles due to a prohibition under state law.

Wrecker and Towing Services

Mario B. Brannon applied to be a wrecker driver and was referred to the TLC for hearing by Director Fields. Mr. Brannon as well as a representative from West Nashville Wrecker service was present. After some discussion, Vice Chair McNally with a second from Commissioner Carr moved to approve.

ACTION Approved 3-0

Horse Drawn Carriages

Holly J. Buckley applied to be a horse drawn carriage driver but failed to fully disclose her background. Vice Chair McNally with a second from Commissioner Rogers moved to approve the application.

ACTION Approved 3-0

Other Passenger Vehicles for Hire

The following companies applied to operate an OPVH company:

- Kairos Limo
- Victory Ground LLC
- We Love Nashville LLC
- Wissam Alsadi dba Sam Moss Rideshare

Vice Chair McNally with a second from Commissioner Rogers moved to approve the applications.

ACTION Approved 3-0

Smeed Limo applied to change its name to Smeed Limo LLC but was not present. This request was deferred from the April meeting. After some discussion, Vice Chair McNally with a second from Commissioner Rogers moved to deny the applications.

ACTION Approved 3-0

Touch of Class Limousine applied to change its name to Touch of Class dba Music City Luxury Transportation. After some discussion, Vice Chair McNally with a second from Commissioner Carr moved to approve the application contingent on the company modifying the application to include “active assumed name” of Music City Luxury Transportation.

ACTION Approved 3-0

With no further business, the meeting was adjourned.

ATTEST:

APPROVED:

Billy Fields
Director/Executive Secretary

Sal Hernandez
Chair

Date