

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

**Minutes**

**August 15, 2024**

The Metropolitan Nashville-Davidson County Transportation Licensing Commission (TLC) met for its regular meeting on this date in the Jury Assembly Room of the Justice A.A. Birch Building. Present were Chair Pat McNally, Vice Chair Carol Westlake, Commissioners Carey Rogers, Erica Penley, Annie Klaver, and Michael Hayes (6). Also present were NDOT staff members Lisa Steelman, Richard Rooker, Amanda Mullins, and T.D. Schlafer. Also present were Metro Legal advisors Erica Haber and Phylinda Ramsey.

Chair McNally called the meeting to order, 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.

The Chair opened the floor for public comment from those gathered. Akrem Hasan, Shelly Williams, Jeanette Barker, Leesa LeClaire, and Micheal Martin spoke. There were no further requests to speak.

Commissioner Hayes with a second from Commissioner Rogers moved approval of the minutes from the previous meeting.

ACTION:           Approved           5-0

Chair McNally recognized Phylinda Ramsey of Metro Legal, who introduced herself to the Commission.

**Disciplinary Hearings**

A hearing was called to address an industry complaint from Grant Rosenblatt of Honky Tonk Party Express against Old Town Trolley, alleging operations between 4-6 PM, Monday through Friday, in violation of Metro Code Chapter 6.77.090 and TLC Rules and Procedures Section 805 F. Metro Legal advised they were recommending deferral of the hearing, as they needed time to review a late-proposed settlement by Old Town Trolley. The issue had been deferred without resolution since April 2024.

Vice Chair Westlake noted the issue was ongoing for many months. Chair McNally noted that Grant Rosenblatt should be apprised of settlement discussions and that the TLC should approve any proposed settlement.

After some additional discussion, Commissioner Rogers with a second from Commissioner Hayes moved to defer the hearing to allow time for Metro Legal to review the proposed settlement agreement.

ACTION:           Deferred           5-0

A hearing was called to review a complaint by Michael Winters alleging violations set forth in Metropolitan Code Chapter 2.100. The issue had been deferred without resolution since April 2024.

Director Rooker stated that Mr. Winters had requested deferral for personal reasons.

Vice Chair Westlake with a second from Commissioner Klaver moved to defer the complaint, with the condition that the hearing would be held at the September 2024 TLC meeting.

ACTION:           Deferred           5-0

A hearing was called to review the emergency suspension of taxicab driver Youssef Shehata Micheal. The issue had been deferred without resolution since June 2024.

Director Rooker reported that Mr. Micheal's representing attorney Paul Walwyn requested deferral for personal reasons.

Commissioner Penley with a second from Commissioner Rogers moved to defer the hearing until the September 2024 TLC meeting.

ACTION: Deferred 5-0

**Consent Items**

The following new applications were submitted for Other Passenger Vehicles for Hire (OPVH):

- Tan Assets LLC
- Mazori
- Zema Limo Service
- Tesla Transport LLC

Vice Chair Westlake with a second from Commissioner Penley moved to approve.

ACTION: Approved 5-0

Pedal Carriage company Nashville Bar Bike requested to modify ownership by adding partner Margaret Rose Allison. Commissioner Penley with a second from Vice Chair Westlake moved to approve.

ACTION: Approved 5-0

OPVH company Hauter’s Limo requested to modify ownership by adding partner Sadek Alabdi and OPVH company Royal Limousine LLC requested to modify ownership by adding partner Emad Abdelrahman. Vice Chair Westlake with a second from Commissioner Rogers moved to approve.

ACTION: Approved 5-0

**Pedal Vehicles**

A Public Hearing was called to review a proposed change to TLC Rules and Procedures Section 702. Jeanette Barker spoke. There were no further requests to speak. The Chair closed the public hearing.

Current TLC Rule 702: OPERATIONAL HOURS - Pedal vehicles may not operate on the streets between 7-9 a.m. and 4-6 p.m. Monday through Friday.

Proposed TLC Rule 702: OPERATIONAL HOURS - Pedal vehicles may not operate on the streets between 7-9 a.m., Monday through Friday. Between 4-6 p.m. Monday through Friday, pedal vehicles may operate on routes or zones that are approved by the Director of the TLC and NDOT’s Chief Engineer.

Commissioner Klaver asked Director Rooker what the potential routes would be. Director Rooker reported that like Rule 805 F for entertainment transportation, the companies would be responsible to submit routes which would need to be approved by NDOT engineering.

After some additional discussion, Commissioner Rogers with a second from Vice Chair Westlake moved to defer the proposed rule change until the September 2024 TLC meeting.

ACTION: Deferred 5-0

Chair McNally opened the Annual Hearing for the purpose of consideration of applications for Certificates of Public Convenience and Necessity for new and additional pedal vehicles. Mr. Schlafer reported there were 4 pedal carriage companies operating 26 permits and 4 pedicab companies operating 31 permits. Current companies Music City Crawler and Nashville Bar Bike both applied for one additional pedal carriage permit. Susan Pizzitola, Jake Badaszewski, Patrick Lynch, and Margaret Rose Allison spoke. There were no further requests to speak. The Chair closed the Annual Hearing.

After some discussion, Commissioner Hayes with a second from Commissioner Penley moved that Music City Crawler had failed to articulate a need of Public Convenience and Necessity, as evidenced by self-reported weekday availability on the Music City Crawler, thus denying their application for an additional pedal carriage permit.

ACTION: Denied 5-0

After some discussion, Vice Chair Westlake with a second from Commissioner Rogers moved to find there was a need of Public Convenience and Necessity for one additional pedal carriage permit for Nashville Bar Bike, given the need articulated in the Connect Downtown study to reduce the number of permitted entertainment transportation vehicles. The approval for the additional pedal carriage permit

was conditioned on the surrender and dissolution of the Nashville Bar Bus entertainment transportation permit, as proposed by Nashville Bar Bike.

ACTION: Approved 4-1

### **Low Speed Vehicles (LSV)**

Chair McNally opened the Annual Hearing for the purpose of consideration of applications for Certificates of Public Convenience and Necessity for new and additional LSVs. Mr. Schlafer reported there were 2 LSV companies operating 47 permits. No applications were filed. There were no requests to speak. The Chair closed the Annual Hearing.

### **Taxicabs**

Mr. Schlafer reported that at the request of the Commission, staff had conducted research related to TLC Rules and Procedures Section 219, the maximum fare taxicabs may charge for their services. Data was provided to the Commission on taxicab fares in 436 cities in the United States. At \$5.00, Nashville's meter pull rate was tied for 16<sup>th</sup> highest. At \$2.50 per mile, Nashville was tied for 171<sup>st</sup> highest.

#### Section 219 TAXICAB FARES

##### Meter Fares

- Meter pull \$5.00
- Miles- \$.25 per .1 mile or \$2.50 per mile
- Time - \$.35 per min or \$21.00 per hour
- \$2.00 per extra passenger

##### Flat Rates

- Airport to/from downtown - \$30.00
- Downtown to/from Opryland - \$30.00
- Opryland to/from Airport - \$30.00
- Airport to/from West End - \$35.00
- West End to/from Opryland - \$35.00
- \$2.00 per extra passenger

Akrem Hasan of American Music City/Checker Cab and Abdirizak Diriye of Tenn Cab addressed the Commission on the issue. No action was taken.

The Chair called for a 10-minute break.

The Chair called the meeting back to order.

### **Wreckers and Towing Services**

A Public Hearing was called to review a proposed change to TLC Rules and Procedures Section 326. Micheal Martin and Barry Whitworth spoke. There were no further requests to speak. The Chair closed the public hearing.

Director Rooker shared that the wrecker industry had reported increased costs in notifying registered owners and lienholders of record resulting from state law changes in Public Chapter 1017, also known as the MOTION Act.

In pertinent part, proposed Rule 326 was presented as follows:

LIENHOLDER PROCESSING FEE - In addition to the rates authorized above, wrecker companies are authorized to charge a one-time administrative processing fee of **\$75.00** for any car remaining in storage on the company lot for twenty-four hours, to offset direct costs for notification of the owner or lienholder as required by state law, and an additional **\$50.00** administration processing fee for each additional notification sent to the owner or lienholder as required by law.

After some discussion, Vice Chair Westlake with a second from Commissioner Klaver moved to implement the proposed lienholder processing fee increase.

ACTION:           Approved           5-0

#### **Other Business**

An agenda item was called for Metro Legal to provide an ethics refresher to the TLC. Metro Legal reported they would need approximately 30 minutes to make the presentation. It was noted that the PowerPoint slides were provided to the Commissioners in their agenda packet. The Commission requested that Metro Legal look for an alternate forum to make the presentation.

#### **Application Reviews**

The Chair requested that Metro Nashville Network cease recording during applicant background reviews.

Brian Dubinsky applied to be an OPVH driver and to create a new OPVH company called Elevated Arrival but failed to fully disclose information on the application. Vice Chair Westlake with a second from Commissioner Rogers moved to approve both applications.

ACTION:           Approved           5-0

Vice Chair Westlake left the meeting.

Joe L. Day applied to be an OPVH driver but failed to fully disclose information on the application. Director Rooker called a company representative from Three Guys with Bowties to clarify information. After some discussion, Commissioner Klaver with a second from Commissioner Rogers moved to approve the application.

ACTION:           Approved           4-0

Spencer Whitley applied to be a Wrecker and Towing Services driver but failed to fully disclose information on the application. Director Rooker called a company representative from AB Collier/Tow Pro to clarify information. After some discussion, Commissioner Klaver with a second from Commissioner Penley moved to approve the application.

ACTION:           Approved           4-0

Commissioner Hayes with a second from Commissioner Penley moved to adjourn.

ACTION:           Approved           4-0

ATTEST:

APPROVED:

\_\_\_\_\_  
Richard Rooker  
Executive Secretary

\_\_\_\_\_  
Pat McNally  
Chair

\_\_\_\_\_  
Date