

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

**Minutes of**

**April 25, 2006**

The Metropolitan Nashville-Davidson County Transportation Licensing Commission (the "Commission") met in regular session on this date at the Metropolitan Nashville General Sessions Judicial Complex in Metro Center. The Commissioners present were Chair Cynthia Odle, Vice Chair A. Roger Abramson, and Commissioners Ray Dayal, Gladys Lozada, Holly Sharp, Kim Thompson, and James Utley (7). Also attending were Metro Legal advisor Jason Bergeron, Commission staff members Lisa Steelman and Walter Lawhorn, and Brian McQuiston, Director-Executive Secretary to the Commission.

**Chair Cynthia Odle** called the meeting to order and led the Pledge of Allegiance.

The minutes of the March 28, 2006 meeting were unanimously approved.

**TAXICAB ISSUE: UPDATE ON UNITED CAB PERMITS**

**Chair Cynthia Odle** reminded Commissioners that United Cab had been granted an extension in November 2005 to obtain an FCC license necessary to field digital dispatch technology – a condition for the approval of 40 additional taxicab permits granted in November 2004.

Mr. Rajbir Singh and Mr. Kuldip Singh appeared before the Commission. Mr. K. Singh stated that obtaining the FCC license was taking much longer than anticipated. The company had been advised that this would take approximately ninety days; but the process had slowed, and currently was requiring almost eight months. He stated that United Cab had decided not to wait on the radio frequency, but to invest in a Cingular Wireless system instead, which would have the added advantage of increased range. He presented the Commission with documents related to the contract for the Cingular system. He also provided an implementation schedule from the digital dispatch system contractor for installation of digital meters and training, and requested an extension until July to complete fielding of the system. After some discussion on the training needed for drivers, **Commissioner Ray Dayal** moved to extend the deadline for United Cab to fully implement the fielding of digital dispatch technology in all 70 of its vehicles until July 25, 2006. **Commissioner James Utley** seconded, and the motion was approved unanimously. Mr. K. Singh asked Commissioners if there was something that could be done to ensure drivers would not be able to take company equipment (meters, radios, etc.) when they leave a company. **Chair Odle** said that this would likely be a criminal action, and should be reported to the police.

**TAXI DRIVER DISCIPLINARY HEARINGS:**

Jennifer Swallows, Landside Coordinator at the airport, appeared before the Commission. She explained that two taxicab drivers – Mr. Abdul H. Hussein (Yellow Cab #119) and Mr. Ali Sugule (driving Allied Cab #71) – had been involved in a physical altercation in the passenger pick-up area on February 8, 2006.

**Abdul H. Hussein:** Mr. Hussein appeared before the Commission with Mr. Doug Trimble, President of Yellow Cab. Ms. Swallows showed a video of the altercation. Mr. Hussein stated that Mr. Sugule had tried to overcharge passengers, and had then spit and cursed at him. He acknowledged that he did get out of his vehicle and had attacked Mr. Sugule. Mr. Trimble stated that Mr. Hussein had been an excellent driver. He noted that Mr. Sugule had been licensed as a driver with Yellow Cab, and that he believed Mr. Hussein's claim that Mr. Sugule had instigated the altercation. **Commissioner Holly Sharp** thanked Ms. Swallows for coming to the Commission, and then moved to revoke Mr. Hussein's taxi driver permit. **Commissioner James Utley** seconded, and the motion was approved unanimously.

**Ali Sugule:** Mr. Sugule failed to appear. **Vice-Chair A. Roger Abramson** asked if there had been any previous complaints concerning Mr. Sugule; Director McQuiston stated that there were no other complaints in his file; but he noted that although Mr. Sugule was licensed to drive for Yellow Cab, he had been driving an Allied taxicab on the day of the incident. **Vice-Chair Abramson** moved to revoke Mr. Hussein's taxi driver permit. **Commissioner Gladys Lozada** seconded, and the motion was approved unanimously.

### **APPLICATION FOR WRECKER DRIVER PERMIT – ENAYATULLAH BELYAD**

Director McQuiston informed Commissioners that the staff had learned that a new wrecker company, Atlas Towing, had begun operating in Davidson County. He stated that the owner, Mr. Enayatullah Belyad, had been contacted and advised of the requirements for licensing a wrecker service with the Transportation Licensing Commission; Mr. Belyad had subsequently applied for a general wrecker company license and a wrecker driver permit. Because Mr. Belyad's background check had revealed a felony robbery conviction, his application for the wrecker driver permit was being forwarded to the Commission.

Mr. Belyad appeared before the Commission. He explained that he was a recent immigrant to the U.S. when the incident occurred in 2003, and that his lack of understanding of our laws and customs had resulted in his conviction. He stated that he had been driving a wrecker in Nashville for over two years, and had not known that he had to have a license or permit until he was contacted by the Commission staff. **Vice-Chair A. Roger Abramson** asked about the company for which he had been driving; Mr. Belyad responded that it was Alpha Towing. Director McQuiston noted that there was no record of Alpha Towing having applied for a license with the Commission. **Commissioner Gladys Lozada** stated that she was concerned that Mr. Belyad still did not know the laws and rules. **Vice-Chair Abramson** moved to deny Mr. Belyad's application for the permit. **Commissioner Lozada** seconded, and the motion was approved unanimously.

### **LICENSE TO OPERATE EMERGENCY WRECKER ZONE**

Mr. John Graham, partner in Chapman's Wrecker Service, appeared before the Commission with counsel, Mr. James Bryan Lewis. Mr. Robert Chitwood, partner, appeared with his counsel, Mr. Michael McGovern.

**Chair Cynthia Odle** stated that this was the third consecutive meeting related to the license issue, and that the Commission would first have to decide whether it would recognize Mr. Chitwood and Mr. Graham as co-holders of the zone license. She reminded the partners that no person or company could own or transfer a license. She asked whether either of the partners could show evidence that Chapman's Wrecker Service could operate the zone in an acceptable manner; Mr. Lewis stated that Mr. Graham had been operating the zone effectively, and had already submitted this in his application for renewal.

Metro Police Officer Foster Hite stated that he had been working interstates for years, and that Mr. Graham had provided excellent and timely service as operator of Chapman's Wrecker Service. Metro Police Officer William Hitchcox stated that Mr. Graham had provided excellent support to motorists, especially in helping to move their vehicles to safety off the roadway.

Legal Advisor Bergeron stated that the issue which must be considered by the Commission was the application filed by Mr. Graham for transfer of the zone license. **Vice-Chair A. Roger Abramson** stated that the most important issue was who would operate the zone, and that the ordinance required that other applications must also be considered.

Director McQuiston reported that the owner of Jerry's Wrecker Service had withdrawn her application. **Chair Cynthia Odle** opened the public hearing to consider the applications filed by Mr. John Graham and Mr. Christopher Graham, by Tow Pro, Inc., and by West Nashville Wrecker Service.

Mr. Doug Williams, President of Tow Pro, Inc. appeared before the Commission. **Chair Cynthia Odle** asked if his application was in order; Director McQuiston responded that it was. Mr. Williams stated that, in his experience since 1977, all financial issues regarding company ownership had been resolved before licensing issues were addressed. **Chair Odle** asked how Tow Pro would handle dispatching; Mr. Williams replied that his company would dispatch from their current location, but that he would buy an appropriate storage lot in the new zone. He added that he would have to add equipment and drivers to service the zone.

Mr. McGovern introduced Mr. Ed Arensdorf, senior vice president of United Road Towing, parent company of West Nashville Wrecker Service. He explained that Mr. Arensdorf was present to facilitate a management change, and would represent West Nashville Wrecker Service. Director McQuiston stated that the West Nashville application was in order. **Chair Odle** asked how the company would handle the additional zone; Mr. Arensdorf replied that his company would dispatch from their current location, but that it would buy an appropriate storage lot in the new zone. He stated that West Nashville Wrecker Service already had enough equipment and drivers to operate the zone.

**Chair Cynthia Odle** asked if there was any public comment on the applications.

Randy Bailey, of Bailey's Service Center, stated that he supported Mr. Graham's application.

Robert Dean, of Cotton's Towing Service, stated that he also supported Mr. Graham's application, and was opposed to companies operating "satellites."

Gary Brown, of Brown's Wrecker Service, stated that he also supported Mr. Graham's application.

There were no other public comments, and **Chair Cynthia Odle** closed the public hearing.

**Commissioner James Utley** moved to license the zone to Mr. John Graham and Mr. Christopher Graham, d.b.a. Chapman's Wrecker Service. **Vice-Chair A. Roger Abramson** seconded. During discussion, **Chair Cynthia Odle** expressed concern about Mr. Graham not following the process, but acknowledged that there had been no problems reported from his operation of the zone. The motion passed unanimously.

## **OTHER BUSINESS**

Director McQuiston reported that Inspector Larry Ennis had decided to retire. Commission members and wrecker company representatives present expressed appreciation for Inspector Ennis and his many years of exemplary service to the city and to the industry.

There was no further business, and the meeting was adjourned.

ATTEST:

APPROVED:

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Brian E. McQuiston  
Director-Executive Secretary

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Cynthia M. Odle  
Chair