

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

**Minutes of**

**July 26, 2005**

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 Vice-Chair Sammye Woods and Commissioners A. Roger Abramson, Ray Dayal, Gladys Lozada, Holly Sharp, and James Utley (6). Also attending were Metro Legal advisor Jason Bergeron; Commission staff members Walter Lawhorn and Lisa Steelman; and Brian McQuiston, Director-Executive Secretary to the Commission.

**Vice-Chair Sammye Woods** called the meeting to order and asked Director McQuiston to lead the Pledge of Allegiance.

The minutes of the May 24, 2005 meeting were unanimously approved.

**CARRIAGE COMPANY APPEAL**

**CUMBERLAND CARRIAGE:** Director McQuiston reported that Sara Williams, owner of Cumberland Carriage, had called on July 25 to request deferral on her appeal so that her attorney could be present. **Commissioner A. Roger Abramson** moved to defer the issue to a later meeting. **Commissioner Gladys Lozada** seconded, and the motion was approved (5-0).

**TAXI DRIVER DISCIPLINARY HEARING**

**MUSEVENI Y. MALIANI:** Director McQuiston reported that a complaint had been received, but that the complainant had informed staff on July 25 of a last-minute scheduling conflict. **Commissioner A. Roger Abramson** moved to defer the hearing on the complaint until the August meeting. **Commissioner Gladys Lozada** seconded, and the motion was approved (5-0). **Vice-Chair Sammye Woods** explained to Mr. Maliani that the complaint would be placed on the agenda for the next Commission meeting, and told him to ensure the staff had his current mailing address.

**PUBLIC HEARING – RULE CHANGES ON TAXI RATES AFFECTED BY AIRPORT POLICY**

**Vice-Chair Sammye Woods** noted that the economic effects of proposed airport policy changes on the taxi industry had been discussed at previous Commission meetings, and asked Director McQuiston to provide a summary and update. Director McQuiston reviewed the changes in the proposed and final versions of the Commercial Ground Transportation Policy. He stated that the Airport Authority had dropped a proposed new requirement for taxi companies to have \$1.5 million in comprehensive automobile liability insurance coverage. The final policy, which had gone into effect July 1, retained an increase in the per-trip fee charged to taxi companies, to \$1.50; and also included a requirement for vehicle transponders and drivers' identification. **Vice-Chair Sammye Woods** stated that Nashville's meter rates were already among the highest in the nation, and that she believed a general meter rate increase was not warranted. She noted that some other cities had begun to address rising fuel costs with additional surcharges. Director McQuiston reported that the staff had coordinated two proposed Rules changes with company owners. One change would increase the flat fare rate by \$2.00. The other would establish a second meter activation rate of \$4.50 for trips departing the airport's ground transportation area to destinations not covered by the flat fare, effectively implementing a \$1.50 airport surcharge.

**Vice-Chair Sammye Woods** opened the public hearing, and asked if there were any comments concerning the additional costs or the proposed Rules changes. There were none. She closed the hearing for public comment, and opened it for Commission discussion. **Commissioner Ray Dayal** asked how passengers would be informed about any new flat fare or meter activation rate. Director

McQuiston responded that new decals would be purchased and placed in the passenger area of all taxicabs, informing passengers of rate information and the passenger bill of rights. He recommended that, if approved, new rates would not become effective until it could be verified that meters had been set with the second activation rate and the decals had been affixed.

**Commissioner Holly Sharp** moved to amend the Commission Rules as follows, with new rates to become effective upon verification that consumer information and meter changes had been applied:

Rule 23. FLAT FARES

The Commission authorizes a mandatory flat or set fare of \$22.00 for taxicabs traveling between the following destinations:

Metropolitan Nashville International Airport; Music Valley Drive (including the Opryland Hotel and addresses as far north as 2520 Music Valley Drive); and downtown Nashville (defined as the area inside the Interstate-40/Interstate-24 loop, and south of Jefferson Street). The flat fare includes the airport surcharge for departures from the airport. This rate shall be displayed in full view of passengers.

Rule 40. AIRPORT SURCHARGE

With the exception of trips to destinations covered by the flat fare, the Commission authorizes an airport departure surcharge of \$1.50 for departures from the Metropolitan Nashville International Airport ground transportation area. This surcharge will be effected by activation of the taximeter at the "For Departures From The Airport Only" rate of \$4.50.

**Commissioner A. Roger Abramson** seconded, and the motion was approved (5-0). **Vice-Chair Sammye Woods** closed the public hearing.

### TAXI DRIVER PERMIT APPLICATIONS

**ALFRED C. DIVINEY**: Mr. Diviney appeared before the Commission without other representation. Director McQuiston informed the Commission that Mr. Diviney had applied for a permit in June; but because his history of DWI/drug possession and domestic assault convictions was a concern, his application had been referred to the Commission. **Vice-Chair Sammye Woods** asked Mr. Diviney about the most recent domestic assault conviction, in January 2005. Mr. Diviney stated that he had made a mistake in re-marrying his wife after a troubled first marriage; but that he was now on probation and attending anger management classes. **Commissioner Ray Dayal** asked about an earlier child abuse conviction. Mr. Diviney responded that his wife had turned him in, and his attorney had advised him to plead guilty. **Vice-Chair Sammye Woods** asked Mr. Diviney if he was still drinking; he responded that he did drink, but only socially. **Commissioner Holly Sharp** noted that Mr. Diviney already had three DWI convictions, and moved to deny his application for a permit. **Commissioner James Utley** seconded, and the motion was unanimously approved (5-0).

**HANIF K. MOHAMMAD**: Mr. Mohammad failed to appear. **Commissioner Holly Sharp** moved to deny his application for a permit. **Commissioner Gladys Lozada** seconded, and the motion was unanimously approved (5-0).

### OTHER BUSINESS

**ACCESSIBLE TAXICABS**: Mr. Johnny White, co-owner of American Music City Taxi, updated the Commission. He stated that he had purchased two ADA-accessible vans, and that they were being painted and made ready for inspection by MTA. He added that the driver had already received special training to meet the unique requirements of passengers traveling in wheelchairs.

**UNITED CAB VEHICLE PERMITS**: Director McQuiston informed the Commission that United Cab had purchased and insured additional vehicles, and that these were in the process of being inspected. He stated that, upon verification that insurance coverage was current on a few of the owner-operators' vehicles, United Cab will have met the Commission's requirement to have 70 vehicles permitted by July 30. In addition, United Cab had notified him of their preparations to relocate. Mr. Kuldip Singh, manager of United Cab, added that he expected to sign a contract within the following week with the digital dispatch equipment manufacturer.

**ANNUAL WRECKER MEETING:** Director McQuiston reminded Commissioners that the August 23 meeting would include the re-scheduled annual public hearing on emergency wrecker zones. He gave an update on wrecker inspector Larry Ennis' recovery, following a heart attack in May.

**CLARIFICATION OF FLAT FARE DESTINATION:** Mr. Bill Young, owner of Allied/Nashville/Kennedy Cab, asked if the definition of the Music Valley Drive flat fare destinations could be clarified, to include the Opry Mills area. After some discussion, **Commissioner Holly Sharp** moved to include that clarification in Rule 23, and to authorize the director to determine the appropriate wording to effect that change. **Commissioner Gladys Lozada** seconded, and the motion was approved (5-0).

**Vice-Chair Sammye Woods** informed Commissioners that **Chair Cynthia Odle**, who was not present for the meeting, would be getting married on August 6.

There being no further business, the meeting was adjourned.

ATTEST:

APPROVED:

\_\_\_\_\_  
Brian E. McQuiston  
Director-Executive Secretary

\_\_\_\_\_  
Cynthia M. Odle  
Chair