

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

Minutes of

May 26, 2009

The Metropolitan Nashville-Davidson County Transportation Licensing Commission (the "Commission") met in regular session on this date at the Metropolitan Courthouse. The Commissioners present were Chair Helen Rogers, Vice Chair Duane McGray, and Commissioners Mary Griffin, Quenton White, and Ed Whitmore (5). Also attending were Metro Legal advisor Theresa Costanis; Commission staff members Walter Lawhorn, Milton Bowling and Lisa Steelman; and Brian McQuiston, Director-Executive Secretary to the Commission.

Chair Helen Rogers called the meeting to order. A minute of silence was observed in recognition of taxi driver Hussien Mohammed Ali, who was killed in a vehicle crash on May 19.

Chair Helen Rogers led the Pledge of Allegiance and read the Notice of Appeal statement, advising of the right to appeal decisions of the Transportation Licensing Commission.

The minutes of the March 24, 2009 meeting were approved.

TAXI DRIVER DISCIPLINARY HEARING: JOSEPH LORANCE

Director McQuiston reported that a complaint had been received from Veronica Marie Simmons, charging Mr. Lorance with sexual harassment.

Ms. Simmons appeared. She stated that she had not had any money, but had entered Mr. Lorance's taxicab and requested that he take her to her boyfriend's place. She stated that she offered to pay for the fare with some jewelry, but that Mr. Lorance had refused; instead, he had asked to touch her. She stated that she had then exited the cab. **Chair Helen Rogers** asked if she had called for the cab; Ms. Simmons responded that she had. **Chair Rogers** asked why she had called for a cab, when she knew that she had no money to pay for the fare. Ms. Simmons stated that she had done so before, and that she had been given a ride without being charged. Director McQuiston asked if she could identify Mr. Lorance as the driver who was the subject of her complaint; she responded that he was. The director stated that a copy of the written complaint, which had also been provided to Mr. Lorance, was included in the Commissioners' packets.

Mr. Lorance appeared. He stated that he had received a call to pick up Ms. Simmons. He stated that when she entered the cab she had asked him to take her to Bordeaux. He stated that, based on experience, he estimated that the fare would be about \$50. He stated that he had only asked Ms. Simmons for money, not for sexual favors. He denied asking to touch her. He stated that he had been driving a cab for nine years, had grown up in Nashville, and that he knew a number of judges, lawyers and other regular customers; he would not jeopardize his job. **Vice Chair Duane McGray** noted that he did not mention

a conviction on his record for a sex-related offense in 1988. Mr. Lorance admitted that offense, and stated that he had paid for that mistake.

Inspector Lawhorn asked Ms. Simmons if she had been in the front seat or the back seat of Mr. Lorance's cab; she responded that she had been in the back seat.

Vice Chair McGray stated that there appeared to be insufficient evidence to find a violation. He moved to place a copy of the complaint in Mr. Lorance's file, and that any future allegations against him of a similar nature be brought before the Commission.

Commissioner Ed Whitmore seconded, and the motion passed (4-0).

TAXI DRIVER APPLICATION: DONALD HOGG

Director McQuiston reported that Mr. Hogg had applied for an initial taxi driver permit in March. He noted that Mr. Hogg's record included arrests for DUI and drug-related offenses, and for failures to comply with court restrictions. He stated that the convictions were not sufficient to automatically disqualify him for a permit, but that the nature of the charges presented a concern for public safety. He added that Mr. Hogg had been issued a temporary permit.

Mr. Hogg appeared with Jim Burrow, manager of Taxi USA. Mr. Hogg stated that he had just completed a Rutherford County program related to the drug charges. **Chair Helen Rogers** asked Mr. Hogg about specific steps he was taking to change his behavior. **Vice Chair Duane McGray** asked why the charges for violation of probation were not disclosed;

Mr. Hogg stated that these were warrants related to the same drug charge.

Commissioner Mary Griffin asked about the drugs screened in the application process. Mr. Hogg stated that he had used cocaine. He stated that while he had been on probation he had been screened weekly. Asked about Mr. Hogg's performance as a driver, Mr.

Burrow stated that Mr. Hogg's performance had been satisfactory while driving on his temporary permit. He stated that the company could require random drug testing, if desired. Following discussion about the reliability of random drug testing, **Commissioner Griffin** moved to approve a permit with a one-year probation period, during which Mr.

Hogg would be subject to random drug testing using a hair follicle test; this testing would be as required by Director McQuiston, and at intervals not to exceed sixty days.

Commissioner Quenton White seconded, and the motion passed (4-0).

WRECKER DRIVER PERMIT APPLICATION: EDWARD MILLIKEN

Director McQuiston reported that Mr. Milliken had applied for a wrecker driver permit on March 3. The director provided information on Mr. Milliken's criminal conviction record, and expressed concern that the record showed 14 convictions, including DUI and drug possession convictions, an illegal weapon charge, driving without a license, and a 2008 reckless driving conviction. He added that no temporary permit had been issued.

Mr. Milliken appeared with Victor Smith, owner of Smith Car Care Center. He stated that his driving license had been suspended for 10-15 years, but that he drove anyway. He stated that he had driven part-time for Mr. Smith after he got his driver's license reinstated in 1995 or 1996, then drove for TennCare for about ten years until he retired. He stated that he wanted to return to part-time work. **Chair Helen Rogers** stated that there was a concern, based on his conviction record, that he had an addiction problem. She asked what he was doing to stay sober. Mr. Milliken responded that he still drank on occasion,

and stated that he had been cited as a result of a random stop. He added that he had completed the required 72-hours program. He explained two convictions for possession of marijuana and a conviction for possession of an illegal weapon in the 1990s. He stated that he had learned his lesson.

Vice Chair Duane McGray asked Mr. Smith if he had anything to say. Mr. Smith stated that Mr. Milliken had worked for him before, and had been a good worker; he stated that he would hire him again.

Vice Chair McGray expressed concern that Mr. Milliken had been convicted of reckless driving in 2008. **Commissioner Ed Whitmore** stated that it appeared that Mr. Milliken had stayed out of trouble since 1999.

Commissioner Quenton White moved to approve a permit, with a one-year probation; during which Mr. Milliken would be subject to random drug testing, as required by Director McQuiston. **Commissioner Mary Griffin** seconded. During discussion, **Vice Chair McGray** recommended an amendment, to restrict the permit to Smith Car Care Center. **Commissioner Whitmore** seconded the amendment. The Commission approved the motion, as amended (4-0).

CARRIAGE DRIVER PERMIT APPLICATION: THOMAS HAMS

Director McQuiston reported that Mr. Hams had applied for a horse-drawn carriage driver permit on March 10. The director provided a copy of the application and background check, and noted that the record showed a December 2000 felony conviction for sale of drugs – 3 counts. The director noted that Mr. Hams had disclosed the felony charge, but had indicated in his application that the charge would be expunged in April 2009. The director stated that a letter had been sent to Mr. Hams, requesting that he provide a copy of the record of expungement; however, no proof of expungement had been received.

Mr. Hams appeared with his attorney, Joe Weyant. Mr. Hams stated that the felonies were on his record because his cousin had asked him repeatedly to buy drugs for him. Mr. Hams stated that he had bought the drugs, not knowing that his cousin was wearing a wire. **Chair Helen Rogers** asked if he had sold any drugs since then. Mr. Hams stated that he had never used drugs, nor sold them; but that he had only bought the drugs as a favor for his cousin. **Commissioner Mary Griffin** asked if his record had been expunged. Mr. Hams responded that it was supposed to have been expunged by the end of April, but had not yet been removed; he did not know why.

Vice Chair Duane McGray noted that in his application Mr. Hams had disclosed a speeding ticket in North Carolina while coming home from preaching, and asked Mr. Hams if he had been doing the preaching. Mr. Hams responded that he was only driving for his pastor, who had been preaching. **Vice Chair McGray** stated that the statement made it appear that Mr. Hams had been preaching. **Vice Chair McGray** asked why Mr. Hams' cousin would have thought that Mr. Hams could buy drugs for him. Mr. Hams stated that he knew a lot of people. **Vice Chair McGray** asked why the cousin, who was wearing a wire for law enforcement, would not simply go directly to the seller to obtain the drugs – instead of going to Mr. Hams, who had nothing to do with drugs. Mr. Hams responded that he did not know. **Vice Chair McGray** asked if the cousin had been working out a problem that he might have had with law enforcement related to drugs. Mr. Hams stated that he didn't know anything about his cousin's record. **Vice Chair McGray** noted that Mr. Hams knew nothing about his cousin's history, but had bought drugs for him anyway. He asked Mr. Hams about a 2001 charge for worthless checks, which had not been disclosed in his

application. Mr. Hams stated that he had paid restitution. **Vice Chair McGray** noted that he had entered a plea of guilty, and asked Mr. Hams why he had failed to disclose in his application. Mr. Hams responded that he did not know that it would appear on the record. Mr. Weyant stated that he did not believe the record of his client should preclude him from getting a permit. He noted that Mr. Hams had not had any incidents during the period he had held a temporary permit. He asked the Commission to approve a permit without any restrictions. **Commissioner Griffin** asked Mr. Weyant if Mr. Hams could get an expungement of the drug conviction; Mr. Weyant stated that he did not know, because that was not an issue in which he had been involved. **Commissioner Quenton White** noted that the expungement had not been issued. He moved to disapprove the application. **Vice Chair McGray** seconded, and the motion passed (4-0).

PUBLIC HEARING: APPLICATIONS TO OPERATE EMERGENCY WRECKER ZONE

Director McQuiston reported that this was a public hearing to decide on who would operate the emergency wrecker service zone previously operated by Nashville Towing & Recovery (NTR). He noted that there were three applications to be considered: from Anchor Towing & Recovery, Dad's Towing, and Tow Pro. He stated that Anchor and Dad's were currently licensed as general wrecker companies, and had been performing nonconsent towing from private property; and that Tow Pro was already licensed as an emergency wrecker service. He added that all three applications were in order. The director stated that an objective comparison of the three companies should include consideration of their equipment, their storage lots, and their experience. He noted that the zone included considerable stretches of interstate highway, and used a copy of the zone map to point out the locations of the companies' storage lots. All three companies also provided packets. **Chair Helen Rogers** asked if the Commission had the authority to change the zone. Director McQuiston stated that this might be done at another public hearing, but that the applications received had not requested splitting the zone.

Chair Rogers asked how many tow trucks NTR had used to support the zone in the past. Darrell Greer, owner of NTR, stated that the zone had previously been serviced with ten wreckers. Director McQuiston noted that the packets provided to the Commissioners included a table comparing the number of wreckers in each of the applicants' companies, including Class C wrecker comparisons.

Chair Rogers noted that the June meeting would include the Commission's annual public hearing to consider possible changes to the zone boundaries. Director McQuiston stated that there had been some inquiries from current emergency wrecker zone companies about presenting an application at this meeting to split the former NTR zone, but that no application had been received. Discussion followed on whether the Commission could split the zone without another public hearing. Director McQuiston stated that the three company owners had each applied for the entire zone, and he suggested hearing from the applicants. **Chair Rogers** stated that the public notice for this meeting did not necessarily preclude the Commission from making a decision to split the zone between them. **Vice Chair Duane McGray** stated that the Commission could even award the zone to an applicant at this meeting, and then change the boundaries of the zone at the June meeting. **Commissioner Quenton White** stated that he would like to hear from the applicants.

Chair Rogers asked about the average number of emergency wrecker service calls for the

zone. Director McQuiston stated that this information was important, in order to effectively evaluate the emergency wrecker system and the performance of the companies operating the zones, but that it was not available from the Emergency Communications Center. Mr. Greer stated that the zone had averaged approximately 2.5 vehicle tows per day. **Chair Rogers** invited the three applicants to appear in turn, and asked that they address their ability to properly service the zone.

John Stancil, owner of Anchor Towing & Recovery, appeared with attorney S. Keenan Carter. Mr. Carter presented an overview on the company: ownership, history, storage lot, and investment in the company since 2007. He stated that, considering the expenses already incurred, Anchor would prefer to operate the entire zone. He added that, if necessary, his client would be willing to split the zone with one other company, but would not be interested if the zone were to be split into thirds. Mr. Stancil presented detailed information on the company's facility, equipment, employees and automation. **Commissioner Mary Griffin** asked about training of operators. She noted that there had been training provided at TDOT by West Nashville Wrecker Service in early May. Mr. Stancil stated that he did not know about the training, but would send his operators to any available training. **Chair Rogers** asked when Anchor could assume towing responsibilities, if approved; Mr. Stancil responded that they could do so immediately.

Jim Mitchell, owner of Dad's Towing, appeared with staff members Chase Mitchell, Kimberly Wright, and David Horn. He provided information on the company's history, equipment, driver training program, facilities, investment, and response times to potential emergency scenes. He noted that the company had experienced no complaints. He stated that the company was prepared to assume emergency towing responsibilities immediately. He stated that he would purchase air bags if the company was awarded the zone. **Vice Chair McGray** asked about the possibility of splitting the zone. Mr. Mitchell responded that he did not think there was enough business to warrant splitting the zone, but that he would accept such a decision by the Commission.

Doug Williams, owner of Tow Pro, appeared with attorney Martha Gentry. Ms. Gentry stated that Tow Pro already had a good track record as an emergency wrecker service. She stated that the company could support the additional territory from its existing storage lot, and had already staged equipment to provide quick response outside the boundaries of the current Tow Pro zone. She stated that the company would entertain the possibility of acquiring another storage lot, if that became necessary and feasible. Ms. Gentry provided information on the company's equipment and staff. Mr. Williams provided information on his extensive experience in the industry, and introduced David Williams, Drew Williams and Mary Arrington. **Chair Rogers** noted that Tow Pro was already servicing a zone, and asked if the company had made any changes in anticipation of operating the additional zone. Mr. Williams stated that his had been one of the companies assigned by the Commission to temporarily serve the former NTR zone. He stated that Tow Pro had worked the western half of that zone, and during the period had received 21 calls. He added that this had been the only time that his company had operated a zone with interstate highways.

Chair Rogers opened the hearing for public comment.

Randy Bailey, representing Bailey's Wrecker Service, stated that this was an opportunity to reward the surrounding emergency wrecker companies by dividing the zone.

Gary Ray, owner of Gary's Garage and Wrecker, thanked the Commission for the opportunity to temporarily serve a part of the former NTR zone, and stated that it had been very profitable for his company. He also supported splitting the zone among the existing

emergency wrecker services.

Gary Brown, owner of Brown's Wrecker Service, stated that he would also like to have part of the zone, but had not applied because he did not want all of the zone.

Bobby Dean, owner of Cotton's Towing, stated that he could provide reliable information on the number of emergency calls in his zone.

S. Keenan Carter stated that other companies had not applied, and were being opportunistic by arguing for another arrangement at this meeting. He added that all three of the applicants had expended tremendous resources to prepare for the possibility of servicing the zone.

Mark Ownby, former owner of A-T Truck, stated that he recently had sold his company to Jim Mitchell. He spoke on behalf of Dad's Towing.

There were no other speakers, and the public hearing was closed.

Chair Rogers noted that Mr. Williams had not been asked about his willingness to split the zone, and she asked for that response. Ms. Gentry stated that her client would prefer to have the entire zone, because it did not make economic sense to split the zone.

Vice Chair McGray moved to continue with the temporary assignments, and to defer a decision on the applications until after the annual emergency wrecker zone hearing in June. **Commissioner Griffin** seconded. Discussion followed concerning the potential impact of a decision if the Commission were to re-draw zone boundaries at the annual hearing in June. **Commissioner White** stated that the applicants were present and should understand that this could happen at any annual meeting, so he opposed deferring the decision. **Vice Chair McGray** withdrew his motion.

Commissioner Griffin stated that it was still unclear if the Commission could split the zone. **Chair Rogers** stated that the Commission could make a decision. **Vice Chair McGray** stated that all three companies were capable. **Chair Rogers** suggested that any consideration of splitting the zone should consider the locations of the company storage lots.

Mr. Carter and Ms. Gentry asked if the three companies could meet in the hall to discuss the matter, to see if an agreement could be reached between them. **Chair Rogers** approved this, and adjourned this hearing until the applicants could return.

REPORT ON STATUS OF UNITED CAB PERMITS

Director McQuiston stated that this was a follow-up report on a decision by the Commission at the March 24, 2009 meeting, when United Cab had appealed to extend the deadline to meet the Rules requirement to have no less than 63 of its 70 permits filled. He noted that at the meeting United Cab had provided an unverified list of 60 vehicles to the Commission. He stated that the Commission decision had been to extend the deadline for United Cab no more than three months, subject to reports by the company and by staff at the April 28 meeting on the number of permits filled by the company; if the company were to be in a worse position at that time, then the extension would be withdrawn, and the Commission would take appropriate action. The director stated that the April 28 meeting had been canceled, but that the company had been directed to come to this meeting with a report on the status of its filled permits as of April 28; and that the staff was also prepared to provide a report.

United Cab distributed a list of vehicles titled "United Cab Progress Breakdown".

Director McQuiston stated that the staff report would be in two parts. The first would be a report by Inspector Lawhorn on the number of United Cab vehicles verified by his annual

inspection, as of April 28. The second part would be a report by Ms. Steelman on her verification of the list provided by United Cab to Commissioners at the March 26 meeting, with any additions or deletions that occurred between that date and April 28.

Inspector Lawhorn reported that 52 United Cab vehicles had presented for inspection. He stated that 4 of those had moved to other companies before April 28; so the total verified was 48. **Vice Chair Duane McGray** asked if this was accomplished during the annual tax inspection. Inspector Lawhorn responded that it was; the inspections had been done in March and April. **Vice Chair McGray** noted that the report given by the company in March had claimed 60 vehicles.

Lisa Steelman stated that on March 27 she had checked the list of 60 vehicles provided by United Cab at the March 26 Commission meeting; she reported that she had verified 47 of those vehicles. She also stated that, between March 27 and April 28, she had recorded 9 drivers moving to United and 16 leaving the company. She added that there were at least two discrepancies on the list just distributed by United; vehicles that had been moved to Yellow Cab.

Director McQuiston concluded that as of April 28 United Cab was not moving in the right direction.

Kuldip Singh Mann reported for United Cab. He stated that the company continued to list vehicles if United equipment – meters, toplights, radios – had not been returned. He reported that on April 28 the company had 60 vehicles, of which 55 had been inspected. He stated that 5 of the 55 drivers had left in an April “strike” against the company. He reported that United had 63 vehicles as of May 26, and that the 5 drivers that had left during April still had not returned company equipment. He stated that he would have everything taken care of by the end of July.

Vice Chair McGray asked why there was a discrepancy in the number of inspected vehicles reported by Inspector Lawhorn and the number reported by United. Mr. Mann attempted to explain. Inspector Lawhorn asked if the company could provide proof of insurance on 60 vehicles; Mr. Mann stated that he could.

Commissioner Ed Whitmore asked how many vehicles United had now; Mr. Mann responded that they had 61 insured. **Vice Chair McGray** stated that there was a discrepancy with the new list provided by United Cab, which showed 59. Mr. Mann stated that there had been additions. Director McQuiston stated that he had been sent a list and three updates in the four hours preceding this meeting, none of which were verified.

Vice Chair McGray moved to approve the extension until the June meeting to come into compliance. **Commissioner Mary Griffin** seconded, and the motion passed (4-0). Director McQuiston asked the Commission to set a deadline for United Cab to submit their final list to the Commission staff in advance of the June meeting, so that there would be time to verify. **Chair Rogers** directed United Cab to submit that list no later than 4:30pm on June 16.

CONTINUATION OF PUBLIC HEARING: APPLICATIONS TO OPERATE EMERGENCY WRECKER ZONE

Chair Helen Rogers reconvened the hearing. She asked the owners of Anchor Towing & Recovery, Dad’s Towing, and Tow Pro if they had anything to tell the Commission.

Mr. Carter stated that, if the Commission decided to split the zone two ways, Dad’s would be willing to take the northern half of the zone, and Anchor would be willing to take the southern half, with Old Hickory Boulevard as the boundary.

Ms. Gentry stated that the position of Tow Pro was that the annual wrecker hearing was understood to be the appropriate time to consider boundary changes, and that applications for this zone should consider the zone as it was currently drawn. She stated that Tow Pro had more experience operating an emergency wrecker zone and more equipment than either of the other applicants. She stated that his drivers were trained, that his company had a record of good performance, and that his current zone was one of the smallest zones in the system. She added that his storage lot and staging of wreckers to support the NTR zone was already adequate to meet Metro Codes and response requirements. She concluded with a recommendation that the Commission award the zone to Tow Pro.

Commissioner Mary Griffin moved to split the zone and award it to Dad's Towing and Anchor Towing & Recovery; Dad's Towing to service the area north of Old Hickory boulevard, and Anchor Towing & Recovery to service Old Hickory Boulevard and south.

Vice Chair Duane McGray seconded, and the motion passed (3-0, with one abstention).

Director McQuiston stated that companies would be notified about the effective date/time for implementation.

PUBLIC HEARING: PROPOSAL TO AMEND WRECKER ORDINANCE RESTRICTIONS ON FLASHING LIGHTS

Director McQuiston stated that the current wrecker ordinance prohibited the use of flashing lights by emergency wreckers enroute to an accident scene. He provided a copy of the proposed amendment (**change shown in bold print**):

6.80.450 Prohibited Acts

Flashing Lights. Any person operating a wrecker may utilize flashing lights only when standing on the roadway for the purpose of removing a vehicle and while actually towing any vehicle. Wreckers are prohibited from using flashing lights while going or returning from the location of vehicles if not engaged in towing such vehicles. Further, the operators of tow vehicles shall observe all traffic regulations while going to or returning from the locations of vehicles or while engaged in the towing of vehicles. **However, the operator of a wrecker which is operating for an emergency wrecker service licensed by the metropolitan transportation licensing commission may turn on the yellow rotating beacon prior to reaching the location of the incident if both of the following two criteria are met: First, the operator must be responding to an incident scene called into the company by the emergency communications center. Second, traffic has slowed down because of the incident to a point that will prevent the wrecker from getting to a scene in a timely manner, which is 30 minutes after receiving the call from the Emergency Communications Center.**

Vice Chair Duane McGray moved to approve the proposal to amend the ordinance as indicated. **Commissioner Mary Griffin** seconded, and the motion passed (4-0),

PUBLIC HEARING: PROPOSAL TO EXTEND THE TERM OF THE ADA-ACCESSIBLE TAXICABS INCENTIVE PROGRAM

Director McQuiston stated that the two-year incentive program, initiated in April 2007 to offer up to five additional permits per taxicab company for the exclusive purpose of voluntarily adding ADA-Accessible Taxicabs to their fleets, had expired. He stated that some of the companies had participated in the program; others had not. He reported that a request had been received to extend the term of the program for two more years, to allow companies more time to participate.

Director McQuiston recommended against the proposal. He stated that, with the single exception of Taxi USA, which had recently purchased Diamond Cab, the companies had already been given two years in which to add the permits. He stated that he was in favor of adding more ADA-Accessible Taxicabs, and that the voluntary addition of these vehicles by the taxicab companies represented a success for the local industry; but that without a mechanism to determine whether these taxicabs were actually providing on-demand service to people with wheelchairs, allowing more permits could result in an undesirable increase in the number of overall permits without any improvement in the intended service. The director stated that the Commissioners had been provided a letter from the Accessible Transportation Alliance in opposition to the proposed extension until a regime could be established to ensure that ADA-Accessible taxicabs would be available for on-demand service.

Chair Helen Rogers invited public comment on the proposal to extend the program for two more years.

Jim Church and Jim Burrow, representing Taxi USA of Tennessee, had recommended the extension. They provided a list showing the number of monthly wheelchair trips by the company since February 2007. Their numbers showed that the company had provided about 5,950 wheelchair trips in each of the past two years. In the first year, 219 of these trips were non-contract fares (about 3.7%). In the second year, that number increased to 358 (or 6% of all wheelchair trips). Mr. Church stated that they already had 8 ADA-Accessible taxicabs in service, and wanted to add 4 more during the next 3-4 months. He stated that the company could add five more to Diamond Cab before the end of the year. He noted that the cost of an ADA-Accessible Taxicab was about four times as much as a typical taxicab. Director McQuiston noted that without extension of the incentive program, Taxi USA's plan to add more ADA-Accessible Taxicabs would oblige them to do so within their regular taxicab permit allotment. Mr. Church stated that he understood this, and that this was why the company supported extending the program. Inspector Lawhorn and Director McQuiston clarified that three of the company's ADA-Accessible Taxicabs were included in the "normal" permit allotment.

Doug Trimble, manager of Yellow Cab, questioned why it was necessary to provide more time, when the other companies had not demonstrated a willingness to buy them. He stated that Yellow Cab had seven ADA-Accessible Taxicabs. He suggested that those permits which had not been filled should be made available to other companies.

Johnny White, co-owner of American Music City Taxi, stated that his company had been the first to place ADA-Accessible Taxicabs in service, before the incentive program was established. He stated that the company's vehicles were now too old, but that they continued to operate to meet the need for the service. He stated that his company could not afford to put more ADA-Accessible Taxicabs in service at this time, but that it was important to keep the program to meet the needs of the community.

Girma Ejigu, co-owner of Checker Cab, stated that his company had two ADA-Accessible

Taxicabs in service. He stated that two more were undergoing conversion to meet ADA requirements, and that demand was so great that, until these two vehicles could be placed in service, he had to refer many calls to Yellow and Taxi USA. He agreed that there should be a redistribution of unused permits.

Inspector Lawhorn expressed concern about the ability of current drivers to make a living, and stated that there should be no more permits.

Vice Chair Duane McGray moved to extend the current program until the annual taxicab public hearing in November. **Commissioner Mary Griffin** seconded, and the motion passed (4-0),

OTHER BUSINESS

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

ATTEST:

APPROVED:

Brian E. McQuiston
Director-Executive Secretary

Helen S. Rogers
Chair