

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

Minutes

August 26, 2003

The Metro Transportation Licensing Commission met in regular session on this date at the Metropolitan Nashville General Sessions Judicial Complex in Metro Center. The members present were Roger Abramson, Chair Cynthia Odle, Cary Rogers, Holly Sharp, James Utley and Sammye Woods (6). Also attending were Margaret Darby, Metro Legal, as well as Commission staff members Larry Ennis, Walter Lawhorn, Lisa Steelman and Billy Fields.

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

The minutes of the previous meeting were approved with a correction.

The Chair announced Executive Director Billy Fields had been asked to assume the position of Deputy Director of the Mayor's Office of Neighborhoods on Sept. 2, 2003. Director Fields was thanked for his three years service to the Commission. The Chair stated that Kelvin Jones, a member of the Mayor's Office of Economic Development staff, will be the interim director pending the hiring process.

The Chair reported that Director Fields requested Commission approval for a leave from Civil Service Status, a move which protects Director Fields rights as a civil service employee. A motion was made by Commissioner Woods, with a second from Commissioner Rogers, to approve the request. The motion was passed 5-0. The request will be forwarded to the Civil Service Commission for consideration.

The Chair asked Commissioner Woods, Commissioner Utley and Commissioner Rogers to serve as members of the search committee.

EMERGENCY WRECKER DISCIPLINARY HEARING: *Tow Pro*

Tow Pro, which operates an emergency wrecker zone, appeared before the Commission to answer charges of overcharging a client, failure to respond within 30 minutes as well as adding administrative charges which do not appear in the official charges approved by the Metropolitan Council.

Tow Pro, represented by Doug Williams and Attorney Michael McGovern, explained that the complaint by George Klug, who was not present, was not valid and that all processes were handled properly. After some discussion, the Chair asked Tow Pro to provide additional information including documentation on owner notification. Further, Ms. Darby, Metro Legal representative, was asked to review the allegations and determine what (if any) violations had occurred.

Next, the Commission considered a complaint from the Communications Center regarding Tow Pro's slow response to a call on July 9, 2003. Inspector Ennis explained the dispatching process and detailed the Communications dispatch record. Inspector Ennis stated that Tow Pro should have recognized that it would be unable to respond in a timely fashion and asked that the call be sent to the back-up emergency company. Mr. McGovern stated that this was an isolated incident.

Commissioner Abramson, with a second from Commissioner Woods, moved to place this complaint in the Tow Pro file for future reference, with no other action at this time.

MOTION: Place record in file

ACTION: Approved 5-0

In the third case, Tow Pro's billing records were shared with the Commission. The records illustrated Tow Pro's adding of administrative and notification fees to towing bills. Kathleen Surett, office manager for Tow Pro, answered questions regarding the billing invoices. Mr. Williams explained the process his company uses to find out the owners name and send official notification of the tow and the financial costs as a result. After some discussion, Commissioner Woods, with a second from Commissioner Sharp, moved to place Tow Pro on probation until the next Annual Emergency Zone Wrecker hearing in 2004, cease and desist charging the additional fees, and to refund any fees upon request.

MOTION: Place Tow Pro on probation until the next Annual Emergency Wrecker Hearing, to cease and desist for charging additional fees and refund fees upon request.

ACTION: Approved 3-0-1

Commissioner Woods, with a second from Commissioner Sharp, requested Staff to investigate increasing wrecker fees including storage fees.

MOTION: Study fee structure.

ACTION: Approved 4-0.

TAXICAB DRIVER DISCIPLINARY HEARING

AHMED O. YUSUF appeared before the Commission to answer charges that he was involved in an open dispute with a passenger at the Metropolitan International Airport. Jennifer Swallows, landside coordinator for MNAA, described the situation and was followed by Mr. Yusuf's assessment of the situation. Mr. Yusuf acknowledged that he was upset and used a "hand gesture" toward the passenger.

Commissioner Sharp, with a second from Commissioner Rogers, moved to suspend Mr. Yusuf's taxicab driver permit for three months and to place Mr. Yusuf on probation for one year after reinstatement of the permit.

MOTION: Three month suspension of permit with one year probation beginning at the time of reinstatement.

ACTION: Approved 3-0

WRECKER DRIVER PERMIT REQUEST

JOSH TURNER appeared before the Commission to request a permit to operate a wrecker. His criminal record was reviewed. Commissioner Sharp, with a second from Commissioner Utley, moved to approve a 90-day permit.

MOTION: Approve a 90-day permit.

ACTION: Approved 3-0

Commissioner Woods requested that no application be accepted without being completely filled out by the applicant.

With no further business, the meeting was adjourned.

ATTEST:

APPROVED:

Billy W. Fields
Director-Executive Secretary

Cynthia Odle
Chair