

Nashville Department of Transportation & Multimodal Infrastructure (NDOT)  
Multimodal Access Closure (MAC) Advisory Committee

ARTICLE I – NAME

Section 1. Name: The official name of the organization shall be the Multimodal Access Closure (MAC) Advisory Committee.

ARTICLE II – OFFICAL SEAT

Section 1. Official Seat: The official seat of the MAC Advisory Committee shall be in the ITS Enterprise Conference Room on the third floor of the Howard Office Building, Nashville, Tennessee, and meetings shall be held there except on such occasions and at such times as the Committee may, by a majority vote of those present at any regular, recessed, or special meeting, otherwise direct.

ARTICLE III – SCOPE OF AUTHORITY

Section 1. Scope of Authority: The purpose of the MAC Advisory Committee is to advise the Director of the Nashville Department of Transportation & Multimodal Infrastructure (NDOT) on the exception application submissions based on Instructional Bulletin No. 2022-3.

Section 2. Policy Background: Instructional Bulletin No. 2022-3, the Multimodal Access Closure Policy states all newly permitted construction activities closing a multimodal pathway of travel in Metro Nashville’s right-of-way for a continuous period of seven (7) days or more will be explicitly prohibited. All ongoing currently permitted work will be under review by the Nashville Department of Transportation & Multimodal Infrastructure (NDOT)... If the applicant believes that the inability to utilize Metro right-of-way for more than seven days will constitute an undue burden to completion of a construction project, the applicant may submit a request for an exception. Under the authority and discretion of the Director, NDOT may grant exceptions on a case-by case basis. The Director will create an advisory committee to support providing industry feedback during the exception process.

Section 3. Authority: The committee's authority is limited to the meeting proceedings and operations. Recommendations from the committee will be submitted to the Director of the NDOT. The Director will have the final determination on all exceptions.

Section 4. Conflict of Interest: During the review of Multimodal Access Closure policy exceptions, committee members shall be required to identify any conflict of interest involving exception requests and abstain from deliberation and voting.

ARTICLE IV – MEMBERS

Section 1. Committee Makeup: The MAC Advisory Committee shall be initially comprised of 14 members appointed by the Director of NDOT. The final number of the

committee will be left up to the discretion of the Director. The committee makeup will initially be representing the following industry partners:

- a) Developer Representative
- b) Site Plan Engineer
- c) Contractor Representative
- d) Downtown Merchant Representative
- e) Metro Codes
- f) Metro Water Services
- g) Metro Fire Department
- h) Metro Nashville Police Department
- i) Nashville Electric Service
- j) WeGo
- k) Tennessee Department of Transportation
- l) Walk Bike Nashville
- m) NDOT Representative

Section 2. Rights of Members: Each industry member shall be eligible to appoint a representative to attend and vote on their behalf during monthly meetings if the member is unable to attend the meeting.

Section 3. Terms of Members: Committee members shall serve a term of three years. During the inaugural period of this committee, four members will be asked to serve a term of four years, and an additional four will be asked to serve for 5 years.

Section 4. Selection of Members: Committee member selections will be held annually, starting in 2023, with new terms beginning in January. NDOT will submit a call for volunteers and request recommendations from the existing committee membership. Membership is 100% voluntary. There is no compensation for serving on the committee.

Section 5. Replacement of Members: In the event of any member of the MAC Advisory Committee moving away from Middle Tennessee, deceasing, no longer an active member of the group they represent, or withdrawing for any reason, a new members will be appointed by the Director of NDOT with recommendations from the committee ahead of the next meeting. The replacement member will serve the remainder of the vacant term and then a full term(s) as described in Article 4, Section 3.

## ARTICLE V – REGULAR MEETINGS

Section 1. Regular Meetings: Regular meetings shall be held monthly on the second Thursday of the month at 1:30 PM. If there are no exception applications scheduled for the month the meeting will be canceled. When a regularly scheduled meeting falls on a holiday, the meeting shall be rescheduled in coordination with the committee.

Section 2. Recessed Meetings: Any regular meeting may be recessed to a definite time and place by a majority vote of the Advisory Committee members present at the meeting.

Section 3. Notice of Meetings: Written notice of all regular meetings of the MAC Advisory Committee shall be given by NDOT to the members of the MAC Advisory Committee. Notice of all regular meetings shall be provided at least four days (96 hours) prior to the meeting. The notice shall state the time and place of the meeting and shall be accompanied by an agenda of the matters to be considered by the MAC Advisory Committee at such meeting.

Section 4. Meeting Procedures: Members will be presented with information for review by NDOT staff. The exception applicant(s) will have 10 minutes to present their project to the committee, followed by a Q&A portion. Once the committee has completed their question portion, a 2-minute allowance will be given to any public participant(s) that completed the "Requested to Speak" form for the designated project. After this allocated time the exception applicant(s) and public participant(s) for the project will be asked to leave to allow for the next exception applicant(s) to enter. Meetings will involve deliberation and voting on recommendations.

Section 5. Request to Speak: Any person who wishes to address the MAC Advisory Committee regarding projects scheduled on a current agenda should complete a "Request to Speak" registration form, on which they shall list their name, home address, and the project on which they wish to speak. Presentations to the committee should be clear, concise, and relevant to the project being reviewed by the committee. The committee may take measures to limit the presentation of information that is unrelated to the case or repetitive in nature. Presentations from the public are not permitted for projects not listed on the agenda. Each person registered to speak will be allowed 2 minutes.

Section 6. Voting: A majority of present members must agree for a recommendation to be passed along. Split decisions can be recorded if a majority vote cannot be reached.

Section 7. Quorum: For the transaction of business and taking of official action, a quorum shall consist of a majority of the seated members of the MAC Advisory Committee.

Section 8. Record Public: All regular, recessed, and special meetings, hearings, records, and accounts shall be open to the public.

## ARTICLE VI – MEETING MINUTES, AGENDAS, & MATERIALS

Section 1. Recording and Dissemination: NDOT staff will record and disseminate meeting minutes, meeting agendas, and materials for the committee and public to review.

## ARTICLE VII – AMENDMENTS

Section 1. Amendments: These Bylaws may be amended at any regular meeting by the affirmative vote of a quorum of the MAC Advisory Committee, provided that the proposed amendments have been submitted in writing for committee member distribution at a previous meeting.