



Metropolitan Council

**PROPOSED AMENDMENT TO
RESOLUTION, AMENDMENTS TO
ORDINANCES, AND SUBSTITUTE
ORDINANCE TO BE FILED WITH
THE METRO CLERK
FOR THE COUNCIL MEETING OF
TUESDAY, JANUARY 21, 2020**

AMENDMENT NO. _____

TO

RESOLUTION NO. RS2020-149

Mr. President:

I move to amend Resolution No. RS2020-149 by deleting the first recital clause in its entirety and substituting with the following:

WHEREAS, the Davidson County Sheriff can house up to 100 federal prisoners under the Intergovernmental Services Agreement with the US Marshall authorized by ~~Ordinance 096-596~~ Ordinance No. O96-567, as amended by Ordinance O97-958, whereby the revenue generated will exceed the additional costs by an estimated Five Hundred Sixteen Thousand Two Hundred Dollars (\$516,200), and

INTRODUCED BY:

Bob Mendes
Member of Council

AMENDMENT A
TO
ORDINANCE NO. BL2019-109

Mr. President:

I move to amend BL2019-109 as follows:

1. By deleting Section 2, proposed Section 12.62.020.C.17 and substituting the following:

17. The potential operator's ability to provide the Metropolitan Government with ~~real-time~~ anonymized and aggregated location data sharing and open data information regarding SUMD locations, ridership, aggregated (5 trip minimum) SUMD traffic patterns, and other data.

2. By adding the following two sentences at the end of Section 2, proposed Section 12.62.020.D:

Notwithstanding the above or any conflicting provision in the Metropolitan Code, the MTLC shall not amend the regulations without providing a draft of each proposed regulation to all operators and the public two weeks prior to the MTLC's consideration of the amendment. The MTLC is directed to establish publicly available privacy principles and a summary of its implemented data security measures under those principles to ensure the protection of all data collection as a result of the RFP and through the SUMD program.

INTRODUCED BY:

Freddie O'Connell
Member of Council

AMENDMENT B
TO
ORDINANCE NO. BL2019-109

Mr. President:

I move to amend Ordinance No. BL2019-109 by amending Section 2 by adding the following new subsection F. to Section 12.62.020:

"F. Notwithstanding any other provision of this section to the contrary, the following shall apply from and after this effective date of this subsection:

1. Exclusion zones. No SUMDs shall be permitted within the following areas, providing that operation of SUMDs is permitted on 5th Avenue:
 - a. Exclusion Zone 1 includes the area bordered by and including 2nd Avenue to the east, Church Street to the north, Demonbreun Street to the south, and 7th Avenue to the west.
 - b. Exclusion Zone 2 includes 12th Avenue South from Division Street to Demonbreun Street and 11th Avenue South from its intersection with 12th Avenue South to Demonbreun Street
2. SUMD permit holders (and potential operators) shall use geofencing or other means of technology to prohibit the operation of SUMDs within the above Exclusion Zones.
3. SUMD permit holders (and potential operators) shall provide adequate parking and/or docking areas as determined by the MTLC along the borders of the above Exclusion Zones. No parking of SUMDs shall be permitted within the Exclusion Zones. All SUMDs shall be programed to remain active if parked within the above Exclusion Zones, meaning that a SUMD rider's session is not ended and the rider will continue to be charged the standard per minute charge if parked within an Exclusion Zone."

INTRODUCED BY:

Bob Nash
Member of Council

SUBSTITUTE ORDINANCE NO. BL2020-114

An Ordinance to amend Chapter 10.56 of the Metropolitan Code of Laws to limit the idling of motor vehicles.

WHEREAS, in 2009, the Environmental Defense Fund recommended reducing idling to save money and cut pollution; and

WHEREAS, in 2009, Vanderbilt University published a research paper titled: "Costly Myths: An Analysis of Idling Beliefs and Behavior in Personal Motor Vehicles" that though most modern fuel-injected engines do not need warming, and restarting a vehicle uses less fueling causes less wear and tear on the vehicle's engine than idling for 10 seconds or more, the average individual idles for over 16 minutes a day and believes that a vehicle can be idled for at least 3.6 minutes before it is better to turn it off, and those who held inaccurate beliefs idled, on average, over 1 minute longer than the remainder of the sample; and

WHEREAS, in 2010, the State of Tennessee introduced no idling of unattended vehicles in Tennessee Code Annotated § 55-8-162; and

WHEREAS, in 2014, the Nashville Metropolitan Government introduced an Engine Anti-Idling Program for Metro Vehicles in Administrative Order 01-09 Revision 02; and

WHEREAS, in 2017 the Livable Nashville Committee recommended launch of a "No-Idling" pilot program at Nashville schools, hospitals, and daycare centers; and

WHEREAS, in 2019, Mayor Cooper announced multiple initiatives, including but not limited to reducing CO2 emissions in Nashville; and

WHEREAS, a limitation on idling in Nashville and Davidson County will help to accomplish Metro's initiatives and lead to better air quality.

BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Chapter 10.56 of the Metropolitan Code of Laws is hereby amended by creating a new section 10.56.310 as follows:

10.56.310 – Idling Motor Vehicles

- A. No person shall cause or permit the engine of a motor vehicle, other than an authorized emergency vehicle as defined in Section 12.04.020, to idle for longer than three minutes while parking, standing, or stopping on public streets or in public or private parking areas, such as parking garages or surface parking lots.
- B. No person shall cause or permit the engine of a motor vehicle, other than an authorized emergency vehicle as defined in Section 12.04.020, to idle for longer than one minute if such motor vehicle is within an established school zone while parking, standing, or stopping.
- C. Subsections A and B shall not apply to the following:
 - 1. When a vehicle is stopped for an official traffic control device or signal, for traffic conditions over which the driver has no control, including but not limited to a line of traffic, railroad crossing, construction zone, or at the direction of a law enforcement officer;
 - 2. When necessary for safety or an emergency;
 - 3. When necessary for vehicle maintenance;
 - 4. When necessary to accomplish work for which the vehicle was designed, except transporting passengers, or to operate equipment;

- 5. Airport shuttle buses actively engaged in the discharge or pickup of passengers;
 - 65. School buses actively engaged in the discharge or pickup of students;
 - 76. School buses idling for a period or periods aggregating not more than 20 minutes in any 60-minute period when temperatures are less than 40 Degrees Fahrenheit or greater than 75 Degrees Fahrenheit;
 - 8. Except as stated in subsection C.7., when temperatures are less than 40 degrees Fahrenheit or greater than 75 Degrees Fahrenheit.
- D. The driver of any vehicle found in violation of this section shall be subject to a fine in the amount of fifty dollars may be reported to department of health via the HUB or its successor, and providing license plate number, type and make of vehicle, day and time the incident occurred, location where incident occurred, and approximate time idling if known. The violator may receive an informational postcard on the adverse effects of idling vehicles.

Section 2. This Ordinance shall take effect ~~from and~~ 90 days after its passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

SPONSORED BY:

Tonya Hancock
Member of Council

AMENDMENT NO. ____

TO

ORDINANCE NO. BL2020-114

Mr. President:

I move to amend Ordinance No. BL2020-114 by adding the following recitals:

WHEREAS, A Vanderbilt University study indicates that the average individual idles in a motor vehicle for 16 minutes per day for reasons including warming up the car, waiting for passengers, and traffic flow; however current vehicle technology makes it better for the vehicle to warm it up while moving and more fuel efficient to turn a vehicle off when stopped for longer than ten seconds; and

WHEREAS, According to the Environmental Protection Agency, transportation, which includes motor vehicles, generates the largest share of greenhouse gas emissions in the US; and

WHEREAS, Metro Health Department Annual Reports consistently show that motor vehicles are the number one contributor to air pollution from NO_x, CO, VOC, and Ozone, the primary pre-cursors of smog in Nashville's atmosphere; and

WHEREAS, Scientific research has documented a strong link between Ozone and smog in the atmosphere and negative health effects such are irritation of the respiratory system, reduced lung function, aggravation of asthma, and possible aggravation of emphysema and bronchitis as well as immune system weakening; and

WHEREAS, Children and people with respiratory diseases are particularly sensitive to Ozone; and

WHEREAS, Limiting idling of motor vehicles only to times when it is deemed to be necessary can save energy, reduce greenhouse gases, provide cleaner air, and improve health outcomes.

INTRODUCED BY:

Burkley Allen
Member of Council

AMENDMENT NO. ____
TO
ORDINANCE NO. BL2020-115

Mr. President –

I hereby move to amend Second 1 by deleting references to "10.64.020" wherever it appears and substituting instead "10.64.019".

SPONSORED BY:

Steve Glover
Member of Council