

METROPOLITAN NASHVILLE-DAVIDSON COUNTY

TRANSPORTATION LICENSING COMMISSION

Minutes

June 27, 2013

The Metropolitan Nashville-Davidson County Transportation Commission (TLC) met in regular session on this date at the Historic Metropolitan Courthouse. Present were Vice Chairman Sal Hernandez, Commissioners Rhonda Marko, Sam Patel, Curt Wallen and Pat McNally. {Commissioner Turner arrived after the opening of the meeting.} Also present were Metro Legal Advisers Theresa Costonis, Rachelle Gallimore-Scruggs along with TLC staff members Lisa Steelman, Darlene Turnbo and Interim Director Billy Fields.

In the absence of the Chair, Vice Chair Hernandez called the meeting to order, and then led the Pledge of Allegiance followed by a reading of the Notice of Appeal Statement which outlined the right of appeal for TLC decisions.

Minutes

Commissioner McNally, with a second from Commissioner Patel, moved to approve the minutes from the previous meeting.

ACTION: Approved 4-0

Abdulkadir Jama, a driver for Nashville Cab, was publicly congratulated by Commissioner Marko for being honored by the Nashville Convention and Visitors Bureaus for being a "Music City Hitmaker" for his outstanding service to a visitor to the city.

Public Hearings

The Vice Chair called the public hearing to order for the purpose of considering the request by Dad's Towing to operate the emergency wrecker zone currently assigned to West Nashville Towing. Interim Director Fields reported that Dad's Towing had entered into a contract with United Road Service (owner of West Nashville Wrecker) to purchase the company. He explained that the zone did not transfer with the sale because the TLC had to make the assignment. Interim Director Fields also said that A.B. Collier Wrecker had also applied to operate this zone, but withdrew the application prior to the meeting. Jim Mitchell, representing Dad's, asked for permission to operate the zone. George Bergeron, United Road Service, appeared to request the transfer and confirm the sale. Larry Boggs, current manger of West Nashville Towing, appeared to confirm that he would continue to operate as general manager and the current staff will be retained.

Commissioner Patel moved, with a second from Commissioner Marko , moved to transfer operation of the zone operated by West Nashville towing, be transferred to Dad's Towing.

Action: Approved 4-0.

The Vice Chair called the public hearing to order for the purpose of holding an annual meeting to consider the assignment of the Emergency Wrecker Zones. Interim Director Fields explained that the Metropolitan Code of Law required that the TLC hold an annual meeting to consider any changes or requests for change to the emergency wrecker zone assignments. He said Chapman's Wrecker filed a request to include more area in its assignment area.

The Vice Chair opened the public hearing and the following companies appeared to speak:

AB Collier, Robert and David Dunn
Bailey's Wrecker Service, Maggie Martin
Brown's Wrecker, Gary Brown
Carter's Wrecker Service, Jimmy Carter
Chapman's Wrecker Service, Chris Graham
Roadmaster (Tow Pro)/ Cotton's Towing, David Williams
Dad's Towing, David Williams
Donelson Wrecker, Keith Shelton
Hillwood Wrecker, Myrtis Shope
Martin's Wrecker, Maggie Martin
Mike's Custom Towing, Maggie Martin
Smith Car Care Center, Manual Lopez
Tommy's Wrecker Service, Tommy Goddard
West Nashville Wrecker, Larry Boggs

The Vice Chair took out of order, the request by Chapman's for additional territory for its zone which would be taken from AB Collier and Martin's. Both AB Collier and Martin's appeared to request that the zone not be changed.

Commissioner McNally with a second from Commissioner Marko moved to deny the request.

ACTION: Approved 4-0

The remaining companies followed with their comments and presentation. At the conclusion of their presentations, the Vice Chair closed the public hearing.

Commissioner Patel with a second from Commissioner McNally moved to make no changes to the current emergency wrecker zone assignments or service areas.

ACTION: Approved 4-0.

Special Meeting

The Vice Chair announced a special meeting to consider applications for ADA Accessible vehicles from existing holders of taxicab certificates of necessity and convenience. Interim Director Fields reminded the TLC that these applications were filed after the May meeting where it was determined additional ADA Accessible taxicabs were needed to meet demands in Nashville. He added that the TLC agreed that the existing certificate holders could, if approved, add additional vehicles totaling 110 percent of the assigned permits. He said if all permits were filled by the certificate holders, the total ADA Accessible vehicles would be approximately 80.

He shared with the TLC the following chart to illustrate to explain the actual applications and the ADA Accessible vehicle applications:

Company	Current Permits	ADA Accessible Allowed
American Music City Taxi	95	10
Checker Cab	105	11
Green Cab	35	N/A *
Kwik Cab	25	3
TaxiUSA	220	---
Allied Cab	109	11
Nashville Cab	75	8
1-800-Taxi	36	4
TennCab	35	4
United Cab	70	7
Volunteer Cab	45	5
Yellow Cab	125	13
	755	76

*Green Cab did not apply for additional ADA vehicles at this time.

Interim Director Fields said if all of the permits requests were granted, the total available taxicabs in Nashville would rise to 831. The Vice Chair opened the public hearing. Doug Trimble (Yellow Cab) stated that the additional taxicabs were needed. Jere Lee (TennCab) stated that his clients were happy and would like additional permits at any time they could be made available.

Commissioner Wallen with a second from Commissioner Turner moved to approve all of the applications for additional taxicabs as ADA Seibel vehicles. ~~Seibel~~ *accessible*

Prior to the vote interim Director Fields pointed out that TaxiUSA operates three companies so the new ADA Accessible permits could be used for any of their company divisions.

ACTION: Disapproved 5-0.

Commissioner Wallen, with a second from Commissioner Turner moved to grant 76 permits as follows: American Music City, 10; Checker Cab, 11; Kwik Cab, 3; TaxiUSA (through its companies), 23; TennCab, 4, United Cab, 7, Volunteer Cab, 5 and Yellow Cab 13.

ACTION: Approved 5-0.

Green Cab, represented by Melinda Grant, appeared to request an extension of 30 days to complete the permitting of their assignee vehicles.

Commissioner Marko moved, with a second from Commissioner Patel, to approve this request.

ACTION: Approved 5-0.

Wreckers

Camel Towing appeared to request a license to operate as a general wrecker company.

Commissioner McNally, with a second from Commissioner Wallen, moved to approved.

ACTION: Approved 5-0.

Interim Director Fields reported the following drivers have made application for new wrecker driver permits:

- Brewer, Michael W.
- Coles, David A.
- Gaines, Oronnie D.
- Gooch, Tyrone
- Kelly, Christopher R.
- Mayes, Jimmy Jr.
- Rigsby, Paul D.
- Ryman, Mark W.
- Searby Christopher F

Commissioner Marko, with a second from Commissioner Patel, moved to approve the applications.

ACTION: Approved 5-0

Interim Director Fields reported that Russell A. Porter III applied for a wrecker driver permit, but did not have an employer and needed to be heard separately. Mr. Porter appeared to say he was looking for a company to work for, but did not have an employer at the present time. After questioning, Commissioner McNally moved, with a second from Commissioner Wallen, moved to approve the permit.

ACTION: Approved 4-1

Commissioner McNally asked Interim Director Fields if there was any way to keep a special watch on Mr. Porter. According to interim Director Fields, the permit can be issued when Mr. Porter is able to show employment. Commissioner McNally asked that any violations be brought to the TLC.

Non-Consent Towing Application

Interim Director Fields reported that Copeland's Towing and Recovery, owner Mitchell Copeland, applied for a license to operate a non-consent towing service and said the application was in order with the company meeting the criteria established by rule.

Commissioner Patel, with a second by Commissioner Marko, moved to approve the non-consent towing permit.

Taxicabs

Abdullahi A. Abdulle appeared to request a taxicab driver permit. Interim Director Fields reported that his previous request was denied by the TLC in 2011 because of charges he used khat, a stimulant drug derived from a shrub found in Africa and has been ruled illegal in the United States. Mr. Abdulle said he would submit to drug testing. Kwik Cab's Robby Singe said Mr. Abdulle would be hired if his application as approved.

Commissioner Marko, with a second from Commissioner Patel, moved to approve the request.

ACTION: Approved 5-0.

Other Passenger Vehicles for Hire

Interim Director Fields said James E. Whitfield's application as a driver should be deferred until the July meeting.

Other Business

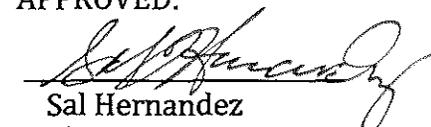
With no further business, the meeting was adjourned.

ATTEST:



Billy Fields
Interim Director

APPROVED:



Sal Hernandez
Vice Chair