

Amendment No. _____

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

Signature of Sponsor

AMEND Senate Bill No. 1143

House Bill No. 839*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-50-502(a)(1)(H), is amended by deleting the subdivision and substituting instead the following:

(H) Has been finally convicted of any driving offense in any court and has not paid or secured any fine or costs imposed for that offense;

SECTION 2. Tennessee Code Annotated, Section 55-50-502(j), is amended by deleting the subsection and substituting instead the following:

(1) The court shall inquire of every licensee who is convicted of a driving offense whether the person requests to make payments pursuant to an installment payment plan.

(2) The clerk of any court that handles traffic citations shall offer a payment plan, which must be reasonable and based on a person's income and ability to pay, to any person convicted of a driving offense who requests to make payments pursuant to an installment payment plan. The person may request, and the court clerk shall grant, modifications to the payment plan upon a change in the person's financial circumstances or upon good cause shown. If the request for modification is denied by a deputy clerk, then the person may appeal the denial to the chief clerk. If a request for modification is denied by the chief clerk, then the person may petition the court for modifications to the payment plan based upon a change in the person's financial circumstances or upon good cause shown.

(3)



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(A) Any person who does not enter into a payment plan after being convicted of a driving offense is required to enter into a payment plan pursuant to this subsection (j) upon the person failing to timely pay the fines and costs ordered by the court and the provision of notice and opportunity to correct described in subdivision (j)(3)(B).

(B) The court clerk shall notify the person in writing within five (5) business days of the date the assessed fines and costs are due if the person fails to pay the fines and costs by such date. The notification must include the outstanding balance owed and the date, which shall be thirty (30) days from the date of the notification, by which the person must correct the default or show that the person has, in fact, paid the fines and costs owed. If the person fails to correct the default or demonstrate that the person has paid the fines and costs owed within thirty (30) days of the notification, the person must enter into a payment plan pursuant to this subsection (j).

(4)

(A) The court clerk shall inform a person who enters into a payment plan pursuant to this subsection (j) that:

(i) Failure to timely make the payments as ordered by the court results in the suspension of the person's license and the issuance of a restricted license; and

(ii) Any default on the payment plan while the person is issued a restricted license results in the revocation of the restricted license and the person's driving privileges as described in subdivision (j)(6).

(B) The court clerk shall notify the person in writing within five (5) business days of any default on a payment plan to pay fines and costs and the date, which shall be thirty (30) days from the date of the notification, by which the person must correct the default or show that the person has, in fact, complied with the payment plan. If the person fails to correct the default or demonstrate

compliance with the payment plan within thirty (30) days of the notification, the court shall order the suspension of the person's license and the issuance of a restricted license if the person is otherwise eligible for a driver license. The court clerk shall notify the department of the person's failure to comply with the payment plan and request the suspension of the person's license.

(C) Upon notice of the person's failure to comply with the payment plan established pursuant to this subdivision (j)(4), the department shall suspend the license of the person and, upon the person presenting a certified copy of the order and paying the application fee to the department in accordance with subdivision (j)(5)(B), issue a restricted license in its place.

(5)

(A) A restricted license issued pursuant to this subsection (j) is valid only for travel necessary for:

(i) Employment;

(ii) School;

(iii) Religious worship;

(iv) Participation in a recovery court, which includes drug courts under the Drug Court Treatment Act of 2003, compiled in title 16, chapter 22; DUI courts; mental health courts; and veterans treatment courts; or

(v) Serious illness of the person or an immediate family member.

(B) The order for the issuance of a restricted license must state with all practicable specificity the necessary times and places of permissible operation of a motor vehicle. The person may obtain a certified copy of the order and, within ten (10) days after the order is issued, present it, together with an application fee of sixty-five dollars (\$65.00), to the department, which shall issue a restricted license embodying the limitations imposed in the order. After proper application and until the restricted license is issued, a certified copy of the order may serve in lieu of a driver license.

(6)

(A) The court clerk shall notify, in writing, a person who is issued a restricted license in accordance with this subsection (j) within five (5) business days of any default on a payment plan to pay fines and costs and the date, which shall be thirty (30) days from the date of the notification, by which the person must correct the default or show that the person has, in fact, complied with the payment plan. If the person fails to correct the default or demonstrate compliance with the payment plan within thirty (30) days of the notification, the court shall order the revocation of the person's restricted license. The court clerk shall notify the department of the person's failure to comply with the payment plan and request the revocation of the person's restricted license.

(B) No sooner than six (6) months from the date of revocation, a person whose restricted license is revoked pursuant to this subdivision (j)(6) may apply with the court clerk for a certification that the person is eligible to be reissued a restricted license; provided, that the person must be actively participating in an installment payment plan in accordance with subdivision (j)(2).

(C) Upon the person's application for a certification that the person is eligible to receive a reissued restricted license pursuant to subdivision (j)(6)(B), the court clerk shall certify that the person is actively participating in a payment plan and request the reissuance of a restricted driver license for the person if the person is otherwise eligible for a driver license. The certification must state with all practicable specificity the necessary times and places of permissible operation of a motor vehicle for purposes described in subdivision (j)(5)(A). The person may obtain a copy of the certification and, within ten (10) days after the certification is issued, present it, together with an application fee of sixty-five dollars (\$65.00), to the department, which shall issue a restricted license embodying the limitations imposed in the certification. After proper application

and until the restricted license is issued, a copy of the certification may serve in lieu of a driver license.

(7) Notwithstanding this subsection (j), a person will be issued a restricted license or have the person's license reinstated only if the person is otherwise eligible for a driver license.

(8) The process described by this subsection (j) applies until the person fully pays the moneys owed the court or any outstanding fines or costs are waived by the court.

(9) If otherwise eligible for a driver license, any person whose driver license was suspended under subdivision (a)(1)(H), prior to July 1, 2019, for nonpayment of court costs or fines may apply to the court having original jurisdiction over the traffic offense for an order reinstating the person's license upon entering into an installment payment plan under this subsection (j). The person may present a certified copy of the court's order to the department of safety, which shall reissue a driver license at no cost to the person if the person is otherwise eligible for a driver license.

SECTION 3. Tennessee Code Annotated, Section 55-50-502(d), is amended by deleting the language "subdivision (a)(1)(H) or (a)(1)(I)" wherever it appears and substituting instead the language "subdivision (a)(1)(I)".

SECTION 4. Tennessee Code Annotated, Section 55-50-303(e)(1), is amended by deleting the language "Failure to timely make the payments as ordered by the court shall result in the suspension of the restricted license."

SECTION 5. Tennessee Code Annotated, Section 40-24-105(b), is amended by deleting the subsection in its entirety and substituting instead the following:

(1) Any person who is issued a license under title 55 and who has not paid all litigation taxes, court costs, and fines assessed as a result of disposition of any offense under the criminal laws of this state within one (1) year of the date of the completion of the sentence shall enter into an installment payment plan with the clerk of the court

ordering disposition of the offense to make payments on the taxes, costs, and fines owed.

(2) The clerk of the court ordering disposition of an offense shall offer a payment plan, which must be reasonable and based on a person's income and ability to pay, to any person convicted of an offense under the criminal laws of this state who requests to make payments pursuant to an installment payment plan or who is required to enter into an installment payment plan in accordance with subdivision (b)(1). A person may request, and the court clerk shall grant, modifications to the payment plan upon a change in the person's financial circumstances or upon good cause shown. If the request for modification is denied by a deputy clerk, then the person may appeal the denial to the chief clerk. If a request for modification is denied by the chief clerk, then the person may petition the court for modifications to the payment plan based upon a change in the person's financial circumstances or upon good cause shown.

(3)

(A) The court clerk shall inform a person who enters into a payment plan pursuant to this subsection (b) that:

(i) Failure to timely make the payments as ordered by the court results in the suspension of the person's license and the issuance of a restricted license; and

(ii) Any default on the payment plan while the person is issued a restricted license results in the revocation of the restricted license and the person's driving privileges as described in subdivision (b)(5).

(B) The court clerk shall notify the person in writing within five (5) business days of any default on a payment plan to pay fines and costs and the date, which shall be thirty (30) days from the date of the notification, by which the person must correct the default or show that the person has, in fact, complied with the payment plan. If the person fails to correct the default or demonstrate compliance with the payment plan within thirty (30) days of the notification, the

court shall order the suspension of the person's license and the issuance of a restricted license if the person is otherwise eligible for a driver license. The court clerk shall notify the department of the person's failure to comply with the payment plan and request the suspension of the person's license.

(C) Upon notice of the person's failure to comply with any payment plan established pursuant to this subsection (b), the department shall suspend the license of the person and, upon the person presenting a certified copy of the order and paying the application fee to the department in accordance with subdivision (b)(4)(B), issue a restricted license in its place.

(4)

(A) A restricted license issued pursuant to this subsection (b) is valid only for travel necessary for:

(i) Employment;

(ii) School;

(iii) Religious worship;

(iv) Participation in a recovery court, which includes drug courts under the Drug Court Treatment Act of 2003, compiled in title 16, chapter 22; DUI courts; mental health courts; and veterans treatment courts; or

(v) Serious illness of the person or an immediate family member.

(B) The order for the issuance of a restricted license must state with all practicable specificity the necessary times and places of permissible operation of a motor vehicle. The person may obtain a certified copy of the order and, within ten (10) days after the order is issued, present it, together with an application fee of sixty-five dollars (\$65.00), to the department, which shall issue a restricted license embodying the limitations imposed in the order. After proper application and until the restricted license is issued, a certified copy of the order may serve in lieu of a driver license.

(5)

(A) The court clerk shall notify, in writing, a person who is issued a restricted license in accordance with this subsection (b) within five (5) business days of any default on a payment plan to pay fines and costs and the date, which shall be thirty (30) days from the date of the notification, by which the person must correct the default or show that the person has, in fact, complied with the payment plan. If the person fails to correct the default or demonstrate compliance with the payment plan within thirty (30) days of the notification, the court shall order the revocation of the person's restricted license. The court clerk shall notify the department of the person's failure to comply with the payment plan and request the revocation of the person's restricted license.

(B) No sooner than six (6) months from the date of revocation, a person whose restricted license is revoked pursuant to this subdivision (b)(5) may apply with the court clerk for a certification that the person is eligible to be reissued a restricted license; provided, that the person must be actively participating in an installment payment plan in accordance with subdivision (b)(2).

(C) Upon the person's application for a certification that the person is eligible to receive a reissued restricted license pursuant to subdivision (b)(5)(B), the court clerk shall certify that the person is actively participating in a payment plan and request the reissuance of a restricted driver license for the person if the person is otherwise eligible for a driver license. The certification must state with all practicable specificity the necessary times and places of permissible operation of a motor vehicle for purposes described in subdivision (b)(4)(A). The person may obtain a copy of the certification and, within ten (10) days after the certification is issued, present it, together with an application fee of sixty-five dollars (\$65.00), to the department, which shall issue a restricted license embodying the limitations imposed in the certification. After proper application and until the restricted license is issued, a copy of the certification may serve in lieu of a driver license.

(6)

(A) Notwithstanding this subsection (b), if a licensee claims an inability to pay taxes, fines, or costs imposed for a disposition of any offense under the criminal laws of this state due to indigency, the court shall offer the person the opportunity to submit proof of the person's financial inability to pay, which may include a signed affidavit of indigency. For purposes of this subdivision (b)(6), the standard for a claim of indigency is the same as for an indigent person, as defined in § 40-14-201.

(B) Upon proof of a person's financial inability to pay, the court shall suspend the person's taxes, fines, and costs for a period of one (1) year. No additional fines or costs accrue against the original taxes, fines, and costs as a result of or during the suspension of the person's taxes, fines, and costs. The court shall also order the person to reappear before the court upon the expiration of the one-year period for a reevaluation of the person's financial ability or inability to pay the taxes, fines, or costs. If, after the reevaluation, the person:

(i) Is no longer financially unable to pay or secure any portion of the taxes, fines, or costs in accordance with subdivision (b)(6)(A), the court shall reinstate the taxes, fines, and costs and apply subdivisions (b)(2)-(5); or

(ii) Remains financially unable to pay any portion of the taxes, fines, or costs, the court shall extend the suspension of the person's taxes, fines, and costs and order the person reappear before the court for a reevaluation of the person's financial ability or inability to pay the fine or cost in accordance with this subdivision (b)(6)(B). The process described by this subdivision (b)(6)(B) applies until the person fully pays the moneys owed the court or any outstanding taxes, fines, or costs are waived by the court.

(7) Notwithstanding this subsection (b), a person will be issued a restricted license or have the person's license reinstated only if the person is otherwise eligible for a driver license.

(8) The process described by this subsection (b) applies until the person fully pays the moneys owed the court or any outstanding taxes, fines, or costs are waived by the court.

(9) If otherwise eligible for a driver license, any person whose driver license was revoked under this section, prior to July 1, 2019, for nonpayment of litigation taxes, court costs, and fines assessed may apply to the court having original jurisdiction over the offense for an order reinstating the person's license upon entering into an installment payment plan under this subsection (b) or the submittal of proof described in subdivision (b)(6). The person may present a certified copy of the court's order to the department of safety, which shall reissue a driver license at no cost to the person if the person is otherwise eligible for a driver license.

SECTION 6. Tennessee Code Annotated, Section 40-24-105, is amended by deleting subsection (h) in its entirety.

SECTION 7. This act shall take effect July 1, 2019, the public welfare requiring it.

House Safety & Funding Subcommittee Am. #1

Amendment No. _____

Signature of Sponsor

AMEND Senate Bill No. 1489

House Bill No. 76*

FILED
Date _____
Time _____
Clerk _____
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by adding the following at the end of the amendatory language in subsection (e) of SECTION 1:

Nothing in this subsection (e) authorizes the removal or other redesign of any distinctive identification legend or letters required to be included on memorial or military plates.



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Signature of Sponsor

AMEND Senate Bill No. 1495

House Bill No. 918*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-7-205(h), is amended by deleting subdivision (5) and substituting instead the following:

(5) A permit shall be available from the department of transportation on an annual basis for each specific vehicle to be used for transporting overdimensional or overweight loads, or both, except for those vehicles specifically permitted and used to transport cotton seed modules as provided in subsection (b), overdimensional boats used for noncommercial purposes as provided in subdivision (h)(6), mobile homes as provided in § 55-4-406, and towing vehicles used to transport wrecked, disabled, or abandoned vehicles under a towing permit as provided in subdivision (n)(5), as follows:

(A) For vehicles transporting loads up to but not exceeding thirteen feet ten inches (13'10") in height, ninety feet (90') in length, or twelve feet six inches (12'6") in width, one hundred dollars (\$100); provided, however, that vehicles transporting loads up to but not exceeding thirteen feet six inches (13'6") in width may obtain an annual permit upon the condition that such overwidth movements shall be accompanied by an escort vehicle as required in the rules and regulations promulgated by the commissioner in accordance with this section;



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(B) For vehicles transporting loads with excess weights up to but not exceeding one hundred twenty thousand pounds (120,000 lbs.), five hundred dollars (\$500);

(C) For vehicles transporting loads with excess weights over one hundred twenty thousand pounds (120,000 lbs.) but not exceeding one hundred fifty-five thousand pounds (155,000 lbs.), one thousand dollars (\$1,000);

(D) For vehicles transporting loads with excess weights over one hundred fifty-five thousand pounds (155,000 lbs.) but not exceeding one hundred sixty-five thousand pounds (165,000 lbs.), one thousand five hundred dollars (\$1,500);

(E) Vehicles transporting loads that are both overdimensional and overweight shall be charged a separate annual fee for both overdimensional loads and overweight loads as provided in subdivisions (h)(5)(A)-(D);

(F) No annual permit shall be available for any vehicle transporting loads with weights exceeding one hundred sixty-five thousand pounds (165,000 lbs.) or dimensions exceeding thirteen feet ten inches (13'10") in height, ninety feet (90') in length, or thirteen feet six inches (13'6") in width, and any such vehicle shall be required to obtain a special permit for the fee or fees otherwise established in subdivisions (h)(1)-(4) for a vehicle movement with excessive width, height, length, or weight; provided, however, that a vehicle holding an annual permit for excessive weight under subdivisions (h)(5)(B)-(D) may supplement that annual permit by obtaining a single trip permit allowing for the movement of a load with excessive width, height, or length not previously covered by an annual permit under this subdivision (h)(5); and

(G) Notwithstanding any vehicle movement authorized under an annual permit as provided in this subdivision (h)(5), no such vehicle shall be authorized to exceed any vehicle weight limit or limits posted on any bridge or highway by the public official having jurisdiction over such bridge or highway; and

SECTION 2. This act shall take effect January 1, 2020, the public welfare requiring it.

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Signature of Sponsor

AMEND Senate Bill No. 173*

House Bill No. 164

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-8-199, is amended by deleting the section and substituting instead the following:

(a) As used in this section:

(1) "Stand-alone electronic device" means a portable device other than a wireless telecommunications device that stores audio or video data files to be retrieved on demand by a user;

(2) "Utility services" means electric, natural gas, water, waste-water, cable, telephone, or telecommunications services or the repair, location, relocation, improvement, or maintenance of utility poles, transmission structures, pipes, wires, fibers, cables, easements, rights of way, or associated infrastructure; and

(3) "Wireless telecommunications device" means a cellular telephone, a portable telephone, a text-messaging device, a personal digital assistant, a stand-alone computer, a global positioning system receiver, or substantially similar portable wireless device that is used to initiate or receive communication, information, or data. "Wireless telecommunications device" does not include a radio, citizens band radio, citizens band radio hybrid, commercial two-way radio communication device or its functional equivalent, subscription-based emergency communication device, prescribed medical device, amateur or ham radio device,



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or in-vehicle security, navigation, autonomous technology, or remote diagnostics system.

(b) A person, while operating a motor vehicle on any road or highway in this state, shall not:

(1) Physically hold or support, with any part of the person's body a:

(A) Wireless telecommunications device. This subdivision

(b)(1)(A) does not prohibit a person eighteen (18) years of age or older from:

(i) Using an earpiece, headphone device, or device worn on a wrist to conduct a voice-based communication; or

(ii) Using only one (1) button on a wireless telecommunications device to initiate or terminate a voice communication; or

(B) Stand-alone electronic device;

(2) Write, send, or read any text-based communication, including, but not limited to, a text message, instant message, email, or internet data on a wireless telecommunications device or stand-alone electronic device. This subdivision (b)(2) does not apply to any person eighteen (18) years of age or older who uses such devices:

(A) To automatically convert a voice-based communication to be sent as a message in a written form; or

(B) For navigation of the motor vehicle through use of a device's global positioning system;

(3) Reach for a wireless telecommunications device or stand-alone electronic device in a manner that requires the driver to no longer be:

(A) In a seated driving position; or

(B) Properly restrained by a safety belt;

(4) Watch a video or movie on a wireless telecommunications device or stand-alone electronic device other than viewing data related to the navigation of the motor vehicle; or

(5) Record or broadcast video on a wireless telecommunications device or stand-alone electronic device. This subdivision (b)(5) does not apply to electronic devices used for the sole purpose of continuously recording or broadcasting video within or outside of the motor vehicle.

(c)

(1) A violation of this section is a Class C misdemeanor, subject only to imposition of a fine not to exceed fifty dollars (\$50.00). However, if the violation is the person's third or subsequent offense or if the violation results in an accident, the fine is one hundred dollars (\$100); or if the violation occurs in a work zone when employees of the department of transportation or construction workers are present or in a marked school zone when a warning flasher or flashers are in operation, the fine is two hundred dollars (\$200). Any person violating this section is subject to the imposition of court costs not to exceed ten dollars (\$10.00), including, but not limited to, any statutory fees of officers. State and local litigation taxes are not applicable to a case prosecuted under this section.

(2) In lieu of any fine imposed under subdivision (c)(1), a person who violates this section as a first offense may attend and complete a driver education course pursuant to § 55-10-301.

(3) Each violation of this section constitutes a separate offense.

(d) This section does not apply to the following persons:

(1) Officers of this state or of any county, city, or town charged with the enforcement of the laws of this state, or federal law enforcement officers when in the actual discharge of their official duties;

(2) Campus police officers and public safety officers, as defined by § 49-7-118, when in the actual discharge of their official duties;

(3) Emergency medical technicians, emergency medical technician-paramedics, and firefighters, both volunteer and career, when in the actual discharge of their official duties;

(4) Emergency management agency officers of this state or of any county, city, or town, when in the actual discharge of their official duties;

(5) Persons using a wireless telecommunications device to communicate with law enforcement agencies, medical providers, fire departments, or other emergency service agencies while driving a motor vehicle, if the use is necessitated by a bona fide emergency, including a natural or human occurrence that threatens human health, life, or property;

(6) Employers or contractors of utility services providers acting within the scope of their employment; and

(7) Persons who are lawfully stopped or parked in their motor vehicles or who lawfully leave standing their motor vehicles.

(e) A traffic citation that is based solely upon a violation of this section is considered a moving traffic violation.

(f) The department of transportation is directed to utilize the department's permanent electronic overhead informational displays located throughout this state to provide periodic messages to the motoring public as to this section.

(g) The department of safety is directed to include distracted driving as part of the instructional information used in driver education training.

SECTION 2. Tennessee Code Annotated, Section 55-8-207, is amended by deleting the section in its entirety.

SECTION 3. This act shall take effect July 1, 2019, the public welfare requiring it.

Amendment No. _____

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Time _____
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Comm. Amdt. _____

Signature of Sponsor

AMEND Senate Bill No. 747*

House Bill No. 1252

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-9-401(c), is amended by deleting the subsection and substituting instead the following:

(c) No person shall operate on a highway a horse-drawn vehicle that is used on the highway primarily as a means of transportation during the period of time from one-half (1/2) hour before sunset until one-half (1/2) hour after sunrise and at all other times when there is not sufficient light to render clearly discernible any person on the road or highway at a distance of two hundred feet (200') ahead of the vehicle, unless the vehicle:

(1) Is equipped with two (2) reflective type lanterns, one (1) to be placed on the left side of the vehicle and one (1) to be placed on the right side of the vehicle with the lantern on the right side to be placed at least twelve inches (12") higher than the lantern on the left, and also has a minimum of one hundred square inches (100 sq. in.) of reflector tape placed on the rear of the vehicle, thirty-six inches (36") of reflector tape placed on each side of the vehicle, and twenty-four inches (24") of reflector tape placed at the highest point of the left front of the vehicle; and

(2) Is equipped with one (1) red, battery-operated light-emitting diode (LED) flashing light located at the top left-hand corner on the rear of the vehicle.

The light must be at least three inches (3") by three inches (3").

SECTION 2. Tennessee Code Annotated, Section 55-9-401(e), is amended by deleting the subsection and substituting instead the following:



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(e) A violation of this section is a Class C misdemeanor, punishable only by a fine not to exceed fifty dollars (\$50.00); except, the fine imposed for a violation of subsection (c) is ten dollars (\$10.00).

SECTION 3. This act shall take effect January 1, 2020, the public welfare requiring it.

Amendment No. _____

FILED
Date _____
Time _____
Clerk _____
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Signature of Sponsor

AMEND Senate Bill No. 1346

House Bill No. 1107*

by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 10-7-504(a), is amended by adding the following as a new subdivision (31):

(A) Except as provided in subdivisions (a)(31)(B) - (D), personally identifying information of any person named in any motor vehicle accident report is confidential and not open for public inspection.

(B) Notwithstanding subdivision (a)(31)(A) and upon written request, any person named in any motor vehicle accident report, or such person's agent, legal representative, or attorney, certifying that the person has permission from the person, persons, or entities authorized to obtain motor vehicle records information pursuant to § 55-25-107(b)(1), (6) or (9), is authorized to receive an accident report containing personally identifying information of persons involved in the accident.

(C) Notwithstanding subdivision (a)(31)(A), any federal, state, or local governmental agency, or any private person or entity acting on behalf of a federal, state, or local governmental agency, may use personally identifying information in carrying out the agency's functions.

(D) Nothing in this subdivision (a)(31) prevents a law enforcement entity from releasing information about traffic accidents to the public, including the name, age, and county or city of residence of a person involved in an accident, when the law enforcement entity determines such release is in the best interest of the agency and for the public good.



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(E) For purposes of this subdivision (a)(31), "personally identifying information"

means:

- (i) Street addresses and zip codes;
- (ii) Telephone numbers;
- (iii) Driver license numbers; and
- (iv) Insurance information.

SECTION 2. Tennessee Code Annotated, Section 55-10-108(d), is amended by deleting the language "The report under subsection (b)" and substituting instead the following:

Except for personally identifying information described in § 10-7-504(a)(31), the report under subsection (b)

SECTION 3. Tennessee Code Annotated, Section 55-10-108(f), is amended by deleting the subsection in its entirety and substituting instead the following:

(1) Any report of a motor vehicle accident investigated by the department or prepared pursuant to subsection (b) is open to public inspection as a public record under the public records laws compiled in title 10, chapter 7, with the exception of personally identifying information as provided in § 10-7-504(a)(31).

(2) It is a Class B misdemeanor, punishable only by fine of two thousand five hundred dollars (\$2,500) per occurrence for any person to knowingly use the report or information contained in the report for solicitation that is prohibited by a standard of conduct or practice of any profession licensed by this state. Any person requesting the disclosure of personally identifying information who misrepresents that person's identity or makes a false statement on any request submitted pursuant to this chapter commits a Class B misdemeanor, punishable only by a fine of two thousand five hundred dollars (\$2,500) per occurrence.

SECTION 4. Tennessee Code Annotated, Section 55-10-108(g), is amended by deleting the subsection in its entirety and substituting instead the following:

(g) A person who holds a professional license regulated by the executive branch of this state who uses information obtained pursuant to this section in violation of a

statute, code of professional ethics, or rule of professional conduct applicable to that person commits a Class B misdemeanor, punishable by fine only of two thousand five hundred dollars (\$2,500) per occurrence.

SECTION 5. Tennessee Code Annotated, Section 55-10-108, is amended by adding the following as a new subsection (h) and redesignating appropriately the current subsection (h) and remaining subsections accordingly:

(h) In addition to any other remedies, a person whose personally identifying information is obtained in violation of subdivision (f)(2) or subsection (g) may bring a private right of action individually to recover actual damages against the person or entity committing such violation. The trial court may award a civil penalty up to two thousand five hundred dollars (\$2,500) per act or occurrence against such person or entity. The action may be brought in a court of competent jurisdiction in the county where the alleged violation took place or in the county in which the plaintiff resides. Upon a determination of a violation by the trier of fact, the court may award the plaintiff reasonable attorneys' fees and costs. The private right of action provided in this subsection (h) does not apply to contact by persons or entities allowed to obtain personally identifying information pursuant to § 10-7-504(a)(31)(B) or other applicable law.

SECTION 6. This act shall take effect July 1, 2019, the public welfare requiring it.

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Signature of Sponsor

AMEND Senate Bill No. 44*

House Bill No. 181

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-50-323(a)(2)(J)(i), is amended by deleting the language ". Photo licenses issued to persons who have attained sixty-five (65) years of age shall not expire".

SECTION 2. Tennessee Code Annotated, Section 55-50-336, is amended by deleting subsection (c) and substituting instead the following language:

(c) Photo identification licenses issued by the department shall be issued in the same manner as driver licenses.

SECTION 3. Tennessee Code Annotated, Section 55-50-336, is amended by adding the following as a new, appropriately designated subsection:

(1) A person who has attained sixty-five (65) years of age and who applies for a photo identification license may elect to receive a photo identification license that does not expire.

(2) A non-expiring photo identification license will continue to be valid until cancelled or replaced. A replacement may be obtained at any time upon payment of the fee specified in § 55-50-323(a)(2)(J)(i).

(3) A non-expiring photo identification license is subject to the limitations of § 55-50-331(i).

SECTION 4. Tennessee Code Annotated, Section 55-50-337, is amended by deleting subsection (b) in its entirety and redesignating the remaining subsections accordingly.

SECTION 5. This act shall take effect July 1, 2019, the public welfare requiring it.



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