

House Judiciary Criminal Practice Subcommittee Amendment # 1

AMENDMENT NO. _____

Signature of Sponsor

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

AMEND Senate Bill No. 1717*

House Bill No. 1553

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

SECTION 1. Tennessee Code Annotated, Section 40-33-203, is amended by adding the following new subpart to subsection (b):

(4) If the conveyance seized is a commercial vehicle or common or contract carrier and the person in possession of the vehicle at the time of seizure does not have an ownership interest in the vehicle, the seizing officer shall, from the vehicle's manifest, bill of lading or public records of titles, registrations and other recorded documents, make reasonable efforts to determine the owner of such conveyance and notify the owner thereof of the seizure. Unless the interest of the owner of such commercial vehicle or common or contract carrier is subject to forfeiture under § 40-33-210(a)(2), such vehicle or carrier is not subject to forfeiture under the provisions of this part, the seizing officer shall not seek a forfeiture warrant and, upon the request of the owner of the vehicle or carrier, shall immediately be released by the seizing agency to such owner or transporting agent. For purposes of this subsection "commercial vehicle" includes a private passenger motor vehicle that is used for retail rental for periods of thirty-one (31) days or less.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

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