

SENATE BILL 1286  
By Miller J

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 10; and Title 55, Chapter 4, relative to punishment for driving under the influence of an intoxicant.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 10, Part 4, is amended by adding the following language as a new, appropriately designated section:

Section 55-10-4\_\_\_. (a) The division of motor vehicles of the department of safety shall design and issue special license plates for DUI offenders. Such special plates shall be designed and issued in conformity with the provisions of chapter 4, part 2 of this title, except as otherwise provided by this section.

(b) Such special plates shall bear the letters "DUI" followed by no more than four (4) numerals beginning with the numeral 0001. Such letters and numerals shall be white and the special plate shall contain a red background.

(c) It is an offense for any person to drive during the period described in subsection (d), a motor vehicle or recreational vehicle that does not display the special license plate issued pursuant to this section, if such person has been convicted of a second or subsequent violation of Section 55-10-401.

(d) The requirement described in subsection (c) shall apply for two (2) years from the date such person's mandatory period of driver license suspension expires, regardless of whether the offender reinstates or applies for a new driver license.

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(e)(1) Upon a person's second or subsequent conviction of a violation of Section 55-10-401, the department shall, within thirty (30) days of receipt of the record of conviction pursuant to Section 55-50-503, revoke the current registration of all motor vehicles and recreational vehicles to which the offender holds sole title and ownership, and shall promptly notify the offender of such revocation(s) by certified mail, return receipt requested.

(2) The offender shall surrender the license plates and registration for such motor vehicle or recreational vehicle within five (5) business days of receiving such revocation notice.

(3) Such notification of revocation shall also inform the offender that upon expiration of the mandatory period of driver license suspension and upon payment of all applicable fines and court costs resulting from the offender's DUI conviction, the offender is eligible to apply for a special license plate authorized by this section for any motor vehicle or recreational vehicle to which the offender holds sole title and ownership.

(f) Any motor vehicle or recreational vehicle purchased or otherwise legally acquired by the offender subsequent to the offender's second conviction of a violation of Section 55-10-401, but prior to the expiration of the period delineated in subsection (d), may only be registered pursuant to this section.

(g) Upon the offender complying with the requirements described in subdivision (e)(3) and paying the regular registration and licensing fees and an additional fee of twenty-five dollars (\$25.00), the department shall issue the offender a special license plate authorized by this section for a motor vehicle or recreational vehicle to which the offender holds sole title and ownership.

(h) A violation of subsection (c) of this section is a Class A misdemeanor. A violation of subsection (e)(2) of this section is a Class C misdemeanor.

SECTION 2. Tennessee Code Annotated, Section 55-4-202(c)(3), is amended by adding the following language as a new, appropriately designated subdivision:

( ) DUI offenders;

SECTION 3. Tennessee Code Annotated, Section 55-4-203, is amended by adding the following language as a new, appropriately designated subdivision:

( ) DUI offenders -- twenty-five dollars (\$25.00);

SECTION 4. The department of safety is authorized to promulgate all necessary rules and regulations to effectuate the provisions of this act. Such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, codified at title 4, chapter 5.

SECTION 5. For the purpose of promulgating rules and regulations, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 1997, and shall apply to all violations of Section 55-10-401 committed on or after such date.

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