

SENATE BILL 1893
By Kyle

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 14, Part 1 and Title 55, Chapter 5, relative to theft of motor vehicles.

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

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 5, is amended by adding the following as a new, appropriately designated section:

(a) A bailment shall be created when the owner of a motor vehicle, for consideration, leaves such motor vehicle and the keys to operate such motor vehicle with another person in order for the other person to perform parking services, mechanical services, or any other similar services on such motor vehicle.

(b) As part of the bailment created by this section, immediately upon discovering that a bailed motor vehicle under the bailee's care has been stolen, the bailee shall report the theft to the appropriate law enforcement agency and to the bailor, if the bailor's address is known to the bailee.

(c) The bailor of a motor vehicle left in a bailee's care pursuant to this section shall have a cause of action against a bailee for the loss of the motor vehicle while in the bailee's care. In such action against the bailee, in accordance with § 24-5-111, proof by the bailor that the motor vehicle was delivered to the bailee and that it was not returned or redelivered according to the contract shall constitute prima facie evidence that the bailee was negligent.

(d) A violation of subsection (b) is a Class C misdemeanor.

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