

HOUSE BILL 3354
By Buck

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 10, Part 4, relative to the offense of driving under the influence of an intoxicant and other alcohol related offenses.

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

SECTION 1. Tennessee Code Annotated, Section 55-10-403, is amended by deleting subsection (l) and substituting instead the following:

(l) For the purpose of enhancing the punishment of a person convicted of violating § 55-10-401, the state shall use a conviction for the offense of driving under the influence of an intoxicant that occurred in another state and may use the conviction for an act that occurred in another state that would constitute the offense of driving under the influence of an intoxicant if it was committed in this state.

SECTION 2. Tennessee Code Annotated, Section 55-10-412, is amended by deleting subsection (a) and substituting instead the following:

(a) In addition to the punishment hereinbefore provided, the court:

(1) May, in its discretion:

(A) Prohibit a person convicted as a first offender from driving or operating a motor vehicle for any period of time up to and including six (6) months;

(B) Prohibit a person convicted as a second offender from driving or operating a motor vehicle for any period of time up to and including three (3) years; and

(C) Prohibit a person convicted as a third or subsequent offender from driving or operating a motor vehicle for a period of time up to and including ten (10) years.

(2) Shall order such person to operate only a motor vehicle or motorcycle equipped with a functioning interlock device in accordance with subsection (l) if such person is convicted of a violation of § 55-10-401, within the past five (5) years.

SECTION 3. This act shall take effect July 1, 2004, the public welfare requiring it.