

<b>FILED</b>
Date _____
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Clerk _____
Comm. Amdt. _____

**Amendment No. 1 to SB3501**

**Cohen  
Signature of Sponsor**

**AMEND Senate Bill No. 3501**

**House Bill No. 3060\***

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

SECTION 1. Tennessee Code Annotated, §57-3-412(c), is amended by adding the following language at the end of the first sentence of the subsection:

In addition to any criminal penalty established by this subsection (c), a court in which a person younger than twenty-one (21) years of age but eighteen (18) years of age or older is convicted under this subsection (c) of a second or subsequent offense shall prepare and send to the department of safety, driver control division, within five (5) working days of the conviction, an order of denial of driving privileges for the offender for a period not to exceed one (1) year. Such offender may apply to the court for a restricted driver license. The judge shall order the issuance of a restricted motor vehicle operator's license in accordance with the provisions of §55-50-502. The court and the department shall follow the same procedures and utilize the same costs for a person younger than twenty-one (21) years of age but eighteen (18) years of age or older as provided in title 55, chapter 10, part 7, for offenders younger than eighteen (18) years of age but thirteen (13) years of age or older.

SECTION 2. Tennessee Code Annotated, §57-3-412(c)(1), is amended by deleting the language "or not less than twenty (20) hours of community service work" and substituting instead the language "and not less than twenty (20) hours of community service work".

SECTION 3. Tennessee Code Annotated, §57-5-301(d)(3), is amended by adding the following language at the end of the first sentence of the subdivision:

In addition to any criminal penalty established by this subdivision (d)(3), a court in which a person younger than twenty-one (21) years of age but eighteen (18) years of age or older is convicted under this subdivision (d)(3) of a second or subsequent offense

shall prepare and send to the department of safety, driver control division, within five (5) working days of the conviction, an order of denial of driving privileges for the offender for a period not to exceed one (1) year. Such offender may apply to the court for a restricted driver license. The judge shall order the issuance of a restricted motor vehicle operator's license in accordance with the provisions of §55-50-502. The court and the department shall follow the same procedures and utilize the same costs for a person younger than twenty-one (21) years of age but eighteen (18) years of age or older as provided in title 55, chapter 10, part 7, for offenders younger than eighteen (18) years of age but thirteen (13) years of age or older.

SECTION 4. Tennessee Code Annotated, §57-5-301(d)(3)(A), is amended by deleting the language "or not less than twenty (20) hours of community service work, or both," and substituting instead the language "and not less than twenty (20) hours of community service work,".

SECTION 5. Tennessee Code Annotated, §39-16-303, is amended by deleting subsection (b) in its entirety and substituting instead the following:

(b) A violation of this section is a Class C misdemeanor; however if a violation of §57-5-301(d)(3) or §57-3-412(c) also constitutes a violation of this section the offender shall be punished in accordance with those sections.

SECTION 6. This act shall take effect July 1, 2006, the public welfare requiring it.