

HOUSE BILL 1312

By Harmon

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 4, Part 1 and Title 65, Chapter 15, Part 1, relative to highway safety.

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

SECTION 1. Tennessee Code Annotated, Section 65-15-113, is amended by deleting subdivision (e)(1) in its entirety and by substituting instead the following language:

(1) The department of safety shall inspect and certify all homemade or materially reconstructed trailers, semi-trailers, and pole trailers that are required to be titled or registered in accordance with title 55, chapters 1-6, and all trailers, semi-trailers and pole trailers with a gross vehicle weight rating (G.V.W.R.) of ten thousand pounds (10,000 lbs) or more that are not required to be titled or registered, for compliance with all applicable safety rules and regulations promulgated by the department of safety.

SECTION 2. Tennessee Code Annotated, Section 65-15-113, is amended by deleting subsection (f) in its entirety and by substituting instead the following language:

(f) Notwithstanding the provisions of this chapter to the contrary, 49 CFR parts 390-397, shall not apply to commercial motor vehicles operated in intrastate commerce to transport property, that have a gross vehicle weight rating or gross combination weight rating of twenty-six thousand pounds (26,000 lbs.) or less. The exception provided by this subsection (f) shall not apply to:

(1) Trailers, semi-trailers or pole trailers having a gross vehicle weight rating (G.V.W.R.) of ten thousand pounds (10,000 lbs) or more that are domiciled in Tennessee; or

(2) Vehicles transporting hazardous materials required to be placarded, or to vehicles designed to transport sixteen (16) or more passengers, including the driver, as defined in title 49 of the CFR.

SECTION 3. This act shall take effect July 1, 2009, the public welfare requiring it.