

HOUSE BILL 3120

By Gilmore

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 12, Part 1 and Title 55, Chapter 50, Part 5, relative to driver license recovery for certain persons with suspended driver licenses.

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

SECTION 1. Tennessee Code Annotated, Section 55-12-129, is amended by adding the following language to the end of subsection (c):

Any person applying for a driver license recovery plan for payment pursuant to § 55-50-502(l) who pays four hundred dollars (\$400) in restoration or reinstatement fees for accumulated offenses requiring a fee as provided under subsection (b) at any one time for such fees shall have all such remaining restoration or reinstatement fees owed by such person waived.

SECTION 2. Tennessee Code Annotated, Section 55-50-502, is amended by adding the following language as a new subsection:

(l)

(1) The circuit court clerk or criminal court clerk of each county, as appropriate, shall establish a driver license recovery plan for payment of any outstanding judgment resulting from failure to pay state or county fines or costs owed by a person whose license has been suspended, pursuant to subdivision (a)(1)(H) or (a)(1)(I). The plan shall allow the person to pay the outstanding judgment, older than five (5) years after the cause of action has commenced, and the outstanding restoration or reinstatement fees, older than five (5) years after the cause of action has commenced, that are owed pursuant to § 55-12-129 at a

reduced rate of fifty percent (50%) during the first six (6) fiscal months of each year.

(2) The administrative office of the courts shall develop a course for persons enrolled in the driver license recovery plan informing such persons of the necessary steps to regaining a driver license in the state. The administrative office of the courts shall provide information on such course, including in an online format, to each circuit court clerk or criminal court clerk upon request.

(3) Notwithstanding any law to the contrary, the amount of any outstanding judgment or other fee that is waived pursuant to subdivision (I)(1) shall be allocated to be borne by all entities otherwise entitled to such fines or fees pro rata in the same proportion such fine or fee would otherwise be distributed.

(4) The department is authorized to reinstate a person's driving privileges when the person provides the department with certification from the circuit court clerk or criminal court clerk of any county that the person has paid pursuant to this subsection (I) and has satisfied all other laws relating to the issuance and restoration of a driver license.

SECTION 3. This act shall take effect July 1, 2010, the public welfare requiring it.