

SENATE BILL 2586

By Bowling

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13; Title 55, Chapter 10 and Title 55, Chapter 8, relative to driving while impaired by fatigue.

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

SECTION 1. Tennessee Code Annotated, Section 39-13-213(a), is amended by adding the following as a new subdivision:

(5) The driver's ability to operate a motor vehicle being impaired by fatigue. For purposes of this subdivision (a)(5), evidence that a person fell asleep while driving or had been without sleep for twenty-four (24) or more consecutive hours shall be prima facie evidence that such person's ability to drive was impaired by fatigue. This subdivision (a)(5) shall not apply to medical or emergency service personnel responding to a catastrophic event which affects the public safety or to other emergencies or calls for assistance.

SECTION 2. Tennessee Code Annotated, Section 39-13-213(b), is amended by adding the following as a new subdivision:

(4) Vehicular homicide under subdivision (a)(5) is a Class E felony.

SECTION 3. This act shall take effect July 1, 2014, the public welfare requiring it.