

83rd Legislative Update 2013

Transportation Code
Offenses

HB 0346

- Amends TN 521.126
- Seeks to protect businesses from fraud by allowing them to scan and store electronically readable information embedded in a driver's license.

HB 0347

- Adds to TN 545.4252
- Adds affirmative defense to “Use of wireless communication device on School property”
- If the wireless communication device was used to make an emergency call
- Also allows use if vehicle is stopped or if used with a hands-free device

HB 0511

- TN 502.255
- Creates a non-expiring license plate for trailers and eliminates the requirements of showing expiration dates on the license plates.

HB 0567 & 0802

- Amends TN 541.201 to expand definition of authorized emergency vehicle to include an emergency services vehicle
- Definition includes a county owned or leased emergency management vehicle that has been designated or authorized by commissioner's court

HB 0625

- Amends TN 504.943
- Changes offense of operation of vehicle without a license plate to be punishable by a fine not to exceed \$200 and able to be dismissed if corrected by first court appearance with a \$10 fee

HB 0719

- Amends TN 551.402
- No later than 12-31-13 DMV will establish procedure for issuance of license plates for golf carts to be used for operation on public highway.
- TN 551.402 Allows for golf cart use:
 - In a master planned community:
 - (A) That has in place a uniform set of restrictive covenants; and
 - (B) For a County or Municipality that has approved a plat
 - On a public or private beach; or
 - On a public highway for which the posted speed limit is not more than 35 mph, during the daytime, and not more than 2 miles from the location where the golf cart usually is parked or for transportation to and from a golf course

HB 1044

- Adds new offense to TN 663.0371
- Prohibits operation of ATV on public beach unless the driver has a valid driver's license and beach must be open to motor vehicle traffic
- Exception if it is a vehicle owned by the government and is being used in the interest of safety for the public.

HB 1097

- Amends TN 542.404
- Allows for increased fine or penalty for construction zones only if the sign indicates the applicable maximum lawful speed

HB 1174

- Amends TN 545.066
- Increases the punishment for passing a school bus to not less than \$500 or more than \$1,250
- Creates an advanced offense if convicted of a second offense within 5 years the fine will be not less than \$1,000 and not more than \$2,000.

HB 1294

- Amends 545.412
- Creates defense to prosecution for unrestrained child if at the time of the offense the defendant did not have a child safety seat but has later obtained one and presented to the court
- Defendant must not have been arrested, been involved in an accident and cannot have received a citation for another offense.

HB 2305

- Amends TN 548.104 to prohibit vehicle equipped with compressed natural gas containers to pass inspection unless they meet federal inspection requirements.
- Amends TN 502.047 to prohibit a vehicle from being registered without compliance with inspection requirements.
- Requires DPS to maintain an electronic database to submit and verify inspection information.

HB 2741

- Adds TN 502.4755 – creates class C offense to manufacture, sell, or possess a registration insignia deceptively similar to state registration insignia.
- Adds TN 504.946 – creates class C offense to manufacture sell, or possess a license plates deceptively similar to plate issued by the state.
- Adds TN 504.947 – creates class C Offense if a person, with criminal negligence, uses, purchases, possesses, manufactures, sells or distributes a license plate flipper.
- **SB 1757** – Creates TN 504.946 to make possession or purchase of license plate flipper to be a class B offense. (effective 6-14-13)
- Adds TN 504.948 – creates catch all Class C offense with penalty range of no less than \$5 to no more than \$200 for violations of chapter 504 of transportation code.

HB 3676

- Amends TN 545.424 to prohibit;
 - (1) a person under 18 to drive while using a wireless communication device
 - (2) a person under 18 during first 12 months from issuance of license to drive between midnight and 5am or with more than one passenger under the age of 21 in the vehicle who is not a family member.

HB 3668

- Amends TN 550.021 to require the operator of a vehicle involved in an accident that results or is likely to result in injury or death to immediately determine whether a person is involved in the accident and whether that person requires aid

SB 0275

- Amends TN 550.021 to increase the penalty for failing to stop following an accident involving injury or death to a second degree felony (it was a third).
- Puts offense more in line with penalty range for intoxicated manslaughter.

SB 0166

- Amends TN 521.126 to include a health care provider among those who may use electronically readable information from a driver's license.

SB 0181

- Amends TN 601.053 to allow the operator of a motor vehicle to provide evidence of financial responsibility by exhibiting an image displayed on a wireless communication device.

SB 0510

- Increases penalty of improperly passing an emergency vehicle to a class B misdemeanor if the violation results in bodily injury
- Amends TN 545.157 and TN 545.301