

PUBLIC CHAPTER NO. 1029**SENATE BILL NO. 3222****By Harper, Burks**

Substituted for: House Bill No. 3120

By Gilmore, Cooper, Hardaway, Miller, Towns, McManus, John Deberry, Ulysses Jones, Richardson, Johnnie Turner, Camper, Lois DeBerry, Kernell, Pruitt, Stewart, White

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 55-50-502, is amended by adding the following language as a new subsection:

(l)(1) The provisions of this subsection (l) shall apply only in any county having a metropolitan form of government with a population of more than five hundred thousand (500,000) according to the 2000 federal census or any subsequent federal census.

(2) A person whose license has been suspended, pursuant to subdivision (a)(1)(H) or (a)(1)(I), may apply to the circuit court clerk or criminal court clerk of each county, as appropriate, to allow for payment of any outstanding judgment resulting from failure to pay state or county fines or costs, older than five (5) years after the date of disposition, at a reduced rate of fifty percent (50%). The circuit court clerk or criminal court clerk, as appropriate, shall allow such person to pay such outstanding judgment, in a single payment, at a reduced rate of fifty percent (50%) during the first six (6) fiscal months of the year.

(3) Notwithstanding any law to the contrary, the amount of any outstanding judgment or other fine or cost that is waived pursuant to subdivision (l)(2) shall be allocated to be borne by all entities otherwise entitled to such fees or costs pro rata in the same proportion such fee or cost 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 (l) and has satisfied all other laws relating to the issuance and restoration of a driver license.

(5) This subsection (l) shall be repealed on June 30, 2012, unless extended by the general assembly prior to such time.

(6) This subsection (l) shall not apply to fines or costs derived from any violation that requires mandatory revocation of a person's driver license, including, but not limited to, any of the following offenses:

(A) Driving under the influence in violation of § 55-10-401;

(B) Aggravated vehicular homicide in violation of § 39-13-218;

(C) Commercial driver license/commercial motor vehicle – out of service order in violation of § 55-50-405(a)(7) or (8);

(D) Commercial driver license/commercial motor vehicle – unattended vehicle in violation of § 55-8-162(b)(1);

(E) Commercial driver license – manufacture, distribution, or dispensing of a controlled substance, or possession with intent to distribute in violation of § 55-50-405(a)(4);

(F) Drag racing in violation of Title 55, Chapter 10, Part 5;

(G) Driving after conviction as habitual offender in violation of § 55-10-616;

(H) Driving on revoked/suspended driver license in violation of § 55-50-504;

(I) Felony by motor vehicle in violation of § 55-50-501(a)(3);

(J) Fleeing law enforcement officer by vehicle in violation of § 39-16-603(b);

(K) Underage driving while impaired in violation of § 55-10-415;

(L) Leaving the scene of an accident in violation of § 55-10-101
or
§ 55-50-405(a);

(M) Reckless endangerment by vehicle in violation of § 39-13-103(b);

(N) Theft of a motor vehicle or part thereof in violation of § 55-50-501(c);

(O) Unlawful use of a driver license in violation of § 55-50-502(a)(1)(F);

(P) Vehicular assault in violation of § 39-13-106;

(Q) Vehicular homicide in violation of § 39-13-213; or

(R) Violation resulting in another's death in violation of §
55-8-197 or
§ 55-50-502(a)(1)(B).

SECTION 2. Tennessee Code Annotated, Section 55-50-502(d)(2), is amended by adding the following language to the end of the present language:

Notwithstanding § 55-50-303(b)(2), the fines and costs for a conviction of driving while suspended, when the conviction was a result of a suspension pursuant to subdivision (a)(1)(H) or (a)(1)(I), may be included in such payment plan, subject to the approval of the court.

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

PASSED: May 24, 2010



RON RAMSEY
SPEAKER OF THE SENATE



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 11th day of June 2010



PHIL BREDESEN, GOVERNOR