

**RULES
OF THE
TENNESSEE DEPARTMENT OF SAFETY**

**CHAPTER 1340-08-01
RULES AND REGULATIONS FOR ACCESS TO PUBLIC RECORDS**

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1340-08-01-.01 CHARGES FOR ACCESS TO PUBLIC RECORDS.

Upon a request for records under Tennessee's Public Records Act, Tenn. Code Ann. § 10-7-501 et seq., the Department shall assess charges for the copying and labor based on the most current version of the Schedule of Reasonable Charges, issued by the Office of Open Records Counsel, available at <http://www.comptroller.tn.gov/openrecords/forms.asp>.

Authority: T.C.A. §§ 4-3-2009 and 10-7-501 et seq.; 2008 Public Chapter 1179. **Administrative History:** Public necessity rule filed November 5, 2008; effective through April 19, 2009. Original rule filed November 5, 2008; effective March 30, 2009.

1340-08-01-.02 WAIVER.

Should any charge assessed under Rule 1340-08-01-.01 total ten (\$10.00) dollars or less, the Department shall waive the charge and provide the requested documents without payment.

Authority: T.C.A. §§ 4-3-2009 and 10-7-501 et seq.; 2008 Public Chapter 1179. **Administrative History:** Public necessity rule filed November 5, 2008; effective through April 19, 2009. Original rule filed November 5, 2008; effective March 30, 2009.

1340-08-01-.03 REDUCTION OF FEES.

The Commissioner, or his or her designee, may reduce any part of the fees calculated under these rules upon a written determination that such reduction would be in the best interests of the public.

Authority: T.C.A. § 10-7-501 et seq.; and 2008 Public Chapter 1179. **Administrative History:** Public necessity rule filed November 5, 2008; effective through April 19, 2009. Original rule filed November 5, 2008; effective March 30, 2009.

1340-08-01-.04 SALE OF MOTOR VEHICLE RECORDS.

- (1) For the preparing and furnishing of each individual motor vehicle record (MVR), the Department shall charge a fee of five (\$5.00) dollars in accordance with T.C.A. § 55-50-204(d)(1).
 - (a) For the purpose of this rule, "individual motor vehicle record (MVR)" means the complete record, prepared and maintained by the department, as it pertains to an individual's driver license and driver history.
 - (b) The \$5.00 fee shall be charged per individual MVR whether furnished in paper or electronic format.

(Rule 1340-08-01-.04, continued)

- (2) For the preparing and furnishing in bulk portions of individual MVRs, the department shall charge a fee that is calculated based on the Schedule of Reasonable Charges for Copies of Public Records established pursuant to T.C.A. § 8-4-604(a)(1).
 - (a) For the purpose of this rule, "bulk" means the one time preparation and furnishing of portions of multiple individual MVRs.
 - (b) Bulk requests shall be furnished in electronic format unless requested otherwise and agreed to by the department.

- (3) For the recurrent preparing and furnishing of portions of multiple or all individual MVRs, the department shall be paid 4/100 of a dollar, per year, for each licensed driver in the state of Tennessee for that year. The total fee per year shall be based on the total number of licensed drivers in the state as of January 1, 2010, and shall be divided and paid in 12 equal monthly payments. The number of licensed records used for calculating the payment shall be adjusted on January 1 of every year.
 - (a) For the purpose of this rule, "recurrent" means monthly or other frequent periodic time interval determined by the department.
 - (b) Recurrent requests shall be furnished in electronic format only.

Authority: T.C.A. §§ 4-3-2009, 8-4-604(a)(1), 10-7-501 et seq., and 55-50-204. **Administrative History:** New rule filed September 21, 2009; to be effective February 28, 2010; however on January 26, 2010, the Department of Safety withdrew the rule. Original rule filed May 27, 2010; effective October 29, 2010.