

Notice of Rulemaking

Tennessee Department of Human Services

Adult and Family Services Division

There will be hearings before the Tennessee Department of Human Services to consider the promulgation of amendments to the Licensure Rules for Child Care Centers Serving Pre-School Children. The hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204 and will take place in the Knoxville State Office Building, 7th Floor Conference Room A, 531 Henley Street, Knoxville, Tennessee, at 6:30 PM Eastern Time on Monday, May 2, 2005; Citizens Plaza State Office Building, Second Floor Boardroom, 400 Deaderick Street, Nashville, Tennessee, at 6:30 PM Central Time on Tuesday, May 3, 2005; Donnelley J. Hill State Office Building, Second Floor Auditorium, 170 North Main Street, Memphis, Tennessee, at 6:30 PM Central Time on Wednesday, May 4, 2005.

Any individuals with disabilities who wish to participate in these proceedings (or to review these filings) should contact the Department of Human Services to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days prior to the scheduled hearing or meeting dates, to allow time for the Department of Human Services to determine how it may reasonably provide such aid or service. Initial contact may be made with the Department of Human Services ADA Coordinator, Fran McKinney, at 400 Deaderick Street, Nashville, Tennessee, (615) 313-5560 (TDD)-(615) 532-8569.

For a copy of this notice of rulemaking hearing, contact: Darryl Wells, Legal Assistant, Citizen's Plaza Building, 400 Deaderick Street, Nashville, Tennessee, 37248-0006 and (615) 313-4731.

Substance of Proposed Rules
of
The Tennessee Department of Human Services
Adult and Family Services Division

Chapter 1240-4-3

Licensure Rules for Child Care Centers Serving Pre-School Children

Amendments

Paragraph (2) of Rule, 1240-4-3-.10, Transportation, is amended by adding the following as a new subparagraph (g) and by re-designating existing subparagraphs accordingly and by re-designating internal references to such subparagraphs in Chapter 1240-4-3 accordingly:

(g) Vehicle Monitoring Devices

1. Beginning May 1, 2005 all vehicles used by or on behalf of the agency for transportation of children that are designed to transport six (6) or more passengers must be equipped with a child safety monitoring device approved by the Department which prompts staff to inspect the vehicle for children before an alarm sounds; provided, however, that such device shall not be required:
 - (i) On vehicles in which all the children being transported are five (5) years of age and in kindergarten, or older, unless any of the children are developmentally or physically disabled or non-ambulatory, or
 - (ii) On vehicles used exclusively for occasional field trips.
2. Only devices approved by the Department are authorized for use on such a vehicle.

Authority: TCA §§ 4-5-201 et seq; TCA 71-1-105; 71-3-501 et seq; 71-3-502(d)(7)(C)(iii).

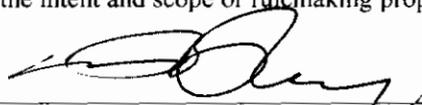
Legal Contact or Party who will approve final copy:

William B. Russell
General Counsel
Citizens Plaza Building, 15th Floor
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(615) 313-4731

Contact for disk acquisition:

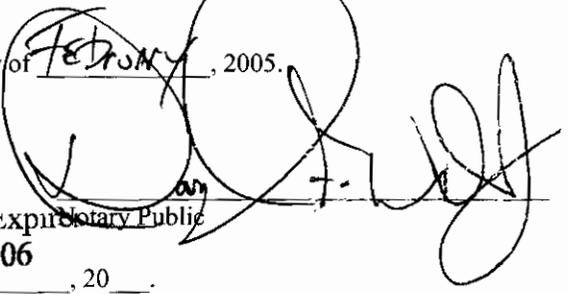
Darryl F. Wells
Legal Assistant
Citizens Plaza Building, 15th Floor
400 Deaderick Street
Nashville, Tennessee 37248-0006
(615) 313-4731

I certify that this is an accurate and complete representation of the intent and scope or rulemaking proposed by the Tennessee Department of Human Services.



William B. Russell
General Counsel
Tennessee Department of Human Services

Subscribed and sworn to before me this the 28th day of February, 2005.



My Commission Expires **August 20, 2006**
Notary Public

My Commission expires on the _____ day of _____, 20__.

The notice of rulemaking set out herein was properly filed in the Department of State on the 28 day of Feb, 2005.



Riley Darnell
Secretary of State

By: _____

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