

Emergency Rules  
of the  
Department of Safety – 1340  
Division of Driver License Issuance

Chapter 1340-1-13  
Classified and Commercial Drivers Licenses  
And Certificates for Driving

Statement of Necessity Requiring Emergency Rules

Pursuant to T.C.A. §4-5-208 I am promulgating emergency rules covering procedures for the issuance of certificates for driving. The emergency amendment to these rules are necessary because of the risk to the security of the State of Tennessee.

I have made a finding that there is an emergency creating a danger to the public welfare in that there have been recent instances of certificates for driving being illegally distributed without proper documentation or testing and sold in violation of the law. Absent an emergency rule to suspend this program, there would be the possibility of such instances occurring again, compromising the security of the citizenry of this state. Therefore, unless emergency rules ceasing the issuance of such certificates to undocumented persons are adopted there would be no safeguard against such issuance. The lack of such rules would be injurious to the security of the citizens of this State.

For copies of the entire text of the proposed amendments, contact: Jason Hunnicutt, Staff Attorney, Tennessee Department of Safety, 1150 Foster Avenue, 615-251-5277.

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Gerald Nicely  
Interim Commissioner of Safety  
State of Tennessee

Amendments

Paragraph (3) of rule 1340-1-13-.02 Definitions is amended by deleting the current language in its entirety and substituting the following language so that as amended the paragraph shall read:

- (3) Certificate for Driving means a certificate issued to persons whose presence in the United States has been authorized by the federal government for a specific purpose and for a specific time and who meet

identification and residency requirements required by the Department. Such certificate shall be clearly distinguishable from a driver license and shall clearly display on its face a phrase similar to “FOR DRIVING PURPOSES ONLY-NOT VALID FOR IDENTIFICATION”.

Authority: T.C.A. §§4-5-208, 55-50-202, 55-50-331

Subparagraph (a) of paragraph (3) of rule 1340-1-13-.03 Driver License and Certificate For Driving Classifications is amended by deleting the current language in its entirety and submitting the following language so that as amended the subparagraph shall read:

- (a) Type T (Non-Commercial Certificate for Driving) Required for any person whose presence in the United States has been authorized by the federal government for a specific purpose and for a specified period of authorized stay who operates a single vehicle with a G.V.W.R. not in excess of twenty-six thousand (26,000) pounds, or a combination vehicle with a G.C.W.R. not in excess of twenty-six thousand (26,000) pounds, except Classes A, B, C, or M or vehicles which require a special endorsement unless the proper endorsement appears on the license.

Authority: T.C.A. §§4-5-208, 55-50-202, 55-50-331

Subparagraph (c) of paragraph (1) of rule 1340-1-13-.08 General Eligibility Standards is amended by deleting such subparagraph in its entirety.

Authority: T.C.A. §§4-5-208, 55-50-202, 55-50-331

Subparagraph (b) of paragraph (3) of Rule 1340-1-13-.17 Expirations and Renewals is amended by deleting such subparagraph in its entirety.

Authority: T.C.A. §§4-5-208, 55-50-202, 55-50-331

Legal Contact and/or Party who will approve final copy:

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Wanda Adams, Assistant Director  
Driver License Issuance  
Department of Safety

1150 Foster Avenue  
Nashville, TN 37249-1000  
615-251-5309

Contact for disk acquisition:

Jason Hunnicutt  
Staff Attorney  
Department of Safety  
1150 Foster Avenue – McCord Hall  
Nashville, TN 37249-1000  
615-251-5277

I certify that this is an accurate and complete copy of emergency rules lawfully promulgated and adopted by the Department of Safety on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Gerald Nicely  
Interim Commissioner of Safety

Subscribed and sworn to before me this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

My commission expires on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

All emergency rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code annotated, Title 4, Chapter 5.

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Paul G. Summers  
Attorney General and Reporter

The emergency rules set out herein were properly filed in the Department of State on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and will be effective from the date of filing for a period of \_\_\_\_\_ days. These emergency rules will remain in effect through the date of \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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Riley C. Darnell  
Secretary of State

By: \_\_\_\_\_