

Proposed 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

Presented herein are proposed amendments of the License Issuance Division, Department of Safety submitted pursuant to T.C.A. §4-5-202 in lieu of a rulemaking hearing. It is the intent of the Department of Safety to promulgate these rules without a rulemaking hearing unless a petition requesting such hearing is filed within thirty (30) days of the publication date of the issue of Tennessee Administrative Register in which the proposed amendments are published. Such petition to be effective must be filed with the Department of Safety, 1150 Foster Avenue, Nashville, TN 37249, and in the Department of State, 8th Floor, Tennessee Tower, William Snodgrass Building, 312 8th Avenue North, Nashville, TN 37243, and must be signed by twenty-five (25) persons who will be affected by the amendments, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

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.

The text of the proposed amendments is as follows:

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 in 1340-1-13-.12. 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. §§4-5-202, 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. §§4-5-202, 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. §§4-5-202, 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. §§4-5-202, 55-50-202, 55-50-331

The proposed rules set out herein were properly filed in the Department of State on the 31st day of March, 2006, and pursuant to the instructions set out above, and in the absence of the filing of an appropriate petition calling for a rulemaking hearing, will become effective on the 28th day of July, 2006.