

Proposed Rules
of
The Tennessee Department of Safety
Tennessee Highway Patrol

Chapter 1340-7-1
Employee Criteria for Tennessee Highway Patrol

Presented herein is a proposed rule of the Department of Safety submitted pursuant to Tennessee Code Annotated, Section 4-5-202 in lieu of a rulemaking hearing. It is the intent of the Department of Safety to promulgate this rule without a rulemaking hearing unless a petition requesting such a hearing is filed within thirty (30) days of the publication date of the Tennessee Administrative Register in which the proposed rule is published. Such petition to be effective must be filed with the Department of Safety Legal Division, 1150 Foster Ave., Nashville, TN 37249-1000, and in the Department of State, Publication Division, 312 Eighth Avenue North, 8th Floor, William R. Snodgrass Tower, Nashville, TN 37243, and must be signed by twenty-five (25) persons who will be affected by the rule, or submitted by a municipality which will be affected by the rule, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

For a copy of this proposed rule contact: Jason Hunnicutt, Staff Attorney, Tennessee Department of Safety, Legal Division, 1150 Foster Avenue, Nashville, TN 37249, 615-251-5277.

The text of the proposed rule is as follows:

New rules

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Authority: T.C.A. §§4-3-2009 and 4-7-112.

1340-7-1-.01 Purpose

- (1) To establish uniform criteria for employment as a commissioned officer and dispatcher with law enforcement agencies that are a part of the Department of Safety.

Authority: T.C.A. §§4-3-2009 and 4-7-112.

1340-7-1-.02 Definitions

- (1) “Commissioner” means the Commissioner of the Department of Safety.
- (2) “Department” means the Tennessee Department of Safety.
- (3) “Lawful Permanent Resident” means the status of having been accorded the privilege of residing permanently in the United States as an immigrant in accordance with the immigration laws, such status not having changed.
- (4) “Commissioned Officer” means those officers appointed and sworn according to T.C.A. §4-7-102.

Authority: T.C.A. §§4-3-2009 and 4-7-112.

1340-7-1-.03 Employee Criteria

- (1) A Commissioned Officer of the Department or a dispatcher of the Department shall be either a citizen of the United States or a Lawful Permanent Resident of the United States. This rule shall apply only to those Commissioned Officers and dispatchers hired after the effective date of this rule.

Authority: T.C.A. §§4-3-2009 and 4-7-112.

The proposed rules set out herein were properly filed in the Department of State on the 28th day of October, 2005, 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 February, 2006.