



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 157**

**SENATE BILL NO. 17**

**By Roberts, Yager**

Substituted for: House Bill No. 21

By Pitts, Hardaway, Clemmons

AN ACT to amend Tennessee Code Annotated, Section 54-5-1003 and Chapter 1039 of the Public Acts of 2016, relative to the Driving Under the Influence (DUI) memorial signing program.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Shadow 'Shada' Brooke Lowe Act." The department of transportation shall install as soon as reasonably practicable a memorial sign pursuant to this act to honor the memory of Shadow 'Shada' Brooke Lowe, the namesake of this act and eighteen-year-old student at Roane State Community College, who died as a result of a head-on collision on October 9, 2011; provided, that all of the requirements of Tennessee Code Annotated, Section 54-5-1003, have been met.

SECTION 2. Tennessee Code Annotated, Section 54-5-1003(e), is amended by deleting the language "Within one (1) year from the date of conviction of the driver for a violation of § 55-10-401, § 39-13-106, § 39-13-213(a)(2), or § 39-13-218, an immediate family member" and substituting instead the language "Within one (1) year from the date of conviction or death of the driver who was driving in violation of § 55-10-401, § 39-13-106, § 39-13-213(a)(2), or § 39-13-218, an immediate family member".

SECTION 3. Tennessee Code Annotated, Section 54-5-1003(e)(5), is amended by deleting the language "Name of the driver convicted for a violation of" and substituting instead the language "Name of the driver convicted for a violation of, or name of the driver proven to be under the influence of an intoxicant in violation of,".

SECTION 4. Tennessee Code Annotated, Section 54-5-1003(f), is amended by adding the following language at the end of the first sentence immediately preceding the period:

; except, that if the driver who was driving under the influence of an intoxicant in violation of § 55-10-401, § 39-13-106, § 39-13-213(a)(2), or § 39-13-218 died as a result of the accident, then in lieu of a report of the conviction, the application shall be accompanied by a copy of the toxicology report or autopsy report that demonstrates that the driver was intoxicated over the legal limit set in the offenses listed in this subsection (f).

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: April 10, 2017

  
RANDY McNALLY  
SPEAKER OF THE SENATE

  
BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 24<sup>th</sup> day of April 2017

  
BILL HASLAM, GOVERNOR