



State of Tennessee

PUBLIC CHAPTER NO. 850

SENATE BILL NO. 2698

By Bailey

Substituted for: House Bill No. 1710

By Doss, Goins

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 16, relative to motor vehicles.

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

SECTION 1. Tennessee Code Annotated, Section 55-16-105(e), is amended by deleting the following language:

If the owner of the vehicle is not present, then prior to any person, firm or entity towing any vehicle pursuant to this chapter, such person, firm or entity shall notify local law enforcement

and substituting instead the following:

If the owner of the vehicle is not present, then within fifteen (15) minutes of any person, firm, or entity towing any vehicle pursuant to this chapter, such person, firm, or entity shall notify local law enforcement

SECTION 2. Tennessee Code Annotated, Section 55-16-105(g)(2), is amended by deleting the following language:

A garagekeeper or towing firm that does not verify ownership of a motor vehicle within three (3) business days after taking possession of such motor vehicle pursuant to this section or that does not notify by mail the owner of such motor vehicle within six (6) days after taking possession shall not be entitled to receive more than six (6) days of storage-related expenses.

and substituting instead the following:

A garagekeeper or towing firm that does not verify ownership of a motor vehicle within three (3) business days after taking possession of such motor vehicle pursuant to this section or that does not notify by mail the owner of such motor vehicle within three (3) business days after receiving verification of ownership from the appropriate state department or agency shall not be entitled to receive more than six (6) days of storage-related expenses.

SECTION 3. Tennessee Code Annotated, Title 55, Chapter 16, Part 1, is amended by adding the following as a new, appropriately designated section:

(a) There is created the towing advisory board ("the board"), consisting of the following nine (9) members:

(1) One (1) current sheriff, to be appointed by the Tennessee Sheriffs' Association;

(2) One (1) current police chief, to be appointed by the Tennessee Association of Chiefs of Police;

(3) The colonel of the highway patrol or the colonel's designee;

(4) One (1) individual, to be appointed by the district attorneys general conference;

(5) One (1) individual, to be appointed by the commissioner of commerce and insurance;

(6) Three (3) individuals, to be appointed by the Tennessee Tow Truck Association; and

(7) One (1) private citizen, to be elected by the board who is not affiliated with any of the above listed entities.

(b)(1) A person appointed to the board shall:

(A) Be appointed to a three-year term, and shall begin on July 1 and terminate on June 30, three (3) years thereafter;

(B) Serve from the date of appointment until a replacement is appointed;

(C) Be a resident of this state; and

(D) Not have been convicted of a felony.

(c) When a vacancy occurs in the appointed membership for any reason, the replacement shall be appointed from the same entity in accordance with subsection (a) for the remainder of the unexpired term.

(d) The colonel of the highway patrol or the colonel's designee shall call the first regular meeting of the board. The board shall elect a chair and a vice chair from differing industries at its first regular meeting of each calendar year. The chair and vice chair shall serve a maximum of two (2) consecutive years.

(1) The vice chair shall:

(A) Record the minutes of each meeting; and

(B) In the event the chair is unable to attend a meeting, the vice chair shall assume the position of chair for that meeting, and the vice chair shall designate another board member to record the minutes.

(2) The board shall never elect a chair or vice chair from the same industry for two (2) consecutive terms.

(e) The board shall meet at least twice each year.

(f) Any seven (7) voting members shall constitute a quorum for required board elections and towing related recommendations.

(g) A member of the board shall not receive compensation, benefits, per diem, or travel expenses for the member's service. A member shall not give or receive gifts or favors, which impairs, or gives the appearance of impairing, the member's ability to provide full, unbiased public service.

(h) The board may advise the towing industry and law enforcement agencies on the adoption of policies and other issues related to the towing industry.

(i) The board shall annually report the board's recommendations to the transportation and safety committee of the senate and the transportation committee of the house of representatives on or before November 30 of each year.

(j) This section is deleted on July 1, 2020.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: April 12, 2018



RANDY McNALLY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 26th day of April 2018



BILL HASLAM, GOVERNOR