



State of Tennessee

PUBLIC CHAPTER NO. 97

HOUSE BILL NO. 756

By Representatives Marsh, White

Substituted for: Senate Bill No. 663

By Senator Watson

AN ACT to amend Tennessee Code Annotated, Title 8; Title 50; Title 54; Title 55 and Title 65, relative to motor carrier safety.

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

SECTION 1. Tennessee Code Annotated, Title 65, Chapter 15, Part 1, is amended by adding the following as a new section:

(a) The deployment, implementation, or use of a motor carrier safety improvement by or as required by a motor carrier or its related entity, including by contract, shall not be considered when evaluating an individual's status as an employee or independent contractor, or as a jointly employed employee, under any state law.

(b) For purposes of this section, "motor carrier safety improvement" means any device, equipment, software, technology, procedure, training, policy, program, or operational practice intended and primarily used to improve or facilitate any of the following:

- (1) Compliance with traffic safety or motor carrier safety laws;
- (2) Safety of a motor vehicle;
- (3) Safety of the operator of a motor vehicle; or
- (4) Safety of third-party users of public roadways.

SECTION 2. Nothing in this act shall affect the liability of common carriers, motor carriers, private motor carriers, or trucking companies, as provided in the federal Motor Carrier Safety Act of 1986 (49 U.S.C. §§ 13901 et seq.); federal motor carrier safety regulations of the federal motor carrier safety administration, compiled in 49 C.F.R. §§ 350 - 399; Tennessee Code Annotated, Title 65, Chapter 15, Part 1; and rules and regulations promulgated pursuant to Tennessee Code Annotated, Sections 65-15-106 and 65-15-113, pertaining to the supervision and control of motor carrier vehicles and motor buses, including, but not limited to, Tenn. Comp. R. & Reg. 1340-06-01-.08.

SECTION 3 This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: March 14, 2019


GLEN CASADA, SPEAKER
HOUSE OF REPRESENTATIVES


RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 28th day of March 2019


BILL LEE, GOVERNOR