STATE OF TENNESSEE

EXECUTIVE ORDER

BY THE GOVERNOR

Number 36

AN ORDER TRANSFERRING THE DIVISION OF TITLE AND REGISTRATION FROM THE DEPARTMENT OF SAFETY TO THE DEPARTMENT OF REVENUE

WHEREAS, it has been determined that in the interest of economy, efficiency and better coordination of the functions of state government, the Division of Title and Registration in the Department of Safety should be transferred to the Department of Revenue; and

WHEREAS, both the Department of Revenue and the Department of Safety are created and established in Tennessee Code Annotated, Section 4-3-101.

NOW THEREFORE, I, Phil Bredesen, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and law, including Tennessee Code Annotated, Section 4-4-102, do hereby order and direct the following:

1. The Division of Title and Registration in the Department of Safety is hereby transferred and made a part of the Department of Revenue, effective July 1, 2006, and from and after July 1, 2006, all functions of the Division of Title and Registration under the provisions of the Tennessee Motor Vehicle Title and Registration law codified at Tennessee Code Annotated, Title 55, Chapters 1 – 6, shall be administered by and shall be under the control of the Commissioner of Revenue. This Executive Order shall also include the transfer of functions of the International Registration Plan, the International Fuel Tax Agreement, and any other function related to the issuance of titles and registrations, all of which shall, for the purposes of this Executive Order, be included within the Division of Title and Registration.

2. From and after July 1, 2006, the Commissioner of Revenue shall perform all such duties and shall have the same responsibility with regard to the Division of Title and Registration as the Commissioner has with other divisions assigned to the Department of Revenue. The Commissioner of Revenue shall also perform the duties and have the responsibilities with regard to the Division of Title and Registration and with the administration of the Tennessee Motor Vehicle Title and Registration law that were heretofore vested in the Department of Safety pursuant to Tennessee Code Annotated, Section 55-1-101 et seq. and the rules and regulations promulgated there under.

3. The Commissioner of Finance and Administration, with the assistance and approval of the Department of Personnel, after consultation with the Department of Revenue and the Department of Safety, shall cause to be transferred to the Department of Revenue, any unfilled, authorized and funded positions assigned to said Division of Title and Registration together with any other employees

of or positions of the Department of Safety assigned primarily to provide support services to said division and to enforce the provisions of Tennessee Code Annotated, Section 55-1-101 et seq. The Commissioner of Finance and Administration shall, on or before July 1, 2006, begin the process of transferring the aforesaid positions and employees and shall complete the process in due time.

4. The 2006-07 fiscal year appropriation to the Department of Safety for the operation of the Division of Title and Registration codified at Tennessee Code Annotated, Section 55-1-101, et seq. shall be transferred to the Department of Revenue, along with appropriations for support services to said Division. The Department of Finance and Administration shall revise the present budgets as well as all future budgets for the Department of Revenue and the Department of Safety to reflect the effect of this Executive Order.

5. All personal property, equipment and other materials made available to the Department of Safety for use by the Division of Title and Registration and such employees shall be transferred to the custody of the Department of Revenue.

6. On or after July 1, 2006, the Department of Revenue, through the Commissioner, shall have the authority to receive, administer and supervise any and all grants and funds from whatever source, including but not limited to the federal, state, county and municipal governments, with respect to the programs or functions of the Division of Title and Registration herein transferred to the Department of Revenue.

7. All contracts or leases entered into prior to July 1, 2006, by the Department of Safety with respect to any program or function transferred herein with any entity, corporation, agency, enterprise or person shall continue in full force and effect as to all essential provisions in accordance with the terms and conditions of the contracts in existence on July 1, 2006, to the same extent as if such contracts had originally been entered into by and between such entity, corporation, agency, enterprise or person and the Department of Revenue, unless and until such contracts or leases are amended or modified by the parties thereto.

8. All rules, regulations, orders and decisions heretofore issued or promulgated by the Department of Safety pursuant to provisions of the Tennessee Title and Registration law codified at Tennessee Code Annotated, Section 55-1-101 et seq. shall remain in full force and effect and shall hereafter be administered and enforced by the Department of Revenue. To this end, the Department of Revenue through the Commissioner shall have the authority, consistent with the statutes and regulations pertaining to the programs and functions transferred herein, to modify or rescind orders or rules and regulations heretofore issued and to adopt, issue or promulgate new orders or rules and regulations as may be necessary for the administration of the programs or functions herein transferred.

9. To the extent that their terms are inconsistent with the terms of this Executive Order No. 36, all previous executive orders, including but not limited to Executive Order No. 37, signed by Governor Ned McWherter on June 29, 1990, and Executive Order No. 16, signed by Governor Don Sundquist on June 25, 1998, are hereby repealed.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 19th day of April, 2006.

GOVERNOR

ATTEST:

SECRETARY OF STATE