

**RULES
OF
DEPARTMENT OF REVEUNE
VEHICLE SERVICES DIVISION**

**CHAPTER 1320-8-3
PROPORTIONAL REGISTRATION OF RENTAL TRUCKS**

TABLE OF CONTENTS

1320-8-3-.01	Application for Registration	1320-8-3-.05	Proportion of Units in Each Weight Class
1320-8-3-.02	Forms	1340-5.3-.06	Added Units
1320-8-3-.03	Application Information	1320-8-3-.07	Replacement Units
1320-8-3-.04	Record of Miles Traveled	1320-8-3-.08	Identification

1320-8-3-.01 APPLICATION FOR REGISTRATION. An owner of a fleet, having five (5) or more trucks and truck tractors and such units of which are maintained exclusively for rental purposes for a period of less than thirty (30) days, desiring to register in this state a proportional part of such fleet under applicable statutes, shall on or before January 6, preceding the registration period, file application for registration with the Department of Revenue.

Authority: T.C.A §§55-2-103 and 64-4-101, Executive Order Number 37 (2000), and Executive Order 36 (2006).
Administrative History: Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990. Original chapter 1320-8 transferred from chapter 1340-5 under the authority of Executive Order Number 36 dated April 19, 2006.

1320-8-3-.02 FORMS. The application shall be upon forms furnished by the Department except, that for good cause, the Commissioner may approve the use of and receive an application on a form furnished by the fleet owner. The approval for the substitute form must be secured at least thirty (30) days prior to its use. Also, the request for such form must be in writing, setting forth circumstances to show why the standard forms would work a hardship.

Authority: T.C.A §§55-2-103 and 64-4-101, Executive Order Number 37 (2000), and Executive Order 36 (2006).
Administrative History: Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990. Original chapter 1320-8 transferred from chapter 1340-5 under the authority of Executive Order Number 36 dated April 19, 2006.

1320-8-3-.03 APPLICATION INFORMATION. The application shall be supported by (a), a copy of the owner's certificate of registration for each unit to be registered, and (b), a listing of all units in the rental fleet. Such units shall be arranged in ascending sequential order by the identifying fleet unit number and reflect the following data for each unit: year, make, manufacturer's vehicle identification number, and declared gross weight. The Department shall have forty-five (45) days in which to examine, approve or reject and return such application. During the period commencing March 1 and ending at midnight on April 15, the owner shall present approved application and certificates of registration together with appropriate fees to either (a), the Department in the instance of a nonresident owner, or (b), a county court clerk in the instance of a resident owner.

Authority: T.C.A §§55-2-103 and 64-4-101, Executive Order Number 37 (2000), and Executive Order 36 (2006).
Administrative History: Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990. Original chapter 1320-8 transferred from chapter 1340-5 under the authority of Executive Order Number 36 dated April 19, 2006.

1320-8-3-.04 RECORD OF MILES TRAVELED. The registrant hereunder shall maintain a complete record of the total miles traveled in all jurisdictions and such records shall be subject to inspection by an authorized agent of the Department of Revenue. The mileage records and other records supporting the sworn application required by law and not filed with the application shall be maintained for a period of not less than three (3) years.

Authority: T.C.A §§55-2-103 and 64-4-101, Executive Order Number 37 (2000), and Executive Order 36 (2006).
Administrative History: Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive

(Rule 1320-8-3-.04, continued)

Order Number 37 dated June 29, 1990. Original chapter 1320-8 transferred from chapter 1340-5 under the authority of Executive Order Number 36 dated April 19, 2006.

1320-8-3-.05 PROPORTION OF UNITS IN EACH WEIGHT CLASS. The applicant shall compute the proportional number of units in each weight class in the fleet that shall be registered in this state by dividing the total miles traveled in Tennessee by all units in each weight class for the year ending on the preceding August 31, by the total miles traveled in all jurisdictions by the same units for the same period of time, the resulting quotient, rounded to the nearest ten thousandth, shall be multiplied by the total number of units in such weight class, provided, however, any fractional part shall be rounded and reported as one unit. The weight classes shall be in accordance with the schedule of weight classes set forth in T.C.A. §55-4-113.

Authority: T.C.A. §§55-2-103 and 67-4-101, Executive Order Number 37 (2000), and Executive Order 36 (2006).

Administrative History: Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990. Original chapter 1320-8 transferred from chapter 1340-5 under the authority of Executive Order Number 36 dated April 19, 2006.

1320-8-3-.06 ADDED UNITS. If units are added to the fleet after August 31, the owner may make application to register a proportional part of the units added in the same manner and using the same miles traveled ratio and quotient used in the original application for the fleet currently qualified with the Department. Provided, however, the proportional number of units added subject to registration in this state, may be reduced by the number of registrations which may be reassigned as hereinafter provided.

Authority: T.C.A. §§ 55-2-103 and 67-4-101, Executive Order Number 37 (2000), and Executive Order 36 (2006).

Administrative History: Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990. Original chapter 1320-8 transferred from chapter 1340-5 under the authority of Executive Order Number 36 dated April 19, 2006.

1320-8-3-.07 REPLACEMENT UNITS. If, by reason of the transfer of ownership, a unit registered in this state is withdrawn from fleet during the period for which it is registered, the registration therefor may be reassigned to a replacement unit under the provisions of T.C.A. §55-4-101.

Authority: T.C.A. §§55-2-103 and 67-4-101, Executive Order Number 37 (2000), and Executive Order 36 (2006).

Administrative History: Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990. Original chapter 1320-8 transferred from chapter 1340-5 under the authority of Executive Order Number 36 dated April 19, 2006.

1320-8-3-.08 IDENTIFICATION. The name or identification of the rental fleet, which appears in the application, and the identifying fleet unit number, which appears in the listing of the rental fleet units, shall be displayed on both sides of the power unit of each rental unit. The display of the fleet name or identification and unit number shall be in letters and figures in sharp contrast to the background and be of such size, color and shape as to be readily legible during daylight hours for a distance of fifty (50) feet while the vehicle is not in motion and such display shall be kept and maintained in such manner as to remain legible. Trucks or truck tractors, which do not meet the identification, legibility and display location requirements, shall be considered as not being assigned to the owner's rental fleet.

Authority: T.C.A. §§55-2-103 and 67-4-101, Executive Order Number 37 (2000), and Executive Order 36 (2006).

Administrative History: Original chapter 1340-5 transferred from chapter 1320-8 under the authority of Executive Order Number 37 dated June 29, 1990. Original chapter 1320-8 transferred from chapter 1340-5 under the authority of Executive Order Number 36 dated April 19, 2006.