

**RULES  
OF  
TENNESSEE DEPARTMENT OF SAFETY  
DRIVER CONTROL DIVISION**

**CHAPTER 1340-1-1  
DEPOSIT OF CHAUFFEUR'S OR OPERATOR'S  
LICENSE IN LIEU OF BAIL**

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**1340-1-1-.01 PURPOSE.** To establish uniform procedures for the mutual benefit of the Department of Safety and cooperating municipalities in accepting licenses in lieu of a bail and processing the records so that a licensee cannot obtain a valid license until he has disposed of the case.

*Authority:* T.C.A. Title 4, Chapter 4, and Title 59, Chapters 7 and 12 to implement §59-730. *Administrative History:* Original rule filed June 12, 1974; effective July 12, 1974.

**1340-1-1-.02 TAKING A DRIVER'S LICENSE.** When taking a driver's license the officer may issue an approved ticket or a Department of Safety approved FORM TDS-DL-28 (See Fig. 1).

*Authority:* T.C.A. Title 4, Chapter 4, and Title 59, Chapters 7 and 12 to implement §59-730. *Administrative History:* Original rule filed June 12, 1974; effective July 12, 1974.

**1340-1-1-.03 DUTIES OF THE MUNICIPALITY.** Prior to the Department of Safety accepting any licenses from any municipality, the municipality must:

- (1) Provide the Department of Safety with a certified copy of their city ordinance on the above subject.
- (2) Certify that they have a City Court.
- (3) If they use their traffic ticket for the Receipt and Substitute Driver License:
  - (a) Include in the design of their traffic ticket the following information:
    1. Name
    2. Driver License Number
    3. Date of Birth
    4. Address (Current address)
    5. Date of Trial
    6. This paragraph on Licensee's copy.

“This citation is your Substitute Driver License. Your original license is held in lieu of bail pursuant to T.C.A. §59-730 and City Ordinance No. This license expires on the date set for your court appearance. If you fail to appear your license will be sent by the Court to the Department of Safety for cancellation.”

(Rule 1340-1-1-.03, continued)

7. This Receipt on all copies.

LICENSE SURRENDERED IN LIEU OF BAIL.

\_\_\_\_\_  
Signature of Licensee

LICENSE RECEIVED IN LIEU OF BAIL.

\_\_\_\_\_  
Signature of Officer

- (b) Submit a copy of their proposed ticket, with the above information to the Department of Safety for approval.
- (c) Until such time tickets are properly printed, a rubber stamp with the necessary information may be used.
- (d) The TDS-DL-28 will only be filled out when the subject fails to appear.
- (4) If the officer issues the TDS-DL-28: Issue the original to the driver and send the three (3) copies, along with the driver license attached, to the City Court.
- (5) Use approved, Department of Safety Form No. TDS-DL-28 (Official Receipt for Driver License and Substitute Driver License).

All forms must have preprinted account numbers

This form is only approved by the Department of Safety; it is not furnished to the municipalities.

**Authority:** *T.C.A. Title 4, Chapter 4, and Title 59, Chapters 7 and 12 to implement §59-730. Administrative History: Original rule filed June 12, 1974; effective July 12, 1974.*

**1340-1-1-.04 PROCEDURE.**

- (1) The original copy of the Form TDS-DL-28 will be given to the Licensee. The other copies are temporarily held by the City Court.
- (2) If the individual fails to appear or make proper disposition of the citation, the first copy of Form TDS-DL-28 (Notice to Cancel D.L.) (See Fig. 2) with the Driver License attached must be forwarded by the City Court to the Driver Control Division, Department of Safety, Andrew Jackson State Office Building, Nashville, Tennessee 37219.
- (3) Upon receipt of the first copy of the Form TDS-DL-28, (Notice to Cancel D.L.) with Driver License attached, the Department of Safety will:
- (a) Enter a cancellation code into the computer so the individual cannot obtain a duplicate or renewal until reinstated by proper disposition of the case.
- (b) Maintain a driver license file on each court.

(Rule 1340-1-1-.04, continued)

- (4) When the case is disposed of the City Judge or City Court Clerk must send the second copy of the Form TDS-DL-28 (Reinstate and Return D.L.) (See Fig. 3) to the Department of Safety. This copy includes:
  - (a) A notation to reinstate and return the driver license to the person.
  - (b) The City Court Docket Number.
  - (c) The disposition of the case.
  - (d) The date of the disposition.
  - (e) The signature of the City Judge or City Court Clerk.
- (5) The third copy of Form TDS-DL-28 (See Fig. 4) is returned by the City Court.
- (6) If the license expires while cancelled, the individual will be required to take an examination for a new license.

**Authority:** *T.C.A. Title 4, Chapter 4, and Title 59, Chapters 7 and 12 to implement §59-730. Administrative*

**History:** *Original rule filed June 12, 1974; effective July 12, 1974.*