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Sequence Number: 06-06-23  
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File Date: 6/6/2023

# Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

<b>Agency/Board/Commission:</b>	Department of Safety
<b>Division:</b>	Driver Control
<b>Contact Person:</b>	Elizabeth Stroecker
<b>Address:</b>	312 Rosa L. Parks Ave., Nashville, TN 37243
<b>Phone:</b>	615-712-1525
<b>Email:</b>	<a href="mailto:Elizabeth.Stroecker@tn.gov">Elizabeth.Stroecker@tn.gov</a>

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

<b>ADA Contact:</b>	Elizabeth Stroecker
<b>Address:</b>	312 Rosa L. Parks Ave., Nashville, TN 37243
<b>Phone:</b>	615-712-1525
<b>Email:</b>	<a href="mailto:Elizabeth.Stroecker@tn.gov">Elizabeth.Stroecker@tn.gov</a>

**Hearing Location(s)** (for additional locations, copy and paste table)

Address 1:	1150 Foster Avenue		
Address 2:	McCord Hall Building Hearing Room 108		
City:	Nashville		
Zip:	37243		
Hearing Date:	08/07/2023		
Hearing Time:	1:00pm	<input checked="" type="checkbox"/> X CST/CDT <input type="checkbox"/> EST/EDT	

**Additional Hearing Information:**

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_OWE5ZmlxN2YtNWlZNS00ZGZhLThiZmUtYjFkZjYyOTk0Y2Iz%40thread.v2/0?context=%7b%22Tid%22%3a%22f345bebf-0d71-4337-9281-24b941616c36%22%2c%22Oid%22%3a%223e65be46-f4e6-4e59-a553-6097b28641fd%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_OWE5ZmlxN2YtNWlZNS00ZGZhLThiZmUtYjFkZjYyOTk0Y2Iz%40thread.v2/0?context=%7b%22Tid%22%3a%22f345bebf-0d71-4337-9281-24b941616c36%22%2c%22Oid%22%3a%223e65be46-f4e6-4e59-a553-6097b28641fd%22%7d)

**Revision Type (check all that apply):**

☒ Amendment  
☐ New  
☐ Repeal

**Rule(s)** (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

<b>Chapter Number</b>	<b>Chapter Title</b>
1340-02-01	Rules of Procedure for Hearing Contested Cases
<b>Rule Number</b>	<b>Rule Title</b>
1340-02-01-.01	Rules of Procedure for Hearing Contested Cases

Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <https://sos.tn.gov/products/division-publications/rulemaking-guidelines>.

These rules need to be updated to be compliant with current model rules of contested cases from the Secretary of State. These changes update these rules to be compliant.

**RULES OF  
TENNESSEE DEPARTMENT OF SAFETY  
ADMINISTRATIVE DIVISION**

**CHAPTER 1340-2-1  
RULES OF PROCEDURE FOR HEARING CONTESTED CASES**

**TABLE OF CONTENTS**

1340-2-1-.01      Rules of Procedure for Hearing Contested Cases

**1340-2-1-.01 Rules of Procedure for Hearing Contested Cases.** The Uniform Rules of Procedures for Hearing Contested Cases Before State Administrative Agencies, Rule 1360-04-01, promulgated by the Tennessee Secretary of State are hereby adopted by the Tennessee Department of Safety to be used in the hearing of contested cases other than hearings under Rule 1340-02-02, Rules of Procedure for Asset Forfeiture Hearings.

**Authority:** *T.C.A. § 4-3-2009, T.C.A. § 4-5-219.*

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: June 6, 2023

Signature: *Elizabeth R. Stroecker*

Name of Officer: Elizabeth Stroecker

Title of Officer: Director of Legislation

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Filed with the Department of State on: 6/6/2023



Tre Hargett  
Secretary of State

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RULES  
OF  
TENNESSEE DEPARTMENT OF SAFETY  
ADMINISTRATIVE DIVISION

CHAPTER 1340-2-1  
RULES OF PROCEDURE FOR HEARING CONTESTED CASES

TABLE OF CONTENTS

1340-2-1-.01      Rules of Procedure for Hearing Contested Cases

**1340-2-1-.01 ~~RULES OF PROCEDURE FOR HEARING CONTESTED CASES.~~ Rules of Procedure for Hearing Contested Cases.** ~~The Rules of Procedure For Hearing Contested Cases promulgated by the Tennessee Department of Safety, Driver Control Division, Chapter 1340-1-8 and inclusive of Sections 1340-1-8-.01 through 1340-1-8-.23, filed with the Secretary of State on December 17, 1976, are hereby adopted by the Tennessee Department of Safety, Administrative Division, as Chapter 1340-2-1 and inclusive of Sections 1340-2-1-.01 through 1340-2-1-.23, as Rules of Procedure For Hearing Contested Cases.~~ **The Uniform Rules of Procedures for Hearing Contested Cases Before State Administrative Agencies, Rule 1360-04-01, promulgated by the Tennessee Secretary of State are hereby adopted by the Tennessee Department of Safety to be used in the hearing of contested cases other than hearings under Rule 1340-02-02, Rules of Procedure for Asset Forfeiture Hearings.**

**Authority:** ~~T.C.A. §509 (a)(1) T.C.A. § 4-3-2009, T.C.A. § 4-5-219.~~ **Administrative History:** ~~Original rule filed March 20, 1977; effective April 19, 1977.~~