

HOUSE BILL 1656

By Holt

AN ACT to amend Tennessee Code Annotated, Title 55,  
Chapter 8, relative to traffic enforcement cameras.

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

SECTION 1. Tennessee Code Annotated, Section 55-8-198, is amended by deleting the section in its entirety and substituting instead the following:

Notwithstanding any other law to the contrary, traffic citations are not authorized to be issued based solely on evidence obtained from any unmanned traffic enforcement camera used to:

- (1) Enforce or monitor traffic violations of § 55-8-110(a)(3), or any municipal law or ordinance that mirrors, substantially duplicates, or incorporates by cross-reference the language of § 55-8-110(a)(3); or
- (2) Enforce or monitor speed limits on any public road or highway.

SECTION 2. Tennessee Code Annotated, Section 55-8-151(c)(3), is amended by deleting the language "owner is not responsible for the violation if the owner submits documentation in accordance with § 55-8-198(e)" wherever it appears and substituting instead the following:

owner is not responsible for the violation if, on or before the designated court date, the owner furnishes the court an affidavit:

- (i) Stating the name and address of the person or entity that leased, rented, or otherwise had care, custody, or control of the motor vehicle at the time of the violation; or
- (ii) Denying the owner was an operator if the motor vehicle or its plates were stolen at the time of the alleged violation. The owner must also provide a

certified copy of the police report reflecting the theft of the motor vehicle or its plates.

SECTION 3. Tennessee Code Annotated, Section 55-8-151(c)(4), is amended by deleting the first sentence of the subdivision and substituting instead the following:

Notices of violations or citations must be sent to the registered owner of the vehicle that was captured by the camera. A notice of violation or a citation must be sent by first-class mail within twenty (20) business days after the occurrence of the violation, absent exigent circumstances arising from registration irregularities. All notices of violation or citations must have a Tennessee return address and all responses and payments must be made to an address in this state. A notice of violation or citation must allow for payment of the traffic violation or citation within thirty (30) days of the mailing of the notice. No additional penalty or other costs shall be assessed for nonpayment of a traffic violation or citation that is based solely on evidence obtained from a camera in accordance with this section, unless a second notice is sent by first-class mail to the registered owner of the motor vehicle and the second notice provides for an additional thirty (30) days for payment of the violation or citation.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.