

HOUSE BILL 153

By Ramsey

AN ACT to amend Tennessee Code Annotated, Section 55-8-164 and Section 55-9-303, relative to riding on motorcycles.

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

SECTION 1. Tennessee Code Annotated, Section 55-8-164, is amended by adding a new subsection thereto, as follows:

(e)(1) An operator commits an offense who, on the streets of any municipality, roads of any county, or the highways of this state, carries a child under five (5) years of age as a passenger on a motorcycle.

(2)

(A) A violation of this subsection is a Class C misdemeanor.

(B) A person charged with a violation of this subsection (e) may, in lieu of appearance in court, submit a fine of fifty dollars (\$50.00) to the clerk of the court that has jurisdiction of the offense within the county in which the offense charged is alleged to have been committed.

(C) No litigation tax levied pursuant to title 67, chapter 4, part 6, shall be imposed or assessed against anyone convicted of a violation of this subsection (e), nor shall any clerk's fee or court costs, including but not limited to any statutory fees of officers, be imposed or assessed against anyone convicted of a violation of this subsection (e).

(D)

(i) The revenue generated by ten dollars (\$10.00) of the fifty-dollar fine for a person's first conviction under this subsection (e), shall be deposited in the state general fund without being designated for any

specific purpose. The remaining forty dollars (\$40.00) of the fifty-dollar fine for a person's first conviction under this subsection (e) shall be deposited to the child safety fund as provided in Section 55-9-602(f).

(ii) The revenue generated from a person's second or subsequent conviction under this subsection (e) shall be deposited to the child safety fund as provided in Section 55-9-602(f).

SECTION 2. This act shall take effect July 1, 2011, the public welfare requiring it.