

HOUSE BILL 622

By Lamberth

AN ACT to amend Tennessee Code Annotated, Title 55,
Chapter 10, Part 4, relative to certain alcohol-
related offenses.

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

SECTION 1. Tennessee Code Annotated, Section 55-10-415, is amended by deleting the section in its entirety and substituting instead the following:

(a) A person sixteen (16) years of age or older but less than eighteen (18) years of age shall not drive or be in physical control of an automobile or other motor-driven vehicle while:

(1) Under the influence of any intoxicant, marijuana, controlled substance, controlled substance analogue, drug, substance affecting the central nervous system, or combination thereof that impairs the driver's ability to safely operate a motor vehicle by depriving the driver of the clearness of mind and self-control that which the driver would otherwise possess; or

(2) The alcohol concentration in the person's blood is more than two-hundredths of one percent (0.02%);

(b) The fact that a person, who drives while under the influence of narcotic drugs or barbitol drugs, is or has been lawfully entitled to use the drugs does not constitute a defense to a violation of this section.

(c) This section establishes the offense of underage driving while impaired for a person sixteen (16) years of age or older but less than eighteen (18) years of age. The offense of underage driving while impaired is a lesser included offense of driving while intoxicated.

(d)

(1) Underage driving while impaired for a person sixteen (16) years of age or older but less than eighteen (18) years of age is a delinquent act punishable by:

(A) Driver license suspension of one (1) year;

(B) A fine of two hundred fifty dollars (\$250); and

(C) Public service work, in the discretion of the court.

(2) Any person found to be delinquent for a violation of this section and whose driver license has been suspended or revoked, may apply to the judge hearing the case for a restricted driver license. A judge having jurisdiction over the violation shall have the same authority to order the issuance of a restricted license in accordance with § 55-10-409, and all other options, including requiring use of a functioning interlock device, as are available to a judge under § 55-10-409.

SECTION 2. Tennessee Code Annotated, Section 55-10-409, is amended by deleting from subdivision (b)(1)(a) the language “§ 55-10-404 or § 55-10-406,” and substituting instead the language “§ 55-10-404, § 55-10-406, or § 55-10-415,”.

SECTION 3. This act shall take effect July 1, 2015, the public welfare requiring it.