

HOUSE BILL 1584

By Ogles

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 21 and Title 55, Chapter 4, relative to the identification of motor vehicles operated by persons with certain disabilities or conditions.

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

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 21, is amended by adding the following as a new section:

(a) As used in this section, "developmental disability" and "intellectual disability" have the same meanings as defined in § 33-1-101.

(b)

(1) The department shall, upon application accompanied by a licensed physician, psychiatrist, psychologist or senior psychological examiner, or neurologist, provide and issue registration and registration plates to any person who submits satisfactory proof to the department, on a form provided by the department, that an operator of the person's motor vehicle has an intellectual disability, a developmental disability, or a medical condition that may impede communications with, or impact the operator's encounter with, a first responder, including a law enforcement officer, during a traffic stop or welfare check. The registration plates must conform to the requirements of § 55-4-103, except that they must bear a distinctive series of letters and numbers to inform law enforcement officers that the operator of the vehicle has an intellectual disability, a developmental disability, or a medical condition.

(2) The department shall disclose the distinctive series of letters and numbers only to the department of safety and other law enforcement agencies

with jurisdiction in this state, and shall not make the information available to the general public.

(3) Plates may be issued to any qualified applicant upon payment of the regular registration fee for plates, as prescribed under § 55-4-111, plus payment of a fee equal to the cost of actually producing the plate.

(4) Except as expressly provided by this section, registration and license plates for the operator who has the disability or condition are to be issued and renewed in accordance with chapter 4, part 1 of this title.

(5) Plates issued pursuant to this subsection (b) are valid as long as the person with the disability or condition is eligible for a plate.

(6) Plates must be returned to the department upon the death of the person with the disability or condition.

(7) All law enforcement officers charged with the enforcement of this chapter must receive, as part of in-service training, instruction in the identification of the special license plates for operators who have such disabilities or conditions provided for in this subsection (b).

(c)

(1) In lieu of, or in addition to, obtaining a plate, a person meeting the requirements of subsection (b) may request that the department include such designation in the Tennessee Vehicle Title and Registration System (VTRS) database. The request must be accompanied by a statement from a licensed physician, psychiatrist, psychologist or senior psychological examiner, or neurologist supporting the request for a designation. Upon receipt of such a request accompanied by the statement, the department shall cause the operator's disability or medical condition to be entered into the VTRS database, and ensure such designation is associated with the operator's motor vehicle and registration.

(2) Information submitted to the department under this subsection (c) must be supplied to law enforcement to assist in identifying the operator of the vehicle as having an intellectual disability, a developmental disability, or a medical condition that may impede the operator's communications with, or impact the operator's encounter with, a first responder. Information collected pursuant to this subsection (c) must only be available to law enforcement for the purpose of ensuring safe and efficient interactions between law enforcement and persons who have such disabilities or conditions, and must not be used for any other purpose.

(3) All law enforcement officers charged with the enforcement of this title and emergency call takers and public safety dispatchers, as described in § 7-86-205, must receive instruction in the identification of such designation included in the VTRS database as provided for in this subsection (c).

(d) The department of revenue shall consult with the department of mental health and substance abuse services as to mental illnesses or serious emotional disturbances, the department of intellectual and developmental disabilities as to intellectual and developmental disabilities, and the department of health as to medical conditions that meet the requirements of this section.

(e) The commissioner of revenue is authorized to promulgate rules in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, necessary to carry out this section.

SECTION 2. This act shall take effect January 1, 2021, the public welfare requiring it.