

HOUSE BILL 2378

By Carr

AN ACT to amend Chapter 329 of the Private Acts of 1970; as amended by Chapter 3 of the Private Acts of 1973; Chapter 285 of the Private Acts of 1980 and Chapter 147 of the Private Acts of 1981; and any other acts amendatory thereto, relative to the wheel or motor vehicle privilege tax in Rutherford County.

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

SECTION 1. Section 1 of Chapter 329 of the Private Acts of 1970, as amended by Chapter 3 of the Private Acts of 1973, Chapter 285 of the Private Acts of 1980, Chapter 147 of the Private Acts of 1981, and any other acts amendatory thereto, is amended in the first sentence by deleting the language ", except State- maintained roads," in its entirety.

SECTION 2. Section 1 of Chapter 329 of the Private Acts of 1970, and any other acts amendatory thereto, is further amended by deleting the following language in its entirety:

This tax applies to, is a levy upon, and shall be paid on each motor-driven vehicle, the owner of which lives within, or usually stays within, or who operates such motor-driven vehicle on, over, or upon the streets, roads or highways in the County, State-maintained roads excluded.

And by substituting instead the following language:

This tax applies to, is a levy upon, and shall be paid on each motor driven vehicle, the owner of which lives within, or usually stays within, or operates such motor driven vehicle on, over or upon the streets, roads or highways in the county.

SECTION 3. Section 1 of Chapter 329 of the Private Acts of 1970, as amended by Chapter 3 of the Private Acts of 1973, and any other acts amendatory thereto, is further amended by deleting the following language in its entirety:

It shall be and is hereby declared a misdemeanor and punishable as such for any owner of a vehicle to operate or allow to be operated any motor-driven vehicle over the street, roads, or highways of the County, State-maintained roads excluded, without the payment of the tax herein provided having been made as herein required, prior to such operation thereof.

And by substituting instead the following language:

It shall be and is hereby declared a violation of this act, as amended, and punishable by civil penalty, in accordance with general law, for any owner of a vehicle to operate or allow to be operated any motor driven vehicle over the streets, roads, or highways in the county without the payment of the tax herein provided having been made as herein required, prior to such operation thereof.

SECTION 4. Section 1 of Chapter 329 of the Private Acts of 1970, as amended by Chapter 3 of the Private Acts of 1973, and any other acts amendatory thereto, is further amended by deleting the following language in its entirety:

Residence in the county shall constitute prima facie evidence of use by such resident of roads and highways of the county, other than state maintained roads, without regard to whether such resident resides within the boundaries of a municipal corporation within the county.

And by substituting instead the following language:

Residence in the county shall constitute prima facie evidence of use by such resident of roads and highways of the county without regard to whether such resident resides within the boundaries of a municipal corporation within the county.

SECTION 5. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Rutherford County Commission. Its approval or nonapproval shall be proclaimed by the presiding officer of the County Commission and certified to the secretary of state.

SECTION 6. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 5.