

HOUSE BILL 2838

By Towns

AN ACT to amend Tennessee Code Annotated, Title 40
and Title 55, Chapter 10, relative to reckless
driving.

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

SECTION 1. Tennessee Code Annotated, Section 55-10-209(b), is amended by
deleting subsection (b) and substituting:

(b) A violation of this section is:

(1) For a first offense, a Class A misdemeanor; and

(2) For a second or subsequent offense, a Class E felony. In addition to
any criminal penalty, the court shall order a person convicted for a second or
subsequent offense to complete a driver education course approved by the
department of safety.

(c) Notwithstanding another law to the contrary, the motor vehicle used in the
commission of a person's second or subsequent offense under this section must be
seized and forfeited in accordance with title 40, chapter 33, part 2. Only POST-certified
or state-commissioned law enforcement officers are authorized to seize vehicles
pursuant to this section.

(d) In addition to the penalty authorized by subsection (b), the court shall assess
a fine of two thousand five hundred dollars (\$2,500) to be collected as provided in § 55-
10-412(b) and distributed as provided in § 55-10-412(c).

SECTION 2. Tennessee Code Annotated, Section 40-33-201, is amended by inserting
the language "§ 55-10-209(c)," after the language "§ 47-25-1105,".

SECTION 3. Tennessee Code Annotated, Section 40-33-210(a), is amended by inserting the language "55-10-209(c)," after the language "§ 47-25-1105,".

SECTION 4. Tennessee Code Annotated, Section 40-33-211(a)(1), is amended by inserting the language "§ 55-10-209(c)," after the language "§ 47-25-1105,".

SECTION 5. Tennessee Code Annotated, Section 40-33-214, is amended by inserting the language "§ 55-10-209(c)," after the language "§ 47-25-1105,".

SECTION 6. This act takes effect July 1, 2024, the public welfare requiring it, and applies to offenses committed on or after that date.