

HOUSE BILL 1772

By Sparks

AN ACT to amend Tennessee Code Annotated, Title 29, Chapter 30; Title 47; Title 55, Chapter 5; Title 62 and Title 66, relative to repossession.

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

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 50, is amended by adding the following as a new section:

47-50-113.

(a) If a vehicle is repossessed in this state, the individual repossessing the vehicle shall conduct and record an inventory of all personal property, whether secured or unsecured, found in or on the vehicle.

(b) The individual shall record:

(1) The inventoried property;

(2) The date and time the inventory was conducted;

(3) The name and address of the owner from whom the vehicle was repossessed;

(4) The description of the repossessed vehicle, including the make, model and serial number; and

(5) The name and signature of the individual conducting the inventory.

(c) The business or agency employing or contracting with the individual for the repossession shall:

(1) Record any disposition of the inventoried property; and

(2) Maintain the inventory record and the disposition record for a period of two (2) years from the date of inventory.

(d) The business or agency shall make the records specified in subdivision (c)(2) available, upon request, to:

(1) The owner or owner's authorized representative; or

(2) An authorized representative of a department conducting an official investigation.

(e) For purposes of this section:

(1) "Department" means any department, agency, board or commission of the state or political subdivision of the state.

(2) "Vehicle" includes any:

(A) Motor vehicle as defined in § 55-1-103;

(B) Aircraft as defined in § 42-2-101;

(C) Personal watercraft as defined in § 69-9-501;

(D) Boat as defined in § 69-3-103;

(E) Off-road vehicle as defined in § 47-25-1902;

(F) Farm tractor as defined in § 55-1-104;

(G) Tractor-drawn major farm implement subject to § 39-14-135;

and

(G) Industrial equipment operated by means of mechanical power upon which a person or property may be transported.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.