

Amendment No. 1 to HB0446

Doss
Signature of Sponsor

AMEND Senate Bill No. 444

House Bill No. 446*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-8-188, is amended by deleting subsection (d) and substituting instead the following:

(d)

(1) A violation of this section is a Class C misdemeanor, subject only to the imposition of a fine as provided in subdivision (d)(4) and court costs not to exceed thirty dollars (\$30.00), including, but not limited to, any statutory fees of officers. No state or local litigation taxes shall be applicable to a case prosecuted under this section. A citation or notice of violation that is based solely upon a violation of this section shall be subject to § 55-50-505.

(2) The department of transportation, in coordination with other relevant federal, state, and local agencies, shall establish an appropriate system to collect information from the traveling public that will identify violation hotspots, and shall operate the system to educate repeat offenders about the benefit of HOV lanes and the fines for violating this section.

(3) The department shall install and maintain signage along the route that displays information about the fines imposed by subdivision (d)(4) and informs the public of the system established pursuant to subdivision (d)(2).

(4) The fine shall be one hundred dollars (\$100) for a first offense, one hundred fifty dollars (\$150) for a second offense, and two hundred dollars (\$200) for a third or subsequent offense.

Transportation Committee 1

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(5) All revenue from a fine imposed by subdivision (d)(4) shall be allocated to the department to be used to offset the costs of signage required by subdivision (d)(3), to establish and maintain the system under subdivision (d)(2), and to defray any other costs for administering this subsection (d).

(6) The department is authorized to promulgate rules to effectuate the purposes of this subsection (d). All rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. For purposes of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2017, the public welfare requiring it.