

HOUSE BILL 99

By McCormick

AN ACT to amend Tennessee Code Annotated, Section 55-10-401 and Section 55-10-402, relative to driving under the influence.

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

SECTION 1. Tennessee Code Annotated, Section 55-10-401, is amended by deleting the section in its entirety and substituting instead the following language:

It is unlawful for any person to drive or to be in physical control of any automobile or other motor driven vehicle on any of the public roads and highways of the state, or on any streets or alleys, or while on the premises of any shopping center, trailer park, or apartment house complex, or any other premises that is generally frequented by the public at large, while:

(1) Under the influence of any intoxicant, marijuana, controlled substance, controlled substance analogue, drug, substance affecting the central nervous system, or combination thereof that impairs the driver's ability to safely operate a motor vehicle by depriving the driver of the clearness of mind and control of oneself that the driver would otherwise possess;

(2) The alcohol concentration in the person's blood or breath is eight-hundredths of one percent (0.08%) or more; or

(3) With a blood alcohol concentration of four-hundredths of one percent (0.04%) or more and the vehicle is a commercial motor vehicle as defined in § 55-50-102.

SECTION 2. Tennessee Code Annotated, Section 55-10-402(a)(1)(B), is amended by deleting the subdivision in its entirety and substituting instead the following language:

Any person violating § 55-10-401, upon conviction for first offense with a blood alcohol concentration of twenty-hundredths of one percent (0.20%) or more, shall serve a minimum of seven (7) consecutive days rather than forty-eight (48) hours and, as a condition of probation, shall remove litter during the daylight hours from public roadways or publicly owned property for a period of twenty-four (24) hours in three (3) shifts of eight (8) consecutive hours each.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.