

HOUSE BILL 790

By Coley

AN ACT to amend Tennessee Code Annotated, Title 5; Title 6; Title 7; Section 36-5-901; Title 40, Chapter 33; Section 54-16-113; Title 55 and Title 66, relative to impoundment of motor vehicles.

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

SECTION 1. Tennessee Code Annotated, Title 7, Chapter 51, Part 7, is amended by adding the following as a new section:

(a) Notwithstanding any law to the contrary, if a municipality causes a motor vehicle to be impounded and the owner of the motor vehicle was not responsible for the events that resulted in the motor vehicle's impoundment, then the municipality:

(1) Must make every reasonable effort to locate and notify the motor vehicle's owner of the impoundment;

(2) Shall not impose any towing, storage, or other fees associated with the impoundment against the motor vehicles' owner; and

(3) Shall not dispose of the motor vehicle by sale or any other means prior to complying with subdivision (a)(1).

(b) A municipality must make whole the owner of a motor vehicle for any loss due to:

(1) Damage resulting from the impoundment when the owner of the motor vehicle was not responsible for the events that resulted in the motor vehicle's impoundment; and

(2) Loss resulting from the disposition of a motor vehicle in violation of subdivision (a)(3).

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it.