

SENATE BILL 1116

By Bowling

AN ACT to amend Tennessee Code Annotated, Title 47,  
Chapter 18 and Title 55, Chapter 17, relative to  
subscription services for motor vehicle features.

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

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, Part 1, is amended by adding the following as a new section:

(a) A motor vehicle dealer or manufacturer of motor vehicles sold or leased in this state shall not sell, or offer for sale, to a consumer a subscription service to access a motor vehicle feature that:

(1) Uses components or hardware that were installed on the motor vehicle at the time of purchase or lease by the consumer; and

(2) After activation of the motor vehicle feature, functions without ongoing expense to the motor vehicle dealer, manufacturer, or a third-party service provider.

(b) A violation of subsection (a) constitutes an unfair or deceptive act or practice prohibited under § 47-18-104, and is punishable as provided in this part. Each act in violation of subsection (a) constitutes a separate violation of this part.

(c) As used in this section:

(1) "Manufacturer" means a person or entity engaged in the business of manufacturing or assembling new motor vehicles;

(2) "Motor vehicle" has the same meaning as defined in § 55-8-101;

(3) "Motor vehicle dealer" means a person or entity engaged in the business of selling, leasing, offering to sell or lease, or soliciting or advertising

the sale or lease of new or used motor vehicles to consumers, whether on that person's or entity's own account or on behalf of another person or entity, and whether as that person's or entity's primary business or incidental to that person's or entity's business;

(4) "Motor vehicle feature":

(A) Means a convenience or safety function included on the motor vehicle that typically is offered to a consumer as an upgrade at the time of purchase or lease of the motor vehicle;

(B) Includes, but is not limited to, heated seats, remote start, automatic high beams, and driver assistance; and

(C) Does not include satellite radio or Wi-Fi; and

(5) "Subscription service" means a service provided on a subscription basis in exchange for a recurring payment, including a weekly, monthly, or annual payment charged to and made by a consumer.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it, and applies to offers made or agreements entered into, amended, or renewed on or after that date.