

SENATE BILL 2704

By Southerland

AN ACT to amend Tennessee Code Annotated, Title 55 and Title 65, Chapter 15, relative to water activity motor carriers.

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

SECTION 1. Tennessee Code Annotated, Section 55-7-202, is amended by adding a new subsection thereto, as follows:

(e) Notwithstanding the limitations of subsection (a), a motor vehicle carrying rafts or rafting apparatus used by an operator for commercial whitewater rafting purposes whose height, including any part of the load, exceeds thirteen feet (13') but does not exceed seventeen and one-half feet (17 1/2') may operate on the state and local highway system. Any such motor vehicle greater than seventeen and one-half feet (17 1/2') shall be subject to the fees in § 55-7-205.

SECTION 2. Tennessee Code Annotated, Section 65-15-102, is amended by adding the following new subdivisions thereto:

() "For hire motor carrier" does not include any vehicle that operates on any highway, street or road for the purpose of transporting passengers, inner tubes, canoes, kayaks, rafts or rafting apparatus for commercial whitewater purposes or recreational river use or where the transportation of passengers by a motor vehicle for compensation is not the principal business of the motor carrier providing the transportation service.

() "Shuttle vehicle" means any motor vehicle that is designed, constructed or modified to accommodate twenty-five (25) or fewer persons for the purpose of transporting passengers, inner tubes, canoes, kayaks, rafts or rafting apparatus for commercial whitewater purposes or recreational river use. Drivers of shuttle vehicles

shall not be required to have a Class A or commercial driver license or a passenger endorsement on their driver license where the transportation of passengers by the motor vehicle for compensation is not the principal line of business of the motor carrier providing the transportation service.

SECTION 3. Tennessee Code Annotated, Title 65, Chapter 15, Part 1, is amended by adding a new section thereto, as follows:

Section 65-15-129. Shuttle vehicles used for commercial whitewater purposes or recreational river use may employ trailers as long as the trailer weight is less than the weight the vehicle is rated to tow.

SECTION 4. Tennessee Code Annotated, Section 65-15-113, is amended by adding a new subsection thereto, as follows:

(g) Inspections conducted pursuant to this section for vehicles used in commercial whitewater and recreational river use shall be conducted at times that do not interrupt the normal operation of the business. Inspections shall be performed on days when commercial whitewater or recreational river use business is not being conducted. Whenever practicable, inspections shall be conducted between the months of December and May.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.