

HOUSE BILL 1710

By Doss

AN ACT to amend Tennessee Code Annotated, Title 55,
Chapter 16, relative to motor vehicles.

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

SECTION 1. Tennessee Code Annotated, Section 55-16-105(e), is amended by
deleting the following language:

If the owner of the vehicle is not present, then prior to any person, firm or entity
towing any vehicle pursuant to this chapter, such person, firm or entity shall notify local
law enforcement

and substituting instead the following:

If the owner of the vehicle is not present, then within thirty (30) minutes of any
person, firm, or entity towing any vehicle pursuant to this chapter, such person, firm, or
entity shall notify local law enforcement

SECTION 2. Tennessee Code Annotated, Section 55-16-105(g)(2), is amended by
deleting the following language:

A garagekeeper or towing firm that does not verify ownership of a motor vehicle
within three (3) business days after taking possession of such motor vehicle pursuant to
this section or that does not notify by mail the owner of such motor vehicle within six (6)
days after taking possession shall not be entitled to receive more than six (6) days of
storage-related expenses.

and substituting instead the following:

A garagekeeper or towing firm that does not verify ownership of a motor vehicle
within three (3) business days after taking possession of such motor vehicle pursuant to
this section or that does not notify by mail the owner of such motor vehicle within three

(3) business days after receiving verification of ownership from the appropriate state department or agency shall not be entitled to receive more than six (6) days of storage-related expenses.

SECTION 3. Tennessee Code Annotated, Section 55-16-107(a), is amended by deleting the subsection in its entirety and substituting instead the following:

(1) Notwithstanding this chapter to the contrary, a police department through its chief officer, after complying with § 55-16-105, may execute a written waiver of its right to sell a vehicle taken into custody under this chapter in favor of a garagekeeper or towing firm in whose possession the vehicle was lawfully placed by the police department under this chapter. If the vehicle is an abandoned vehicle, then the police department shall, within fifteen (15) calendar days of the vehicle being placed in the possession of the garagekeeper or towing firm and after complying with § 55-16-105:

(A) Execute the written waiver; or

(B) Take physical possession of the vehicle and pay towing and storage fees to the garagekeeper or towing firm, as appropriate.

(2) If a garagekeeper or towing firm has made repairs to a vehicle for which a waiver has been executed, the garagekeeper or towing firm may proceed to enforce the lien as provided in § 66-19-103.

(3) If the garagekeeper or towing firm has not made repairs to a vehicle for which a waiver has been executed, the garagekeeper or towing firm may, after thirty (30) days from the waiver date, proceed to sell the vehicle in accordance with the procedure established in § 55-16-106 and keep the proceeds from the sale.

(4) If a police department places a hold on a vehicle that is placed in the possession of a garagekeeper or towing firm by the police department and the vehicle is not an abandoned vehicle, the hold on the vehicle shall not exceed seven (7) business days. Upon the expiration of seven (7) business days, the police department shall:

(A) Release the hold;

(B) Take physical possession of the vehicle; or

(C) Pay storage fees to the garagekeeper or towing firm.

SECTION 4. This act shall take effect July 1, 2018, the public welfare requiring it.