

PUBLIC ACTS, 1999

CHAPTER NO. 325

SENATE BILL NO. 7

By Cooper, Burks, Kurita

Substituted for: House Bill No. 192

By Kisber, Caldwell, Walker, Brenda Turner, Stulce

AN ACT To amend Tennessee Code Annotated, Section 55-8-189, relative to transporting children in truck beds.

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

SECTION 1. Tennessee Code Annotated, Section 55-8-189, is amended by deleting the section in its entirety and by substituting instead the following:

Section 55-8-189. (a) A person commits an offense who, on the streets of any municipality, roads of any county, or the highways of this state, transports a child under six (6) years of age in the bed of a truck with a manufacturer's ton rating not exceeding three-quarter ($\frac{3}{4}$) ton and having a pickup body style.

(b)(1) A person commits an offense who, on any interstate defense highway or state highway, transports a child between six (6) years of age and under twelve (12) years of age in the bed of a truck with a manufacturer's ton rating not exceeding three-quarter ($\frac{3}{4}$) ton and having a pickup body style.

(2) A city or county may prohibit, by ordinance or resolution, a person from transporting a child between six (6) years of age and under twelve (12) years of age in the bed of a truck with a manufacturer's ton rating not exceeding three-quarter ($\frac{3}{4}$) ton and having a pickup body style on city or county roads or highways.

(c) The provisions of this section do not apply to a person transporting such child in the bed of such vehicle when such vehicle is being used as part of an organized parade, procession, or other ceremonial event, and when such vehicle is not exceeding the speed of twenty miles per hour (20 mph).

(d) The provisions of this section do not apply when the child being transported is involved in agricultural activities.

(e) A violation of subsections (a) or (b)(1) is a Class C misdemeanor.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect July 1, 1999, the public welfare requiring it.

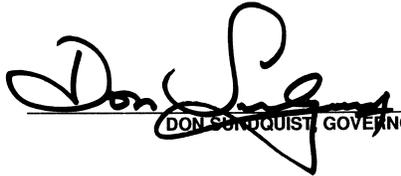
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PASSED: May 24, 1999


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 14th day of June 1999


DON SUNDQUIST, GOVERNOR