



State of Tennessee
PUBLIC CHAPTER NO. 568

SENATE BILL NO. 2357

By Barnes

Substituted for: House Bill No. 2734

By Pitts, Curtis Johnson, Tidwell

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 9, relative to carbon monoxide detectors.

WHEREAS, Bikers Who Care is an organization of motorcycle enthusiasts dedicated to supporting children's charities; and

WHEREAS, in September, 2011, the Clarksville BWC group held the 30th Annual Leslie W. Watson Memorial Toy Run and Benefit Party All Weekend event; and

WHEREAS, carbon monoxide poisoning kills hundreds of Americans each year; and

WHEREAS, this act honors the memory of the following individuals who were lost due to carbon monoxide poisoning in a recreational vehicle they shared on September 18, 2011:

Kathryn Elizabeth Watson Over, age 27
Jonathan Michael Over, age 27
Timothy B. Stone, age 39
James F. Wall II, age 38
Allison Elizabeth Bagwell-Wyatt, age 32; and

WHEREAS, the deceased left behind thirteen children, family, and friends; and

WHEREAS, it is fitting for this general assembly to pause to remember these persons who came together to support children's charities and to take measures to avoid such tragedies in the future; now, therefore,

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

SECTION 1. This act shall be known and may be cited as "The BWC 5 Act" in honor of the five Bikers Who Care members who died tragically on September 18, 2011.

SECTION 2. Tennessee Code Annotated, Title 55, Chapter 9, Part 2, is amended by adding a new section thereto, as follows:

55-9-218.

(a) A recreational vehicle that is leased or rented must have in such vehicle a carbon monoxide detector in proper working order. All leases or rental agreements for a recreational vehicle shall contain language that the carbon monoxide detector in such recreational vehicle was tested, is in proper working order, and that a demonstration of the use of such equipment was performed for the lessee of the recreational vehicle. All leases or rental agreements for recreational vehicles shall contain the following statement, an acknowledgement of which shall be initialed or signed by the lessor and lessee of such vehicle:

I CERTIFY THAT AT THE TIME OF THE RENTAL/LEASE OF THIS VEHICLE THAT IT IS EQUIPPED WITH A WORKING CARBON MONOXIDE DETECTOR.

(b) An action for civil damages in a court of competent jurisdiction may be brought against any lessor found violating this section, and damages sustained as a consequence of the lessor's violations may be recovered, together with all costs and attorneys' fees.

SECTION 3. This act shall take effect July 1, 2012, the public welfare requiring it.

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PASSED: February 27, 2012



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 13th day of March 2012



BILL HASLAM, GOVERNOR