



State of Tennessee
PUBLIC CHAPTER NO. 776

SENATE BILL NO. 3385

By Bell, Overbey

Substituted for: House Bill No. 3542

By Cobb, Rich

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29 and Title 55, Chapter 17, Part 1, relative to the Tennessee motor vehicle commission.

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

SECTION 1. Tennessee Code Annotated, Section 4-29-232(a), is amended by deleting subdivision (53) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 4-29-237(a), is amended by adding the following as a new, appropriately designated subdivision:

() Tennessee motor vehicle commission, created by § 55-17-103;

SECTION 3. Tennessee Code Annotated, Section 55-17-103(a), is amended by deleting the subsection in its entirety and by substituting instead the following:

(a)(1) There is created the Tennessee motor vehicle commission to be composed of sixteen (16) members including a chair. One (1) industry member shall be selected from each of the state's nine (9) congressional districts and the chair shall be selected from the state at large. Industry members may be selected and appointed by the governor from lists of qualified persons furnished by interested automotive groups including, but not limited to, the Tennessee Automotive Association. Two (2) members shall be affiliated with motor vehicle manufacturers licensed in Tennessee, to be selected from the state at large. Such manufacturer members may be selected and appointed by the governor from a list of qualified persons submitted by interested motor vehicle manufacturers licensed in Tennessee; however, in the event of a vacancy in either of the manufacturer member positions, if the manufacturers fail to submit a list of qualified persons within one hundred eighty (180) days of any vacancy, the governor may appoint a consumer member to fill each vacancy to serve the full term of the manufacturer member. In addition thereto, the governor shall appoint four (4) additional consumer members of the commission who are citizens of this state and who have no interest, direct or indirect, in the commercial manufacture or sale of motor vehicles.

(2) The industry members of the commission shall not have a history of suspension or revocation of a motor vehicle dealers' license. Such members shall each have demonstrated an interest in improving the retail motor vehicle industry by membership in a trade association that meets the requirements set forth in § 50-6-405(c)(1). Each member shall be a citizen of the United States, shall have been a resident of Tennessee for at least five (5) years, and shall be a franchised motor vehicle dealer. The governor shall consult with interested automotive groups including, but not limited to, the Tennessee Automotive Association to determine a qualified person to fill each of the ten (10) industry member positions.

(3) In making appointments to the commission, the governor shall strive to ensure that at least one (1) person serving on the commission is sixty (60) years of age or older and that at least one (1) person serving on the commission is a member of a racial minority.

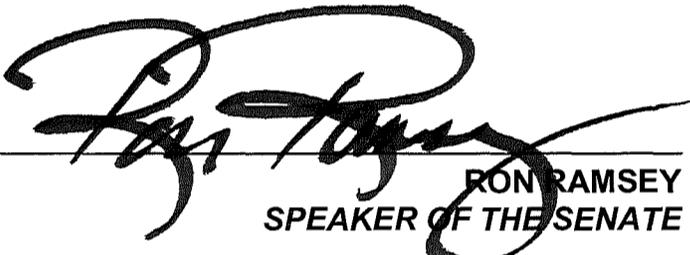
SECTION 4. Tennessee Code Annotated, Section 55-17-103(b), is amended by deleting the first sentence in its entirety and by substituting instead the following:

Each of the industry members of the commission who may be appointed by the governor from the list of names submitted by interested automotive groups including, but not limited to, the Tennessee Automotive Association shall, at the time of appointment, be a resident of the congressional district from which the member is appointed, except the chair, who shall be a resident of the state.

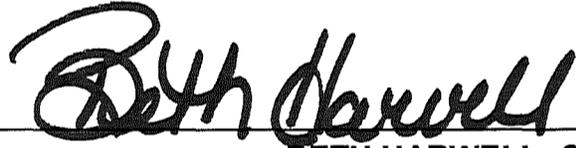
SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 3385

PASSED: April 2, 2012



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 19th day of April 2012



BILL HASLAM, GOVERNOR