

Tenn. Code Ann. § 65-15-111

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Current through the 2021 First Extraordinary and the 2021 Regular Sessions.

- [TN - Tennessee Code Annotated](#)
- [Title 65 Public Utilities and Carriers](#)
- [Chapter 15 Motor Carriers](#)
- [Part 1 General Provisions](#)

65-15-111. Safety rules and regulations — Inspection of vehicles, etc.

(a) The department of safety, by the authority vested in it by this part to license, supervise and regulate certain motor vehicles operating on the highways of Tennessee, shall periodically promulgate such safety rules and regulations as the department of safety deems necessary to govern and control the safety operations and safe use of equipment by the following:

(1) Each holder of an interstate or intrastate permit;

(2) Any individual, corporation or partnership operating a motor vehicle in commerce which has a gross vehicle weight rating or gross combination weight rating of ten thousand and one (10,001) or more pounds, or the motor vehicle is designed to transport more than fifteen (15) passengers, including the driver; and

(3) Any individual, corporation or partnership operating a motor vehicle of any gross vehicle weight transporting hazardous material. The safety rules and regulations described in this chapter do not apply to any motor vehicle transporting nonhazardous materials for farm purposes which does not travel outside the boundaries of this state.

(b) The department of safety may inspect these motor vehicles for the purpose of safety.

(c) This section applies only to the safety inspection of such vehicles, and does not require the department to issue certificates of convenience and necessity, contract hauler's permits or interstate permits to motor vehicles operating under this section.

(d) Vehicles, trailers, semi-trailers and pole trailers subject to this section are placed under the jurisdiction of the department of safety's statutes, rules and regulations pertaining to safety, and every officer, agent or employee of any corporation or any other person who violates or fails to comply with this section or who procures, aids or abets in the violation of this section shall be subject to the penalties provided in § 65-15-113.

(e)

(1) The department of safety shall inspect and certify all homemade or materially reconstructed trailers, semi-trailers, and pole trailers which are required to be titled or registered in accordance with title 55, chapters 1-6, for compliance with all applicable safety rules and regulations promulgated by the department of safety.

(2) The fee for such inspection to be collected by the department of safety is twenty-five dollars (\$25.00) per trailer inspected. The department of safety may promulgate rules and regulations to implement this subsection (e).

(f) Notwithstanding the provisions of this chapter to the contrary, 49 CFR parts 390-397, shall not apply to commercial motor vehicles operated in intrastate commerce to transport property that have a gross vehicle weight rating or gross combination weight rating of twenty-six thousand pounds (26,000 lbs.) or less; provided, that a Tennessee highway patrol officer with Level I training, having probable cause to believe such a commercial motor vehicle is being operated with unsafe loading or mechanical conditions, may stop such motor vehicle for inspection. If such motor vehicle is determined to be operated with unsafe loading or mechanical conditions, no citation may be issued, however, the officer shall implement out-of-service requirements as set forth in the commercial vehicle safety alliance out-of-service criteria. The exception provided by this subsection (f) shall not apply to vehicles transporting hazardous materials required to be placarded, or to vehicles designed to transport sixteen (16) or more passengers, including the driver, as defined in title 49 of the CFR.

History

Acts 1933, ch. 119, § 11; C. Supp. 1950, § 5501.12 (Williams, § 5501.11); Acts 1972, ch. 632, §§ 1-4; 1979, ch. 424, § 3; T.C.A. (orig. ed.), § 65-1515; Acts 1985, ch. 111, § 1; 1988, ch. 817, §§ 5, 6; 1993, ch. 270, § 1; 1993, ch. 327, § 5; 1994, ch. 705, §§ 1, 2; 1995, ch. 305, § 30; 1999, ch. 97, §§ 18, 19; 2005, ch. 400, § 1; 2007, ch. 484, § 101; 2010, ch. 986, § 1; T.C.A. § 65-15-113.

TENNESSEE CODE ANNOTATED

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