

HOUSE BILL 831

By DuBois

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 10, Part 4, relative to the offense of driving under the influence of an intoxicant and the consequences of so driving.

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

SECTION 1. Tennessee Code Annotated, Section 55-10-403, is amended by adding the following new subsection:

(t)

(1) When the judge sentences a person convicted, whether by verdict or plea, of a violation of § 55-10-401, on or after July 1, 2007, such judge shall read the following statement in open court after sentence has been pronounced:

WARNING OF CONSEQUENCES OF DRIVING UNDER THE INFLUENCE OF AN INTOXICANT

You, _____ [name of convicted driver], have been found guilty of the offense of driving under the influence of an intoxicant, whether alcohol or drugs, on _____ [date] in the _____ [name & county of court].

By consciously and willingly choosing to drive a motor vehicle after having consumed sufficient alcohol or drugs to significantly impair your ability to drive, you have shown wanton disregard for the laws established for the welfare of all citizens of the state of Tennessee.

Your selfish disobedience of this law in particular demonstrates a total disregard for the value of human life which is not acceptable in a civilized society.

By your actions, you have shown yourself to be a very real and serious danger to the life and safety of yourself and others.

The state of Tennessee will not tolerate any further abuse of the privilege of operating a motor vehicle in this state by your disregard for the basic rules of the road through your consumption or ingestion of a dangerous drug while driving.

If you operate a motor vehicle while under the influence of an intoxicant in this state and this reckless action results in the death of another, you will have committed criminal homicide, you may be convicted of homicide in a court of law and, if so, you will be forced to suffer the harsh consequences that is reserved for murderers in this state.

This is your final warning and I suggest you heed it well. If you ever operate a motor vehicle in this state and your actions result in a death, you will be dealt with in a most severe manner.

_____ [signature of judge]

_____ [name and location of court]

(2) After reading the statement in open court, the judge shall sign it and give the original to the offender.

(3) The administrative office of the courts shall prepare forms in conformance with the provisions of this subsection (t) and distribute the forms to all courts hearing violations of § 55-10-401.

SECTION 2. For purpose of the administrative office of the courts preparing the forms required by this act, it shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2007, the public welfare requiring it.