

PUBLIC CHAPTER NO. 703

HOUSE BILL NO. 2769

By Representatives Rich, Hardaway, Brown, Favors

Substituted for: Senate Bill No. 2860

By Senator Faulk

AN ACT to amend Tennessee Code Annotated, Title 24, Chapter 7; Title 38, Chapter 8 and Title 55, Chapter 8, relative to the admissibility in evidence of the results of certain equipment.

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

SECTION 1. Tennessee Code Annotated, Title 24, Chapter 7, Part 1, is amended by adding the following as a new section:

§ 24-7-124.

In any judicial or administrative proceeding in which the results of a radar, laser or similar device used to measure the speed of a motor vehicle are being introduced for the purpose of proving the speed of the motor vehicle or the conduct of the driver of the vehicle, such results shall not be admissible for such purposes unless the law enforcement officer operating the device has been trained pursuant to guidelines established by the National Highway Traffic Safety Administration or the Tennessee Peace Officer Standards and Training (POST) Commission.

In any judicial or administrative proceeding in which the results of a breathalyzer or similar device used to measure the alcohol content in a person's blood are being introduced for the purpose of proving the alcohol content in a person's blood or the intoxication of such person, such results shall not be admissible for such purposes unless the law enforcement officer operating the device has been trained by a recognized organization in the field as qualified to operate the device used.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.

PASSED: March 17, 2010



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 31st day of March 2010



PHIL BREDESEN, GOVERNOR