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SECRETARY OF STATE
PUBLICATIONS

STATE OF TENNESSEE

EXECUTIVE ORDER

BY THE GOVERNOR

No. 19

AN ORDER AMENDING EXECUTIVE ORDER NO. 15 SUSPENDING PROVISIONS OF CERTAIN STATUTES AND RULES AND TAKING OTHER NECESSARY MEASURES IN ORDER TO FACILITATE THE TREATMENT AND CONTAINMENT OF COVID-19

WHEREAS, on March 19, 2020, I issued Executive Order No. 15, which suspended certain statutes and rules and took other necessary measures to facilitate the treatment and containment of Coronavirus Disease 2019 (COVID-19); and

WHEREAS, taking further measures to limit the opportunities for community spread is imperative to containing COVID-19; and

WHEREAS, during this state of emergency, the maintenance of a strong and reliable food supply chain is essential; and

WHEREAS, the inspection and testing requirements for light-duty motor vehicles can contribute to community spread by requiring close personal contact between drivers and personnel and by requiring multiple persons to be together in small, enclosed spaces; and

WHEREAS, the Tennessee Department of Safety and Homeland Security serves tens of thousands of customers every month in a variety of transactions that require the type of close person-to-person contact that contributes to the community spread of COVID-19; and

WHEREAS, on March 24, 2020, as a result of the ongoing COVID-19 emergency, the Federal Motor Carrier Safety Administration granted a waiver of certain regulations applicable to interstate and intrastate commercial driver license and commercial learner permit holders; and

WHEREAS, pursuant to Tennessee Code Annotated, Section 58-2-107(e) and the general emergency management powers of the Governor under law, the temporary suspension of selected state laws and rules is necessary to facilitate the response to the current emergency.

NOW THEREFORE, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and other applicable law, do hereby declare that a state of emergency continues to exist in Tennessee and order the following:

Effective immediately, Paragraph No. 14.a of Executive Order No. 15, dated March 19, 2020, is hereby deleted in its entirety, and the following language is substituted instead:

a. A vehicle must be transporting emergency goods, supplies, equipment, mobile structures, items related to maintenance of the food supply, disinfectant or sanitizing supplies of any kind, or other items to affected areas.

Effective immediately, Paragraph No. 15 of Executive Order No. 15, dated March 19, 2020, is hereby deleted in its entirety, and the following language is substituted instead:

15. In accordance with 49 C.F.R. § 390.23, as adopted by Tenn. Comp. R. & Regs. 1340-06-01-.08, there is hereby provided a temporary exception from the federal rules and regulations in 49 C.F.R. Part 395 limiting the hours of service for the operator of a commercial motor vehicle providing supplies, equipment, personnel, and other provisions, including items related to the maintenance of the food supply and disinfectant or sanitizing supplies of any kind, to assist persons affected by COVID-19, subject to the following conditions:

    a. Nothing in this Order shall be construed as an exemption from the Commercial Driver's License requirements in 49 C.F.R. § 383, the financial requirements in 49 C.F.R. § 387, or applicable federal size and weight limitations.

    b. No motor carrier operating under the terms of this Order shall require or allow an ill or fatigued driver to operate a motor vehicle. A driver who notifies a motor carrier that he or she needs immediate rest shall be given at least ten (10) consecutive hours off-duty before the driver is required to return to service.

Effective immediately, Paragraph No. 23 of Executive Order No. 15, dated March 19, 2020, is hereby deleted in its entirety, and the following language is substituted instead:

23. The provisions of Tennessee Code Annotated, Sections 55-50-311, 55-50-336, and 55-50-337, are hereby suspended to the extent necessary to delay the expiration of all valid Class A, B, C, D, P, and M driver licenses and Class ID photo identification licenses set to expire between March 12, 2020, and May 18, 2020. Class A, B, C, PA, PB, and PC licenses shall instead expire on June 30, 2020. Any other licenses covered by this paragraph shall instead expire six (6) months from the current date the license is set to expire. This provision shall not apply to Class X licenses.

Effective immediately, Executive Order No. 15, dated March 19, 2020, is amended by adding the following new paragraphs:

22.1. The provisions of Tenn. Comp. R. & Regs. 1200-03-29-.01 through Tenn. Comp. R. & Regs. 1200-03-29-.12 and related provisions of Tennessee Code Annotated, Title 55, are hereby suspended to the extent necessary to suspend the requirement of inspection and testing of light-duty motor vehicles in Tennessee and the requirement for a light-duty motor vehicle owner to submit a certificate of compliance relative to a vehicle's registration in all cases where required between March 12, 2020, and May 18, 2020. Such requirements shall return to their original schedule in subsequent years.

23.1. The provisions of Tennessee Code Annotated, Section 55-50-413, are hereby suspended to the extent necessary to delay the cancellation of a Class A, B, or C driver license with a medical card issued for more than ninety (90) days that is set to expire between March 12, 2020, and May 18, 2020. Class A, B, and C driver license holders affected by this suspension will have until June 30, 2020, to submit a new medical card to the Department of Safety and Homeland Security to avoid cancellation. Renewal requirements shall return to their original schedule in subsequent years.

23.2. The provisions of Tennessee Code Annotated, Section 55-50-304(5)(A), are hereby suspended to the extent necessary to allow a person who establishes residency in Tennessee between March 12, 2020, and May 18, 2020, additional time to obtain a Tennessee driver license. Affected residents shall have thirty (30) days after the termination of this Order to obtain a Tennessee driver license.

23.3. The provisions of Tennessee Code Annotated, Section 55-50-302(b), are hereby suspended to the extent necessary to give the Commissioner of Safety and Homeland Security the authority to suspend the required administration of knowledge and skills tests or to reduce the availability of knowledge and skills tests to applicants for non-commercial driver licenses and learner permits.

23.4. The provisions of Tennessee Code Annotated, Section 55-50-202, and Tenn. Comp. R & Regs. 1340-01-13-.24, are hereby suspended to the extent necessary to give the Commissioner of Safety and Homeland Security the authority to suspend the issuance of federally compliant REAL-ID licenses.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 24th day of March, 2020.

GOVERNOR

ATTEST:

SECRETARY OF STATE