

ORDINANCE NO. BL2010-687

An ordinance amending Section 2.56, Article VIII, of the Metropolitan Code to create a separate traffic safety school and DUI school.

WHEREAS, the Metropolitan Code, Section 2.56.500, currently provides that there shall be a General Sessions Safety Center that operates both the traffic safety school and the driving under the influence (DUI) school; and,

WHEREAS, the traffic safety school and the DUI school are no longer operated in conjunction with one another; and,

WHEREAS, the Davidson County Sheriff's Office has assumed the operation of the DUI school; and,

WHEREAS, the traffic safety school will continue to be operated by the general sessions court; and,

WHEREAS, it is in the interest of the citizens of the Metropolitan Government that this ordinance be adopted.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 2.56, Article VIII shall be deleted in its entirety and replaced with the following:

ARTICLE VIII. Traffic safety school and DUI school

2.56.500 Creation of general sessions court traffic safety school.

There shall be established, under supervision of the general sessions court, a school to be known as the general sessions court traffic safety school.

2.56.510 Traffic safety school eligibility.

In addition to all other fines, fees, costs and punishments now prescribed by law, the driver of any motor vehicle upon his conviction by any judge or plea of guilty or submission to fine for any offense involving a moving traffic violation prescribed by law may be required, at the discretion of the court, to attend a traffic safety school approved by the Tennessee Department of Safety in addition to, or in lieu of, any portion of any other penalty imposed.

2.56.520 Traffic safety school staffing and records.

The traffic safety school shall maintain training agency status with the National Safety Council. The traffic safety school shall be staffed with administrative personnel and instructors. All instructors shall be certified by the National Safety Council. The traffic safety school shall maintain records showing the names of attendees, dates of attendance, and whether such attendees satisfactorily completed the course.

2.56.530 Traffic safety school fee.

The traffic safety school is authorized to charge a fee of up to ninety dollars for enrollment in each traffic safety class. The traffic school is authorized to charge a fee of up to thirty five dollars for rescheduling a missed class.

2.56.540 Permissible use of traffic safety school fees collected.

All fees collected for the traffic safety school shall be deposited in the general fund of the general services district to assist in covering the expenditures for instructor salaries, equipment, and materials.

2.56.550 Creation of Sheriff's Office DUI school.

There shall be established, under supervision of the Davidson County Sheriff's Office, a school to be known as the DUI school. All persons attending the school shall pay an enrollment fee in an amount up to two hundred twenty dollars per class to offset the costs of referral, screening, and education services. Different levels of classes may carry different enrollment fees, but no enrollment fee shall exceed two hundred twenty dollars. The DUI school shall be responsible for all documentation and reports required by state and local law, including reports to the general sessions court, criminal trial courts, circuit courts, and their designated probation departments. The Sheriff's Office is authorized to charge a fee of up to twenty dollars for rescheduling a missed session. The Sheriff's Office is authorized to charge an additional administrative fee of up to thirty five dollars if individuals are referred to treatment by the DUI school. Persons referred to the DUI school for an alcohol and drug assessment only shall pay a fee of up to fifty dollars to the DUI school for coordination, processing, and completion of the assessment.

2.56.560 DUI school staffing and records.

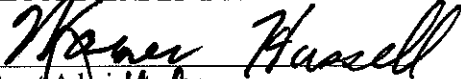
The Davidson County Sheriff's Office shall maintain DUI school licensure requirements with the State of Tennessee, Tennessee Department of Health, or other State of Tennessee agencies designated to license qualified DUI schools. The Sheriff's Office shall furnish instructors and other administrative personnel to staff the DUI school and maintain records in compliance with state regulations for DUI schools.

2.56.570 Permissible use of DUI school fees collected.

All fees collected for the DUI school shall be deposited in the general fund of the general services district to assist in covering the expenditures for instructor salaries, equipment, and materials.

Section 2. This ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

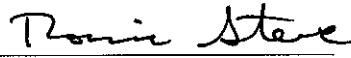
RECOMMENDED BY:



Court Administrator
Metropolitan General Sessions Court

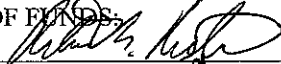
Sheriff Daron Hall
Davidson County Sheriff's Office

INTRODUCED BY:



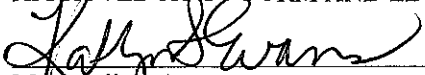
Member(s) of Council

APPROVED AS TO AVAILABILITY
OF FUNDS:



Director of Finance *RD*

APPROVED AS TO FORM AND LEGALITY:



Metropolitan Attorney