

ORDINANCE 2011-6

AN ORDINANCE AMENDING TITLE 11 OF THE BELLE MEADE CODE  
TO SET THE FINES ASSESSED FOR DRIVING IMPROVEMENT SCHOOL

WHEREAS:

1. The City of Belle Meade, has previously adopted in its ordinances the appropriate provisions of the Tennessee Code Annotated (hereinafter "Tenn. Code Ann.") regarding the operation and movement of motor vehicles within its municipality, and therefore is qualified and bound by state law controlling the administration of a traffic school in accordance with Tenn. Code. Ann. § 55-10-307.
2. The City Court of the City of Belle Meade regularly hears cases involving traffic violations which have incurred within the City of Belle Meade, and has the discretion to order a court mandated attendance of a driver safety training course and to assess fees and penalties.
3. Under Tenn. Code. Ann. § 55-10-301, a driver safety training course must be approved by the Department of Safety, which requires that the course provide a minimum of four (4) hours of classroom or on-line driver safety training which has been determined by the Department of Safety of the State of Tennessee to meet or exceed the standards of the AAA, National Safety Council or such other nationally recognized curriculum approved by the Department of Safety and which is designed to educate persons committing minor traffic violations and to deter future violations.
4. The City of Belle Meade obtained certification by the Department of Safety in March 2011 for approval to teach a four (4) hour class on driver safety training, and is now listed on the State of Tennessee's website as an approved accredited driver safety training site.
5. Tenn. Code Ann. § 55-10-301 permits accredited driver safety training sites to set a fee between fifty dollars (\$50) and one hundred seventy-five dollars (\$175) for the driver safety training course.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF BELLE MEADE, as follows:

Section 1. That Title 11 of the Belle Meade Code is amended by re-numbering Section 11-813 as Section 11-814, and inserting as Section 11-813 the following:

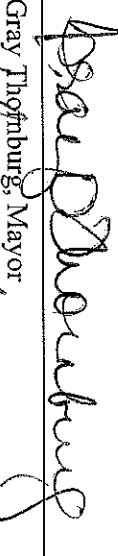
**11-813: City of Belle Meade Driver Improvement School:** A person ordered to attend the Driver Improvement School of the City of Belle Meade shall be assessed fines and fees for the Driver Improvement School as follows:

- (1) The **fine** to be assessed for a violation of the motor vehicle laws of the City of Belle Meade when a person is ordered to attend the City of Belle Meade Driver Improvement School shall be assessed at \$50.
- (2) The **fee** for attending the Driving Improvement School for the City of Belle Meade, when a person is ordered by another municipal court to attend a Driver Improvement School and the person chooses to attend the Belle Meade Driver Improvement School, shall be set at \$50.
- (3) Provided, however, that no one shall be refused admittance for inability to pay, as required by Tenn. Code Ann. § 55-10-301(2).

Section 2. This Ordinance shall become effective fifteen days after its passage.


Passed on first reading:

June 15, 2011

  
Paul Thornburg  
Mayor

Passed on second reading:

July 20, 2011

  
Linda Berner, City Recorder