Tennessee insurance bill requiring police to arrest uninsured involved in serious collisions

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Without car insurance you could end up in the slammer!

A new bill in Tennessee to require that an arrest be made by police officers in the case of a serious auto collision, should a driver be unable to provide proof of car insurance coverage is making insurance news headlines as it awaits the signature of the governor in that state.

There is also a companion bill which, according to its sponsor, Rep. Joe Carr (R-Lascassas), is still in the House Finance Committee to be heard next week. It would increase the bail for individuals who are not only involved in a serious collision, but who are also found to be unlicensed and in the country illegally.

Carr stated that these two bills were a response to a Nashville-area crash in 2010, which killed a man on a motorcycle and injured his daughter when a driver didn't see them and changed lanes into them. That driver was also unlicensed and uninsured.

That driver's penalty was a citation for driving without a license, which is a misdemeanor. Though it was suspected that the driver wasn't in the country legally, there was no way for police to prove that because it is only possible for a person's legal status to be verified if an arrest has been made.

Carr explained that "Basically, the bill says a police officer shall arrest the individual in such cases where they don't have a driver's license or proof of insurance and serious bodily injury or death occur."

In the Senate, the bill passed at a vote of 21 to 10. In the house, there was a 92 vote in support of the bill, with two abstentions, which included Rep. Vince Dean, R-East Ridge. Dean stated that "While it's a very great idea to arrest in most circumstances, there may be situations when it could cause undue burden on local law enforcement."

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There have also been concerns expressed by the Tennessee Immigrant and Refugee Rights Coalition, regarding the wording of the bill. A spokesperson for the group, Eben Cathey, said that the current law that is already in place provides a police officer with the authority to arrest an individual, or to choose to issue a citation, based on the guidelines of common sense.

However, Cathey went on to explain this insurance news by saying that the bill sponsored by Rep. Carr withdraws the discretion of the officer in favor of a forced arrest, no matter what the circumstances may be.

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