

UNITED WE RIDE
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DIVIDED WE DRIVE



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POSITION STATEMENT

UNLICENSED OR UNINSURED DRIVER CAUSING ACCIDENT TCA 55-10-119

Tennessee Code Annotated 55-10-119 states “An officer shall detain a driver without a warrant, as provided in § 40-7-103, and bring the driver before a committing magistrate if the driver: **(1)** Is involved in an accident resulting in: **(A)** Serious bodily injury, as defined in § 55-50-502; or **(B)** Death; and **(2)** Does not have a valid driver license; and **(3)** Does not have evidence of financial responsibility as required by § 55-12-139.”

The need for this bill was brought to Legislative members’ attention after an unlicensed operator was released from the scene of a fatal accident caused by making a u-turn on a four lane into the path of a motorcyclist traveling the same direction. This bill was named “The Rickey Otts Act” in honor of a 59 year old US Veteran and retiree who was out enjoying a beautiful ride with his 39 year old daughter. She was tragically maimed and still suffers from the injuries of this accident. And even worse, a child was orphaned.

In the instance of injury or death, this Public Chapter removes the discretion of the reporting officer from allowing any unlicensed and uninsured motorist involved in an accident from leaving the scene. They must be taken directly before a magistrate.

Since the initiation and passage of this legislation, CMT/ABATE, Inc. have been notified of many other accidents of this nature that have occurred. Even though this law was enacted to honor one of our own, much like the Right of Way Violation Public Chapter, this law meets the tragic need of justice to all who traverse the great state of Tennessee.

It has come to the attention of this organization that not only is this Public Chapter not being enforced, it is scantily even known of by law enforcement officers and their agencies. It is our position that until the operation of a vehicle without legal right is treated as a crime rather than simple citation, legally traveling citizens will continue to be needlessly in harms way.

CMT/ABATE, Inc. is a 501c-4 Not for Profit political organization formed to preserve freedom, monitor legislation, and promote safety and awareness for all Tennessee motorcyclists.