



County Technical Assistance Service

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Vandalism

Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

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Vandalism

Reference Number: CTAS-2178

Under T.C.A. 54-7-207, it is an offense for any person who is not authorized to construct or repair a county highway structure to knowingly carve upon, write, paint or otherwise mark upon, deface, rearrange, or alter any county highway structure. It is also an offense for any person who is not authorized to construct or repair a county highway structure to knowingly, in any manner, destroy, damage, knock down, mutilate, mar, steal or remove any county highway structure. "County highway structure" is defined as "any county highway, highway facility, building, bridge, overpass, tunnel, barricade, fence, wall, traffic control device, right-of-way, sign or marker of any nature whatsoever erected upon or maintained within or adjacent to a county highway or the county highway right-of-way."

Violations of this section are Class A misdemeanors. Class A misdemeanors carry a sentence of not greater than eleven (11) months, twenty-nine (29) days in jail or a fine not to exceed two thousand five hundred dollars (\$2,500), or both. Criminal actions are to be brought by the district attorney general of the judicial district in which the damage occurred.

Section 54-7-207 also creates a civil cause of action for damage caused by violations of that section. This allows counties to seek restitution for damage to their roads. Civil actions are to be brought by the county attorney or an attorney employed by the chief administrative officer of the county highway department.

This section also provides for a \$250 reward for persons who report information to a law enforcement officer that leads to the apprehension and conviction of a person for a violation. The reward money comes from the fines collected under the section. The proceeds from the fines are to be collected by the court clerks and then deposited in a dedicated county fund. The fund shall not revert to the county general fund at the end of a fiscal year but shall remain for the vandalism enforcement rewards. Excess funds, if any, may be expended for litter control programs on adoption of an appropriate resolution by the county legislative body.

This section applies to all counties.

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