

**RULES
OF
THE TENNESSEE HISTORICAL COMMISSION**

**CHAPTER 0400-70-01
WAIVERS**

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- (1) When an entity petitions the Tennessee Historical Commission for a waiver relative to Tennessee heritage protection the Tennessee Historical Commission shall evaluate the following considerations when rendering a decision:
 - (a) Whether the proposed change serves the public interest;
 - (b) Whether the proposed change has any commercial overtones;
 - (c) Whether the proposed change has a reasonable relationship to the site;
 - (d) Whether the proposed change has demonstrated support or opposition from local residents;
 - (e) If a change in name or rededication is proposed, whether the change is in conformance with the character of the existing names or dedications in the area;
 - (f) If a change in name or rededication is proposed, whether the change is duplicative of other nearby site names or dedications;
 - (g) Whether the proposed change is offensive or has derogatory or defamatory implications;
 - (h) Whether the proposed change detracts from or enhances the commemoration of the conflict, event, entity, figure, or organization previously commemorated;
 - (i) Whether the proposed change is expected to have a significant positive or negative economic impact;
 - (j) Whether the proposed change could cause confusion for visitors interested in the site;
 - (k) Whether the proposed change diminishes or enhances the historic integrity of the site;
 - (l) Whether the proposed change is relative to a historic site or memorial on the National Register of Historic Places or a national historic landmark; and
 - (m) If a relocation is proposed, whether the new location is appropriate.
- (2) The enumeration of the considerations in paragraph (1) of this rule does not prevent the Tennessee Historical Commission from taking into account other considerations.

Authority: T.C.A. §§ 4-11-101 et seq. **Administrative History:** Original rule filed October 19, 2017; effective January 17, 2018.