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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2005-06

(session year)

Senate

(Assembly, Senate or Joint)

Committee on Natural Resources and Transportation...

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Stefanie Rose (LRB) (June 2012)

Senate

Record of Committee Proceedings

Committee on Natural Resources and Transportation

Assembly Bill 240

Relating to: the immobilization, impoundment, and disposal of unregistered motor vehicles.

By Representatives Zepnick, Honadel, Ainsworth, Ballweg, Colon, Friske, Gielow, Gottlieb, Grigsby, Hahn, Hines, Jeskewitz, Molepske, Musser, Ott, Seidel, Sinicki, Stone and Townsend; cosponsored by Senators Darling, Carpenter, Coggs, Kanavas, Plale and Stepp.

May 11, 2005 Referred to Committee on Natural Resources and Transportation.

November 3, 2005 **PUBLIC HEARING HELD**

Present: (5) Senators Kedzie, Stepp, Kapanke, Wirch and Breske.

Absent: (0) None.

Appearances For

- Representative Josh Zepnick — 9th Assembly District
- Dorinda Floyd — City of Milwaukee

Appearances Against

- None.

Appearances for Information Only

- None.

Registrations For

- William Ward — Milwaukee Police Association
- Michael Miller — Milwaukee Department of Administration
- Curt Witynski — League of Wisconsin Municipalities
- Jennifer Gonda — City of Milwaukee
- Senator Alberta Darling — 8th Senate District

Registrations Against

- None.

December 1, 2005 **EXECUTIVE SESSION HELD**

Present: (5) Senators Kedzie, Stepp, Kapanke, Wirch and Breske.

Absent: (0) None.

Moved by Senator Stepp, seconded by Senator Breske that **Assembly Bill 240** be recommended for concurrence.

Ayes: (5) Senators Kedzie, Stepp, Kapanke, Wirch and Breske.

Noes: (0) None.

CONCURRENCE RECOMMENDED, Ayes 5, Noes 0

Dan Johnson
Committee Clerk

Vote Record

Committee on Natural Resources and Transportation

Date: December 1, 2005 _____

Bill Number: **AB 240** _____

Moved by: STAPP _____ Seconded by: BRESKE _____

Motion: **Concurrence** _____

Committee Member

Senator Neal Kedzie, Chair

Senator Cathy Stepp

Senator Dan Kapanke

Senator Robert Wirch

Senator Roger Breske

<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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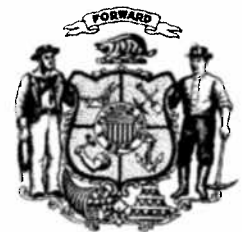
Totals: _____

Motion Carried

Motion Failed



WISCONSIN STATE LEGISLATURE



**Senate Natural Resources and Transportation Committee
Public Hearing
330 Southwest, State Capitol
November 3, 2005 10:00**

Agenda

✓ 1. Call of the Role — House Keeping / Able to P

2. Agenda

✓ Senate Bill 158

Relating to: fishing with a bow and arrow at night.

✓ Senate Bill 213

Relating to: private motor carriers transporting livestock.

✓ Assembly Bill 762

Relating to: exempting from motor carrier regulations certain vehicle combinations operated in intrastate commerce.

Senate Bill 329

Relating to: the parking of vehicles on highways.

Assembly Bill 240

Relating to: the immobilization, impoundment, and disposal of unregistered motor vehicles.

Assembly Bill 128

Relating to: the removal of fishing shanties or similar shelters.

Assembly Bill 345

Relating to: acreage requirements for areas in which farm-raised deer that may be hunted are kept and transfers of registration certificates for keeping farm-raised deer.

Assembly Bill 299

Relating to: the effect of county shoreland zoning ordinances in territories annexed by cities, villages, or towns or incorporated as cities, or villages.

ANNOUNCEMENTS

✓ You may speak before the committee or simply register your vote on the hearing slips. Be sure to fill out the slips and hand it to the Page.

Mary Wm's
needs to
be out of
12:30-2pm

Fiscal Effect: No fiscal effect has been prepared for SB 329

Questions:

- City Atty. doesn't believe it's allowed.*
- Why can't Milwaukee already do this? Don't other cities around the state – Madison, River Falls, Green Bay?
 - **All municipalities receive local road aids, meaning everyone in the state pays for at least a portion of every road in the state. Why then is it fair to prevent some people from parking, while allowing someone else to do so. In other words, why is it fair for the City of Milwaukee to prevent my constituent in Waukesha from parking around UW-Milwaukee, but not allow Waukesha to prevent a Milwaukee resident from parking around Carroll College or UW-Waukesha?**
 - The bill allows Milwaukee, around UW-Milwaukee to reserve 721 parking spots on city streets for residents, their guests and commercial enterprises. While I assume residents can be given a sticker, how can a Milwaukee enforce the guests and commercial enterprise vehicles? Further, if residences can control who parks in front of their home under the "guests" provision, is there anything to prevent them from selling the spots?
 - How will Milwaukee administer this. Who will determine who a resident is. Is it only a person immediately adjacent to where they are parking or homes around the corner, or homes a couple of blocks away. Can one resident park only 1 vehicle, or can they park 5 vehicles in the restricted areas?

Assembly Bill 240 (Rep. Zepnick and Sen. Darling)

Relating to: the immobilization, impoundment, and disposal of unregistered motor vehicles.

Summary: This bill changes the definition of "unregistered motor vehicle" so that it applies to any motor vehicle that is located upon a highway, and that is not displaying valid license plates, a temporary operation plate, or, for vehicles registered with DOT on a quarterly or consecutive monthly basis, other evidence of registration for the vehicle's current registration period or a registration period that expired the preceding month, rather than to a motor vehicle that is currently not registered and that reasonably appears to have been unregistered for at least 30 days. The bill eliminates the provision that specifies that a person may not be convicted of violating an ordinance or subject to immobilization or impoundment costs if, at the time of the offense, the vehicle was exempt from registration in this state or a complete registration application had already been submitted to DOT. Finally, the bill provides that parking enforcers who are employed by a municipality or county or the state may enforce such ordinances.

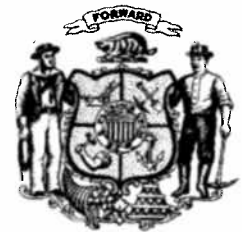
Fiscal Effect: A fiscal estimate prepared by the Department of Transportation indicates passage of the bill will have no state fiscal effect.

Questions:

- Would AB 240 allow law enforcement to impound any vehicle they see parked on a roadway without a license plate or Temporary plate? Doesn't the 30 day grace period in current law help address circumstances where a plate may be stolen or fall off (blown off for temp plates) and the owner might not know?
- The bill deletes a current law provision which stipulates that a person couldn't be convicted of this ordinance (and be required to pay for impoundment costs on their vehicle) if they could show that registration had already been sent to the DOT. Why would we want to remove this protection for people who wrongly have their car impounded?
- The bill allows parking enforcers the ability to impound vehicles, whereas current law requires a law enforcement official? Do these individuals have any sort of training equivalent to what law enforcement must go through? If not, should we be granting the authority to seize property to someone that doesn't have any type of specialized training?



WISCONSIN STATE LEGISLATURE





STATE REPRESENTATIVE
JOSH ZEPNICK
WISCONSIN STATE ASSEMBLY

November 3, 2005

Senate Committee on Natural Resources and Transportation
Senator Neal Kedzie, Chair

Dear Chairman Kedzie and Members of the Committee:

As the lead author of AB 240 I would like to thank you for holding a public hearing on this bill. This bill attempts to resolve the growing problem of unregistered and unlicensed motor vehicles that continue to park on city streets. The proliferation of unregistered and unlicensed vehicles on city streets leads to many problems, including: increased difficulty for law-abiding citizens to find on-street parking; stolen vehicles being sold to unsuspecting individuals; streets becoming used car lots where vehicles are sold by individuals who have no legal authority to do so; and public safety concerns that arise as a result of unregistered or unlicensed vehicles impeding the safe passage of emergency vehicles.

Under current law, an "unregistered motor vehicle" is defined as any motor vehicle located upon a highway that is currently not registered and that reasonably appears to have been unregistered for at least 30 days. Unfortunately, the city of Milwaukee's current policy is to not tow unregistered vehicles because of the difficulty of proving the criteria or that it "reasonably appears" to be abandoned. This bill will make it easier for parking enforcement officials to cite and tow vehicles that are not displaying valid license plates or a temporary operation plates, or have the VIN Number obscured.

Each year the Milwaukee Department of Public Works Parking Enforcement Division receives a significant number of complaints of unregistered vehicles that are illegally parked. In many instances the vehicle identification number is covered, the vehicle does not have a license plate, and the parking enforcement officer cannot determine how long the vehicle has been parked in its current location. Without the necessary identifying information available it is impossible to remove the vehicle in this circumstance.

This bill will benefit those citizens who do abide by the laws and register their vehicles, and it will give parking enforcement officials a better tool for addressing the proliferation of unregistered vehicles on city streets.

I would like to thank Chairman Kedzie and the members of the Natural Resources and Transportation Committee again for having a public hearing on AB 240, and I respectfully request that the committee give its unanimous support to this important legislation.

Sincerely,

Josh Zepnick
State Representative – 9th Assembly District

AB 240 : Rep. Zepnick (favor)

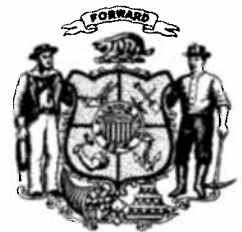
Passed Assembly
Twice

1400 mi. city streets

50,000 vehicles @ any time



WISCONSIN STATE LEGISLATURE





WISCONSIN LEGISLATURE

P.O. BOX 8952 · MADISON, WI 53708

May 16, 2005

The Honorable Neal Kedzie
Chair, Senate Committee on Natural Resources and Transportation
313 South
State Capitol

Dear Chairman Kedzie,

We are writing to request that the Senate Committee on Natural Resources and Transportation add Assembly Bill 240, relating to the immobilization, impoundment, and disposal of unregistered motor vehicles, to the committee's upcoming public hearing on May 26, 2005.

We believe the passage of AB 240 is important for Milwaukee and other municipalities to curb the problems related to the proliferation of unregistered and unlicensed vehicles on city streets. Many of the problems include: increased difficulty for law-abiding citizens to find on-street parking; stolen vehicles being sold to unsuspecting individuals; streets becoming used car lots where vehicles are sold by individuals who have no legal authority to do so; and, public safety concerns that arise as a result of unregistered or unlicensed vehicles impeding the safe passage of emergency vehicles.

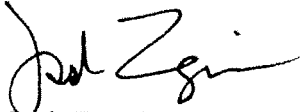
Under current law, if a vehicle's vehicle identification number is covered, Milwaukee has difficulty ticketing and towing the vehicle. This bill will allow a car to be ticketed and towed after a 31-day period if it is not displaying valid license plates, a temporary operation plate, or other evidence of registration, even if the vehicle identification number has been covered.

AB 240 will put an end to the abandoned vehicles littering the streets and the illegal used car lots around Milwaukee. The bill was passed unanimously out of the Assembly Committee on Transportation and passed the Assembly May 10, 2005.

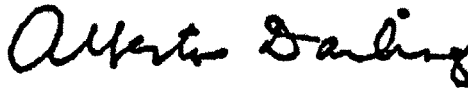
We respectfully request that you add this bill to the committee's public hearing scheduled for May 26, 2005.

Thank you for your concern for the citizens of Wisconsin and the fire and law enforcement officials of Milwaukee. We look forward to passing this bill into law so that Milwaukee can begin to address this growing problem.

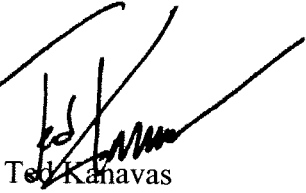
Sincerely,



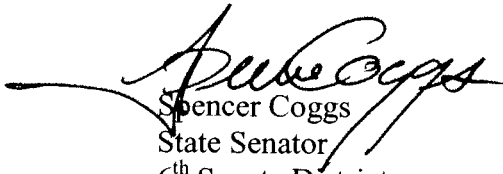
Josh Zepnick
State Representative
9th Assembly District



Alberta Darling
State Senator
8th Senate District

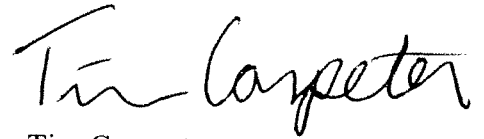


Ted Kanavas
State Senator
33rd Senate District



Spencer Coggs
State Senator
6th Senate District

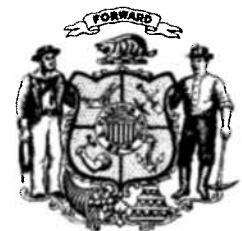
Jeff Plale
State Senator
7th Senate District



Tim Carpenter
State Senator
3rd Senate District



WISCONSIN STATE LEGISLATURE





WISCONSIN LEGISLATURE

P.O. BOX 8952 · MADISON, WI 53708

October 14, 2005

Senator Kedzie
Chairman
Senate Committee on Natural Resources and Transportation
Room 313 South

Dear Senator Kedzie,

We are writing to request that you give Assembly Bill 240 a public hearing before the Senate Committee on Natural Resources and Transportation at your next committee meeting. We understand you have a backlog in this committee and we would appreciate a commitment to this bill once you are caught up after this October 20, 2005 meeting. This legislation is a bipartisan effort to give cities and parking officials a better tool for addressing the proliferation of unregistered vehicles on city streets.

Under current law, if a vehicle's vehicle identification number is covered, Milwaukee has difficulty ticketing and towing the vehicle. This bill will allow a car to be ticketed and towed after a 31-day period if it is not displaying valid license plates, a temporary operation plate, or other evidence of registration, even if the vehicle identification number has been covered.

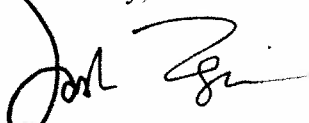
AB 240 will put an end to the abandoned vehicles littering the streets and the illegal used car lots around Milwaukee. The bill was passed unanimously out of the Assembly Committee on Transportation.


The legislation has passed the Assembly with broad support, passing 97-1; and it was previously passed in the Assembly on a voice vote during the 2003-2005 session.


Please call Representative Zepnick's office or Senator Darling's office if you have any questions or concerns with the legislation.

Thank you.

Sincerely,


Josh Zepnick
State Representative


Mark Honadel
State Representative


John Ainsworth
State Representative