



**ASSEMBLY AMENDMENT 1,  
TO 1995 SENATE BILL 565**

March 27, 1996 – Offered by Representatives OTTE, DOBYNS, GOETSCH, ZUKOWSKI, SILBAUGH, UNDERHEIM, VRAKAS, GRONEMUS, WILLIAMS, BAUMGART, OTT and HUBLER.

1           At the locations indicated, amend the bill, as shown by senate substitute  
2           amendment 1, as follows:

3           **1.** Page 4, line 13: after the semicolon insert “vehicle abandonment;”.

4           **2.** Page 48, line 17: after that line insert:

5           “**SECTION 67r.** 342.40 (1) of the statutes is amended to read:

6           342.40 (1) No person shall leave unattended any motor vehicle, trailer,  
7           semitrailer or mobile home on any public highway or private or public property, for  
8           such time and under such circumstances as to cause the vehicle to reasonably appear  
9           to have been abandoned. Except as otherwise provided in this subsection section,  
10          whenever any vehicle has been left unattended without the permission of the  
11          property owner for more than 48 hours in cities of the 1st class and, in other cities,  
12          villages and towns, a period set by the governing body thereof, the vehicle is deemed  
13          abandoned and constitutes a public nuisance. A motor vehicle shall not be  
14          considered an abandoned motor vehicle when it is out of ordinary public view, or  
15          when designated as not abandoned by a duly authorized municipal or county official  
16          pursuant to municipal or county ordinance.

1           **SECTION 67s.** 342.40 (3) (a) of the statutes is amended to read:

2           342.40 (3) (a) Any municipal or university police officer, police officer appointed  
3 under s. 16.84 (2), sheriff's deputy, county traffic patrolman, state traffic officer or  
4 conservation warden who discovers any motor vehicle, trailer, semitrailer, or mobile  
5 home on any public highway or private or public property which has been abandoned  
6 shall cause the vehicle to be removed to a suitable place of impoundment. Upon  
7 removal of the vehicle the officer or warden shall notify the sheriff or chief of police  
8 of the abandonment and of the location of the impounded vehicle.

9           **SECTION 67t.** 342.40 (4) of the statutes is created to read:

10          342.40 (4) (a) In this subsection, "state agency" has the meaning given for  
11 "agency" in s. 227.01 (1).

12          (b) Notwithstanding any other provision of this section, a state agency  
13 responsible for the land on which a vehicle is left unattended and a duly authorized  
14 representative of that agency may exercise all of the powers and duties under this  
15 section of a municipality and a duly authorized municipal representative, subject to  
16 the following conditions:

17           1. Whenever a vehicle has been left unattended without the permission of the  
18 state agency for more than 72 hours, the vehicle is deemed abandoned and  
19 constitutes a public nuisance.

20           2. The state agency may promulgate rules governing the removal and disposal  
21 of abandoned vehicles and, except for abandoned vehicles that have been stolen,  
22 provide a forfeiture in addition to providing for the recovery by the state agency of  
23 the cost of impounding and disposing of the vehicle.

1 (c) This subsection applies to any vehicle deemed abandoned before the  
2 effective date of this paragraph ... [revisor inserts date], except that no forfeiture  
3 may be assessed against the owner of such a vehicle.

4 **SECTION 67tm.** 346.94 (13) of the statutes is amended to read:

5 346.94 (13) ABANDONED MOTOR VEHICLES. No person may cause a motor vehicle  
6 to be abandoned, within the meaning of s. 342.40 (1) or (4) (b) 1., on or along any  
7 highway or on any public or private property.”

8 (END)