



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Assembly Bill 758

Assembly Amendment 1

Memo published: February 19, 2004

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Under **current law**, any city, village, town (municipality), or any county may enact an ordinance prohibiting *unregistered motor vehicles* and providing for, among other things, the removal and impoundment of such vehicles. Upon discovery of an unregistered vehicle upon a highway, a law enforcement officer may cause the vehicle to be removed to a suitable place of impoundment. Upon removal, the law enforcement officer must notify the sheriff or chief of police of the location to which the vehicle has been removed and impounded and the reason for the impoundment.

Current law also prohibits any person from abandoning a vehicle on a highway or public or private property and subjects *abandoned vehicles* to, among other things, removal and impoundment. Any municipality or county may enact an ordinance related to abandoned vehicles. Upon discovery of an abandoned vehicle upon a highway or public or private property, a law enforcement officer must cause the vehicle to be removed to a suitable place of impoundment. Upon removal, the law enforcement officer must notify the sheriff or chief of police of the abandonment and the location to which the vehicle has been removed and impounded.

Under Assembly Bill 758, a law enforcement officer who causes the removal of a vehicle by a towing service must, within 24 hours of ordering the removal, notify the towing service of the name and last-known address of the registered owner and all lienholders of record of the vehicle.

Current law, with certain exceptions, permits state and local highway authorities to prohibit or *restrict the stopping, standing, or parking of vehicles* on highways under their jurisdictions. A traffic officer may require the removal, to a permissible parking area or to storage, of a vehicle on a highway in violation of limitations on stopping, standing, or parking, or of a disabled vehicle that obstructs the roadway of a freeway or expressway, or of a vehicle involved in trespass parking on private property, or, in any first class city (presently, only Milwaukee), of a disabled vehicle causing a hazard on any portion of the interstate system, limited access highway, or expressway.

Under this bill, a traffic or police officer who requests removal of a vehicle by a towing service must, within 24 hours of requesting the removal, notify the towing service of the name and last-known address of the registered owner and all lienholders of record of the vehicle if the removal is to be made to any location other than a public highway within one mile from the location from which the vehicle is to be removed.

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The amendment clarifies that law enforcement does not need to provide registered owner/lienholder information to the towing service, if the municipality or county already provides such notice pursuant to a towing services agreement.

Legislative History

On February 17, 2004, the Assembly Committee on Transportation recommended for adoption Assembly Amendment 1 by a vote of Ayes, 15; Noes, 0. The Assembly Committee on Transportation recommended passage of the bill, as amended, by a vote of Ayes, 15; Noes, 0.

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