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# Wisconsin Legislative Council

## AMENDMENT MEMO

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**2023 Senate Bill 92**

**Senate Amendment 1**

### 2023 SENATE BILL 92

Senate Bill 92 allows a city, village, town, or county to pass an ordinance that allows a law enforcement officer to seize and impound a motor vehicle if all of the following are true:

- The law enforcement officer cites the operator of the vehicle for a reckless driving offense.
- The operator of the vehicle is the owner of the vehicle.
- The operator of the vehicle has been found to have committed a previous reckless driving offense.
- The operator of the vehicle has not fully paid a forfeiture assessed for a previous reckless driving offense.

Under the bill, the ordinance may provide that the vehicle remain impounded until the owner of the vehicle pays the amount due on the forfeiture assessed for a previous reckless driving offense and pays a deposit for the citation for which the vehicle was impounded.

The bill requires the return of the vehicle to an owner when the previous forfeiture is paid in full and a deposit is paid for the immediate citation, except that if a vehicle remains unclaimed for 90 days after the disposition of the citation for which the vehicle was impounded, the city, village, town, or county may initiate proceedings to treat the vehicle as an abandoned vehicle.

### SENATE AMENDMENT 1

Senate Amendment 1 removes the requirement that, in order to retrieve a vehicle that has been seized, the owner pay a deposit for the citation for which the vehicle was impounded. Additionally, the amendment allows a city, village, town, or county to require that the owner pay the reasonable costs of impounding the vehicle, including towing or other transportation costs and storage costs.

### BILL HISTORY

Senator Nass introduced Senate Bill 92 on March 1, 2023, and offered Senate Amendment 1 on March 13, 2023. On March 16, 2023, the Senate Committee on Judiciary and Public Safety voted to recommend adoption of Senate Amendment 1 on a vote of Ayes, 7; Noes, 1, and to recommend passage of Senate Bill 92, as amended, on a vote of Ayes, 7; Noes, 1.

For a full history of the bill, visit the Legislature's [bill history page](#).

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