



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-1203/1
ZDW:amn

2019 ASSEMBLY BILL 2

January 29, 2019 - Introduced by Representatives SPIROS, HORLACHER, KULP, PLUMER, QUINN, STEFFEN, TITTL, ZIMMERMAN and MURPHY, cosponsored by Senators COWLES, MARKLEIN, OLSEN, STROEBEL and WANGGAARD. Referred to Committee on Local Government.

1 **AN ACT** *to repeal* 341.65 (1) (a) and 349.139 (1) (b); *to amend* 341.65 (2) (b); and
2 *to create* 341.65 (2) (c) of the statutes; **relating to:** motor vehicle
3 immobilization devices.

Analysis by the Legislative Reference Bureau

Under current law, any municipality or county may enact ordinances prohibiting any unregistered motor vehicle from being located upon a highway and governing the immobilization, removal, and disposal of unregistered motor vehicles. Current law defines “immobilization device” as a device or mechanism that immobilizes a motor vehicle by locking around a wheel, thereby making the motor vehicle inoperable.

This bill applies a definition of “immobilization device” that does not contain a reference to a device being locked around a wheel. The bill also authorizes a county, municipality, or university to enter into a contract with a person that authorizes the person to immobilize motor vehicles.

For further information see the **local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 341.65 (1) (a) of the statutes is repealed.

ASSEMBLY BILL 2**SECTION 2**

SECTION 2. 341.65 (2) (b) of the statutes is amended to read:

341.65 (2) (b) Any municipal or university police officer, sheriff's deputy, county traffic patrolman, state traffic officer, conservation warden, ~~or parking enforcer, or~~ other person authorized under par. (c) who discovers any unregistered motor vehicle located upon any highway may cause the motor vehicle to be immobilized with an immobilization device or removed to a suitable place of impoundment. Upon immobilization or removal of the motor vehicle, the officer, warden, ~~or parking enforcer, or authorized person~~ shall notify the sheriff or chief of police of the location of the immobilized or impounded motor vehicle and the reason for the immobilization or impoundment. Upon causing the removal of the motor vehicle by a towing service, the officer, warden, ~~or parking enforcer, or authorized person~~ shall, 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, unless the officer or parking enforcer is employed by a municipality or county that has entered into a towing services agreement which requires the municipality or county to provide notice to such owner and lienholders of the towing.

SECTION 3. 341.65 (2) (c) of the statutes is created to read:

341.65 (2) (c) A county, municipality, or university may enter into a contract with a person that authorizes the person to conduct placement and removal of immobilization devices as provided in par. (b). A contract entered into under this paragraph may allow for remote unlocking and removal of an immobilization device.

SECTION 4. 349.139 (1) (b) of the statutes is repealed.

(END)