



Legislation Details (With Text)

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Title: Substitute resolution relating to the introduction and passage of state legislation authorizing municipalities to enact ordinances for the removal of parked motor vehicles without current license plates.

Sponsors: ALD. DONOVAN, ALD. NARDELLI, ALD. CAMERON, ALD. HERRON, ALD. BOHL, Fredrick Gordon, ALD. RICHARDS

Indexes: MOTOR VEHICLES, PARKING, STATE LEGISLATION, TOWING OF VEHICLES

Attachments:

Date	Ver.	Action By	Action	Result	Tally
6/13/2000	0	COMMON COUNCIL	ASSIGNED TO		
6/15/2000	0	PUBLIC SAFETY COMMITTEE	HEARING NOTICES SENT		
6/22/2000	1	PUBLIC SAFETY COMMITTEE	RECOMMENDED FOR ADOPTION AND ASSIGNED	Pass	5:0
6/22/2000	1	CITY CLERK	DRAFT SUBMITTED		
6/26/2000	1	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
6/30/2000	1	COMMON COUNCIL	ADOPTED	Pass	16:0
7/12/2000	1	MAYOR	SIGNED		

000294
SUBSTITUTE 1

ALD. DONOVAN, NARDELLI, CAMERON-ROLLINS, HERRON, BOHL, GORDON AND RICHARDS
Substitute resolution relating to the introduction and passage of state legislation authorizing municipalities to enact ordinances for the removal of parked motor vehicles without current license plates.
- Analysis -

This resolution directs the Intergovernmental Relations Division - Department of Administration to seek introduction and passage of state legislation authorizing municipalities to enact ordinances for the removal of parked motor vehicles that do not display current license plates. The current ordinance, adopted pursuant to statutory authorization, allows removal of vehicles that "reasonably appear" to have been unregistered for not less than 30 days.

The resolution also requests that the state legislation authorize parking checkers to enforce the law. Whereas, Wisconsin statutes permit municipalities and counties to enact ordinances prohibiting unregistered motor vehicles from being parked on streets and authorizing such vehicles to be towed and impounded, s. 341.65, Wis. Stats.; and

Whereas, Milwaukee has enacted an ordinance in conformity with the provisions of the state statute, s. 105-65.5, Milw. Code; and

Whereas, Although removal of unregistered vehicles would provide many benefits to Milwaukee residents and visitors, the definition of "unregistered motor vehicle" in the statute and the Milwaukee ordinance has proven to be inadequate for effective removal of unregistered vehicles; and

Whereas, The statute and ordinance both define a vehicle that is eligible for removal as one that "is not currently registered and which is located upon a highway for such time and under such circumstances as to cause the motor vehicle to reasonably appear to have been unregistered for not less than 30 days;" and

Whereas, This definitional language has made it impossible to remove a vehicle that displays no license plate and on which the vehicle identification number (VIN) is not discernable, as a law enforcement officer cannot determine whether the vehicle "reasonably appears" to have been unregistered for 30 days; and

Whereas, The state could optimize effective local removal of unregistered motor vehicles by revising the statutory definition of "unregistered motor vehicle" to only mean a vehicle that does not display a currently valid license plate; and

Whereas, The state could further optimize effective local enforcement by allowing local communities to determine whether parking checkers or other non-sworn personnel may enforce unregistered motor vehicle laws; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Intergovernmental Relations Division - Department of Administration is directed to seek introduction and passage of state legislation revising the statutory authorization for municipalities to enact ordinances prohibiting unregistered motor vehicles on highways and governing their immobilization, removal and disposal, s. 341.65, Wis. Stats.; and, be it

Further Resolved, That the Common Council recommends that the statutory revision define an "unregistered motor vehicle" as any vehicle that does not display a currently valid license plate and delete the current language requiring the vehicle to "reasonably appear" to have been unregistered for a period of time; and, be it

Further Resolved, That the Common Council recommends that the statutory revision also specify that the unregistered motor vehicle law may be enforced by parking checkers or other public workers whose job duties include parking enforcement but whose job titles are not enumerated in s. 341.65(2)(b), Wis. Stats.

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CW

6/22/00