



Legislation Text

File #: 031495, Version: 0

031495
ORIGINAL

The Chair

An ordinance relating to equipment and safety of vehicles.

101-4-1 am

101-4-3 am

101-4.5 rc

This ordinance provides additional authority to the city to issue citations and collect the scheduled fines for violation of state and federal statutes regarding the safety of commercial motor vehicles. Some members of the police department have become certified as motor vehicle inspectors. Motor vehicle inspectors are authorized to stop commercial motor vehicles, such as trucks, and inspect and cite the operators or owners for safety and weight violations. Inspections include checking equipment such as brakes and lights, reviewing log books and verifying the vehicle's weight using portable scales.

Because the members of the police department are authorized to issue citations for motor vehicle safety violations, the citations would go through the municipal court process. This ordinance adopts state and federal regulations facilitating citation review by the municipal court and collection of fines by the city.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 101-4-1 and 3 of the code is amended to read:

101-4. Equipment of Vehicles. 1. ~~[[CITY ADOPTS STATE RULE]]~~ >>ADOPTION OF STATE LAW <<. The city of Milwaukee adopts ~~[[ch.]]~~ >>chs. 110 and<< 347, Wis. Stats., ~~[[1969]]~~ >>2001-2002<<, and all subsequent amendments thereto defining and describing regulations for which the penalty for violation thereof is a forfeiture only, including penalties to be imposed.

3. PENALTY. Upon conviction of a violation of any section of ~~[[ch.]]~~ >> chs. 110 or<< 347 Wis. Stats., ~~[[1969]]~~ >>2001-2002<<, so adopted, the court shall enter a judgment of forfeiture against the violator, payable to the city, within the range of forfeitures provided by statute for violation of such section in addition to taxable costs and in default of payment thereof order confinement in the county jail or house of correction until such forfeiture and costs are paid, but not to exceed 30 days.

Part 2. Section 101-4.5 of the code is repealed and recreated to read:

101-4.5. Adoption of State Administrative Code for Vehicle Equipment and Safety Standards.
1. ADOPTION OF ADMINISTRATIVE REGULATION. The city of Milwaukee adopts chs. Trans. 305, 325, 326 and 327, Wis. Adm. Code, as amended, with respect to defining and describing motor

vehicle equipment standards and motor carrier safety regulations.

2. PENALTY. Upon conviction of a violation of any section of chs. Trans. 305, 325, 326 and 327, Wis. Admin. Code, so adopted, the court shall enter a judgment of forfeitures provided by statute or administrative regulation for violation of such section in addition to taxable costs and in default of payment thereof order confinement in the county jail or house of correction until such forfeiture and costs are paid, but not to exceed 30 days.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

LRB 04031-1
TRG
1/29/04