
1983 Senate Bill 6

Date of enactment: **April 20, 1984**
Date of publication: **April 26, 1984**

1983 Wisconsin Act 213

AN ACT *to renumber 349.13 (5) and 779.415 (1); and to create 349.13 (5) (b) and 779.415 (1) (b) of the statutes, relating to return of personal property in a vehicle which is being towed or stored.*

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

SECTION 1. 349.13 (5) of the statutes is renumbered 349.13 (5) (a).

SECTION 2. 349.13 (5) (b) of the statutes is created to read:

349.13 (5) (b) 1. As used in this paragraph:

a. "Personal property" means all property within the vehicle which is not mounted, attached or affixed to the vehicle.

b. "Proper identification" means identification which would be sufficient to establish ownership to release the vehicle.

2. A person who has custody of a vehicle removed or stored under subs. (3) to (4) or otherwise at the request of a law enforcement officer shall release the personal property within the vehicle to the owner of the vehicle during regular office hours upon presentation by the owner of proper identification.

3. No charge may be assessed against the owner for the removal or release of the personal property.

4. If the owner removes the personal property from a motor vehicle under this paragraph, the vehicle shall be deemed abandoned unless the person enters into a written agreement to pay the full charges for towing and storage. The owner shall be informed of this subdivision by the person who has custody of the vehicle before the property is released. A vehicle deemed abandoned under this subdivision may be disposed of as are other abandoned vehicles by the local authority.

5. The personal property is subject to forfeiture under ss. 161.55 to 161.56 and 973.075 to 973.077.

SECTION 3. 779.415 (1) of the statutes is renumbered 779.415 (1) (a).

SECTION 4. 779.415 (1) (b) of the statutes is created to read:

779.415 (1) (b) If the vehicle is towed or stored under the directions of a traffic officer, any personal property within the vehicle shall be released to the owner of the vehicle as provided under s. 349.13 (5) (b) 2. No additional charge may be assessed against the owner for the removal or release of the personal property within the vehicle.
