2001 ASSEMBLY BILL 279

April 3, 2001 – Introduced by Representatives RHOADES, LADWIG, STARZYK, MUSSER, JESKEWITZ, ALBERS and FREESE, cosponsored by Senator ROESSLER. Referred to Committee on Children and Families.

1 AN ACT *to create* 346.55 (5) and 346.56 (2m) of the statutes; **relating to:** leaving 2 an unattended or unsupervised child in a motor vehicle and providing 3 penalties.

Analysis by the Legislative Reference Bureau

This bill prohibits leaving a child under the age of six unattended or unsupervised in a motor vehicle for more than 15 minutes or, if the vehicle's engine is running or the child's health is endangered, for any period of time. The bill allows a child who is left unattended or unsupervised in a vehicle to be taken into protective physical custody. A person who violates the prohibition created in the bill is subject to a forfeiture of not less than \$50 nor more than \$500.

For further information see the *state and 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.** 346.55 (5) of the statutes is created to read:
- 5 346.55 (5) (a) No person may leave a child under 6 years of age unattended or
- 6 unsupervised in a motor vehicle for longer than 15 minutes.

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(b) No person may leave a child under 6 years of age unattended or
 unsupervised in a motor vehicle for any period of time if the engine of the vehicle is
 running or if the health of the child is in danger.

(c) A child who is left unattended or unsupervised in a motor vehicle in violation
of this subsection is deemed to be in immediate danger from his or her surroundings
and may be taken into custody under s. 48.19 (1) (d) 5. The person taking the child
into custody shall place a written notification that the child has been taken into
protective custody on the motor vehicle, and shall immediately attempt to notify the
parent, guardian, or legal custodian of the child as provided in s. 48.19 (2).
SECTION 2. 346.56 (2m) of the statutes is created to read:

11 346.56 **(2m)** Any person violating s. 346.55 (5) may be required to forfeit not

- 12 less than \$50 nor more than \$500.
- 13

(END)