

2003 Assembly Bill 758

Date of enactment: **March 10, 2004**
Date of publication*: **March 24, 2004**

2003 WISCONSIN ACT 142

AN ACT *to amend* 341.65 (2) (b) and 342.40 (3) (a); and *to create* 349.13 (5) (c) of the statutes; **relating to:** the removal by towing services of unregistered, abandoned, or illegally parked vehicles.

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

SECTION 1. 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 or conservation warden 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 or warden 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 or warden 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 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 2. 342.40 (3) (a) of the statutes is amended to read:

342.40 (3) (a) Any municipal or university police officer, police officer appointed under s. 16.84 (2), sher-

iff's deputy, county traffic patrolman, state traffic officer or conservation warden who discovers any motor vehicle, trailer, semitrailer, or mobile home on any public highway or private or public property which has been abandoned shall cause the vehicle to be removed to a suitable place of impoundment. Upon removal of the vehicle the officer or warden shall notify the sheriff or chief of police of the abandonment and of the location of the impounded vehicle. Upon causing the removal of the motor vehicle by a towing service, the officer or warden 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 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. 349.13 (5) (c) of the statutes is created to read:

349.13 (5) (c) A traffic or police officer who requests removal of a vehicle under subs. (3) to (4) by a towing service shall, within 24 hours of requesting 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 if the vehicle is to be removed to any location other than a public highway within one mile from the location from which the vehicle is to be removed and if the officer is not employed by a municipality or

* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

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 4. Initial applicability.

(1) This act first applies to vehicles removed on the effective date of this subsection.
