

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3496/P1dn

ARG:cjs:pg

November 13, 2003

ATTN: Kristina Boardman

The three statutory sections in the attached draft relate to towing under three different circumstances: unregistered vehicles located on the streets (s. 341.65), abandoned vehicles (s. 342.40), and vehicles illegally parked (s. 349.13). With respect to vehicles illegally parked, it seems unnecessary to require the notice described herein if, as is done near the capitol at about 4:00 p.m. each day, the vehicle is simply towed around the corner to a location where parking is not prohibited, with the expectation that the vehicle owner will locate the vehicle within a few hours of towing. Accordingly, with respect to vehicles illegally parked, notice is required only if the vehicle is intended to be removed to a location other than a public highway within one mile from the location where the vehicle is illegally parked. I presume this would encompass both removal to storage and removal to areas more remote than the adjacent block. However, with respect to unregistered and abandoned vehicles, it seems that their towing would almost always culminate in impoundment. The attached draft provides that notice is always required upon "removal" of unregistered and abandoned vehicles. Is this consistent with your intent? You may also wish to verify that an officer ordering removal would know whether the vehicle will be removed to an adjacent block or to a more distant location.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.state.wi.us