

2005 ASSEMBLY BILL 240

1 **AN ACT** *to repeal* 341.65 (2) (c) and 341.65 (2) (e) 2.; *to renumber* 341.65 (2) (e)
2 1. a., b. and c.; *to consolidate, renumber and amend* 341.65 (2) (e) (intro.)
3 and 1. (intro.); *to amend* 341.65 (1) (b), 341.65 (2) (b) and 885.237 (2); and *to*
4 **create** 341.65 (1) (ar) of the statutes; **relating to:** the immobilization,
5 impoundment, and disposal of unregistered motor vehicles.

Analysis by the Legislative Reference Bureau

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

6 **SECTION 1.** 341.65 (1) (ar) of the statutes is created to read:
7 341.65 **(1)** (ar) “Parking enforcer” means a person who enforces nonmoving
8 traffic violations and who is employed by any municipality or county or by the state.
9 **SECTION 2.** 341.65 (1) (b) of the statutes is amended to read:
10 341.65 **(1)** (b) “Unregistered motor vehicle” means any motor vehicle that is not
11 currently registered and that is located upon a highway for such time and under such

ASSEMBLY BILL 240**SECTION 2**

1 ~~circumstances as to cause the motor vehicle to reasonably appear to have been~~
2 ~~unregistered for not less than 30 days and that is not displaying valid registration~~
3 ~~plates, a temporary operation plate, or other evidence of registration as provided~~
4 ~~under s. 341.18 (1) for the vehicle's current registration period or for a registration~~
5 ~~period for the vehicle that expired within the immediately preceding 31 days.~~

6 **SECTION 3.** 341.65 (2) (b) of the statutes is amended to read:

7 341.65 (2) (b) Any municipal or university police officer, sheriff's deputy, county
8 traffic patrolman, state traffic officer ~~or~~, conservation warden, or parking enforcer
9 who discovers any unregistered motor vehicle located upon any highway may cause
10 the motor vehicle to be immobilized with an immobilization device or removed to a
11 suitable place of impoundment. Upon immobilization or removal of the motor
12 vehicle, the officer ~~or~~, warden, or parking enforcer shall notify the sheriff or chief of
13 police of the location of the immobilized or impounded motor vehicle and the reason
14 for the immobilization or impoundment. Upon causing the removal of the motor
15 vehicle by a towing service, the officer ~~or~~, warden, or parking enforcer shall, within
16 24 hours of ordering the removal, notify the towing service of the name and
17 last-known address of the registered owner and all lienholders of record of the
18 vehicle, unless the officer or parking enforcer is employed by a municipality or county
19 that has entered into a towing services agreement which requires the municipality
20 or county to provide notice to such owner and lienholders of the towing.

21 **SECTION 4.** 341.65 (2) (c) of the statutes is repealed.

22 **SECTION 5.** 341.65 (2) (e) (intro.) and 1. (intro.) of the statutes are consolidated,
23 renumbered 341.65 (2) (e) (intro.) and amended to read:

24 341.65 (2) (e) (intro.) Notwithstanding par. (g), the owner of an unregistered
25 motor vehicle that is immobilized with an immobilization device or impounded under

ASSEMBLY BILL 240

1 this subsection may secure release of the motor vehicle by ~~doing any of the following:~~

2 1. ~~Paying paying~~ any forfeiture imposed for violation of the municipal or county
3 ordinance and the reasonable costs of immobilizing or impounding the motor vehicle
4 or both, and providing satisfactory evidence of one of the following:

5 **SECTION 6.** 341.65 (2) (e) 1. a., b. and c. of the statutes are renumbered 341.65
6 (2) (e) 1m., 2m. and 3m.

7 **SECTION 7.** 341.65 (2) (e) 2. of the statutes is repealed.

8 **SECTION 8.** 885.237 (2) of the statutes is amended to read:

9 885.237 (2) Notwithstanding s. 341.04, the fact that an automobile or motor
10 truck having a registered weight of 8,000 pounds or less is located on a highway, as
11 defined in s. 340.01 (22), and is not displaying valid registration plates, a temporary
12 operation plate or other evidence of registration as provided under s. 341.18 (1) is
13 prima facie evidence, for purposes of ch. 341, that the vehicle is an unregistered or
14 improperly registered vehicle. This subsection does not apply to violations of
15 ordinances enacted under s. 341.65, but this subsection does apply to violations of
16 ordinances enacted under s. 341.65, 2003 stats.

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(END)