

2005 Assembly Bill 240

Date of enactment: **March 23, 2006**

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2005 WISCONSIN ACT 185

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

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

SECTION 1. 341.65 (1) (ar) of the statutes is created to read:

341.65 (1) (ar) "Parking enforcer" means a person who enforces nonmoving traffic violations and who is employed by any municipality or county or by the state.

SECTION 2. 341.65 (1) (b) of the statutes is amended to read:

341.65 (1) (b) "Unregistered motor vehicle" means any motor vehicle that is ~~not currently registered and that is located upon a highway for such time and under such circumstances as to cause the motor vehicle to reasonably appear to have been unregistered for not less than 30 days and that is not displaying valid registration plates, a temporary operation plate, or other evidence of registration as provided under s. 341.18 (1) for the vehicle's current registration period or for a registration period for the vehicle that expired within the immediately preceding 31 days.~~

SECTION 3. 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, or parking

enforcer 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, or parking enforcer 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, or parking enforcer 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 or parking enforcer 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 4. 341.65 (2) (c) of the statutes is repealed.

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

341.65 (2) (e) (intro.) Notwithstanding par. (g), the owner of an unregistered motor vehicle that is immobilized with an immobilization device or impounded under this subsection may secure release of the motor vehicle

* Section 991.11, WISCONSIN STATUTES 2003-04 : 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].

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

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

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

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

885.237 (2) Notwithstanding s. 341.04, the fact that

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