



State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 09/06/2007 (Per: ARG)





Appendix A

 The 2007 drafting file for LRB-2667/1

has been copied/added to the drafting file for

2007 LRB-3138

 The attached 2007 draft was incorporated into the new 2007 draft listed above. For research purposes, this cover sheet and the attached drafting file were copied, and added, as a appendix, to the new 2007 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

 This cover sheet was added to rear of the original 2007 drafting file. The drafting file was then returned, intact, to its folder and filed.

2007 DRAFTING REQUEST

Bill

Received: **05/07/2007**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Alberta Darling (608) 266-5830**

By/Representing: **John Hogan**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - traffic laws**

Extra Copies: **BAB**

Submit via email: **YES**

Requester's email: **Sen.Darling@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Authorizing the removal, impoundment, and disposal of vehicles violating local cruising ordinances

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			Local
/P1	agary 05/17/2007	bkraft 06/04/2007	pgreensl 06/04/2007	_____	lparisi 06/04/2007		Local
/1	agary 06/07/2007	bkraft 06/07/2007	pgreensl 06/08/2007	_____	mbarman 06/08/2007		

FE Sent For:

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/?							Local
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/P1	agary 05/17/2007	bkraft 06/04/2007	pgreensl 06/04/2007	<u>6/8</u>	lparisi 06/04/2007		
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FE Sent For:

11 bjk 6/7
twj 6/7
6/8
ps
PR/SK
<END>

2007 DRAFTING REQUEST

Bill

Received: 05/07/2007

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Alberta Darling (608) 266-5830

By/Representing: John Hogan

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Transportation - traffic laws

Extra Copies: BAB

Submit via email: YES

Requester's email: Sen.Darling@legis.wisconsin.gov

Carbon copy (CC:) to: aaron.gary@legis.wisconsin.gov

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No specific pre topic given

Topic:

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1/?	agary	1/PI bjk 5/24 rwlj 6/4	6/4 P8	6/4 P8			Local

FE Sent For:

<END>

Gary, Aaron

From: Duerst, Christina
Sent: Friday, May 04, 2007 4:50 PM
To: Gary, Aaron
Subject: FW: Message for Aaron Gary

From: Hogan, John
Sent: Friday, May 04, 2007 4:49 PM
To: LRB.Legal
Subject: Message for Aaron Gary

Senator Darling would like to draft legislation that would allow law enforcement to impound vehicles violating "cruising" traffic codes. Police had been doing this with success, but one of our city attorneys said they have to desist b/c they have no authority to do so under current law.

Please call if you have any questions. Thanks Aaron.

John Hogan
Office of Senator Alberta Darling
Room 131 South, State Capitol
(608) 266-5830



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69 - Prohibiting Cruising - Franklin

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69 - Prohibiting Cruising - Franklin

Ordinance #69

[Streets & Alleys](#)

[Prohibiting Cruising - City of Franklin](#)

[State Of Wisconsin City Of Franklin Milwaukee County](#)

Ordinance No. 98-- **1495**

An Ordinance Prohibiting Cruising In Designated Areas Of The City

WHEREAS, the City of Franklin has experienced traffic congestion generated by repetitive unnecessary driving of motor vehicles within the jurisdiction of the City along South 108th Street as such highway reaches the North City Limits, such repetitive unnecessary driving being known as "cruising" and the traffic congestion resulting therefrom having created bumper-to-bumper traffic conditions, slow-speed traffic and vehicles stopped in traffic upon roadways otherwise existing for travel, thereby restricting residential and commercial residents along, South 108th Street and their visitors, as well as other motor vehicle operators, from entering and traveling in a normal flow of traffic and thereby preventing emergency vehicles from properly and expeditiously responding to emergencies, in addition to excessive noise created from such traffic congestion and increased motor vehicle accidents and traffic and other offenses-, and

WHEREAS, the Police Department having viewed and experienced such cruising activities and the negative impacts resulting therefrom and the Chief of Police having recommended adoption of regulations prohibiting such activities.

NOW, THEREFORE, the Mayor and Common Council of the City of Franklin, Wisconsin, do ordain as follows:

SECTION 1: §8.16 of the Municipal Code of Franklin, Wisconsin, is hereby created to read as follows:

CRUISING.

FINDINGS AND PURPOSE. It is hereby found that a threat to the public

health, safety and welfare arises from the congestion created by the repetitive unnecessary driving of motor vehicles, also known as cruising, at certain times on certain highways within the City of Franklin. The purpose of this ordinance is to reduce the dangerous traffic congestion, as well as the noise, air pollution, obstruction of streets, sidewalks and parking lots, impediment of access to shopping centers or other buildings open to the public, interference with use of property or conduct of business resulting from cruising, and to insure access for emergency vehicles to and through the said highways.

DEFINITIONS.

(a) "Cruising" shall mean driving a motor vehicle past a traffic control point, on a highway in the designated area, more than twice in any two (2) hour period between the hours of 8:00 P.M. and 5:00 A.M. Passing a designated control point a third time under the aforesaid conditions shall constitute unnecessary repetitive driving and cruising and, therefore, a violation of this section

(b) "Designated area" shall mean South 108th Street from the North City Limits to the intersection of South 108th Street and West Drexel Avenue.

(c) "Traffic control point" shall mean a reference point within or adjacent to a designated area selected by a police officer for the purpose of enforcing this section.

CRUISING PROHIBITED. It shall be unlawful for anyone to engage in cruising. For the purposes of this section, the person having control or ownership of a motor vehicle shall be considered the person cruising, without regard as to whether that person was actually driving the motor vehicle each time it passed the traffic control point. Having control or ownership of a motor vehicle shall mean either the owner of said vehicle, if present in the vehicle at the time of the violation, or, if the owner is not present, the person operating the vehicle at the time of violation.

EXCLUSIONS. This section shall not apply to:

(a) Any publicly owned vehicle of any city, county, state, federal or other governmental unit, while such vehicle is being used for the official purposes of said governmental unit.

(b) Any authorized emergency vehicle.

(c) Any taxicabs for hire, buses, or other vehicles being driving for business purposes,

PENALTY. The penalties provided herein shall supersede the provisions of Section 31.04 of the Municipal Code, in the event of any conflict. Any person violating the provisions of this ordinance shall forfeit:

(a) The sum of \$50 upon the first conviction under this ordinance within a one-year period. The sum of \$100 upon the second conviction under this ordinance within a one-year period. The sum of \$200 upon the third and each subsequent conviction under this ordinance within a one- year period.

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

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in 5/17

ARG:.....

bjk

+Wly

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

SA ✓
X-ref ✓

D-Note
↑

gen. cat.

- 1 AN ACT ...; relating to: the removal, impoundment, and disposal of motor
- 2 vehicles involved in local cruising ordinance violations.

Analysis by the Legislative Reference Bureau

→ This bill allows a municipality that enacts a local ordinance prohibiting "cruising" to provide for the removal (towing), impoundment, and disposal of vehicles involved in cruising violations. If a cruising ordinance provides for the towing, impoundment, and disposal of vehicles operated in violation of the ordinance, the ordinance must 1) specify whether the municipality may contract with a third party for towing services; and 2) provide for the recovery of reasonable charges for the towing, storage, and disposal of vehicles involved in cruising ordinance violations.

Under the bill, if a cruising ordinance provides for the towing, impoundment, and disposal of vehicles operated in violation of the ordinance, a traffic officer may, at the time of issuing a citation for an ordinance violation, cause the vehicle involved in the violation to be removed to a suitable place of impoundment. The owner of the towed and impounded vehicle may secure release of the vehicle by paying the forfeiture for the cruising ordinance violation and the reasonable costs of towing and impounding the vehicle. If the owner fails to timely pay the forfeiture and the towing and impoundment charges, the municipality may dispose of the vehicle. The vehicle owner is responsible for all charges associated with removing, impounding, and disposing of the vehicle, and charges not recovered from the sale of the vehicle may be recovered in a civil action by the municipality against the owner. The bill provides procedures guiding the impoundment and disposal of vehicles, which procedures are involved in cruising ordinance violations. These

the same as those applicable to towed and impounded unregistered vehicles under current law.

For further information see the *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:

1 SECTION 1. 349.175 of the statutes is created to read:

2 ✓ 349.175 Authority to immobilize, remove, impound, and dispose of
3 motor vehicles for cruising ordinance violations. (1) In this section:

4 (a) "Cruising ordinance" means an ordinance enacted by the governing body of
5 a municipality that prohibits the repetitive unnecessary driving of motor vehicles
6 during specified times on designated highways under the jurisdiction of the
7 municipality.

8 (b) "Owner" has the meaning given in s. 341.65 (1) (am).

9 (2) (a) Any cruising ordinance may provide for the removal, impoundment, and
10 disposal of vehicles operated in violation of the ordinance.

11 (b) If a cruising ordinance provides for the removal, impoundment, and
12 disposal of vehicles operated in violation of the ordinance, the ordinance shall do all
13 of the following:

14 1. Specify whether the municipality may contract with a 3rd party for the
15 performance of services related to removal of motor vehicles, which services shall be
16 rendered only at the request of a traffic officer.

17 2. Provide for the recovery of reasonable towing and storage charges associated
18 with the removal and impoundment of a vehicle, and of reasonable charges
19 associated with disposal of a vehicle, under this section.

1 (3) (a) If a cruising ordinance provides for the removal, impoundment, and
2 disposal of vehicles operated in violation of the ordinance, a traffic officer may, at the
3 time of issuing a citation for violation of the ordinance, cause the motor vehicle
4 involved in the violation to be removed to a suitable place of impoundment. Upon
5 removal of the motor vehicle, if the operator of the vehicle is not the owner of the
6 vehicle, the traffic officer shall follow the notification procedure specified in s. 341.65
7 (2) (b).

8 (b) Any motor vehicle impounded as provided in par. (a) shall remain
9 impounded until lawfully claimed or disposed of as provided in this section.

10 (c) Notwithstanding sub. (5) and s. 341.65 (2) (g), the owner of a motor vehicle
11 that is removed and impounded under par. (a) may secure release of the motor vehicle
12 by paying any forfeiture imposed for violation of the cruising ordinance and the
13 reasonable costs of removing and impounding the motor vehicle, as established by
14 ordinance under sub. (2) (b) 2.

15 (4) The owner of any motor vehicle removed and impounded as provided under
16 this section is responsible for all charges associated with removing, impounding, and
17 disposing of the motor vehicle, as provided under sub. (2) (b) 2. Charges not recovered
18 from the sale of the motor vehicle may be recovered in a civil action by the
19 municipality against the owner.

20 (5) The procedures and provisions of s. 341.65 (2) (f) to (h) shall apply with
21 respect to the impoundment and disposal of motor vehicles authorized to be removed,
22 impounded, and disposed of under this section to the same extent as these provisions
23 apply to the impoundment and disposal of unregistered motor vehicles that are
24 removed under authority of s. 341.65, except that reclamation of the motor vehicle
25 by the owner requires compliance with sub. (3) (c) rather than s. 341.65 (2) (e). The

1 provisions of s. 349.13 (5) (b) shall apply with respect to vehicles removed or stored
2 under this section to the same extent as these provisions apply with respect to
3 vehicles removed or stored under authority of s. 349.13.

4 (END)

D-Note ←

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2667/P1dn

ARG:.....

)
b j k

Date

ATTN: John Hogan

Please review the attached draft carefully to ensure that it is consistent with your intent. ✓

Current state law does not specifically authorize local governments to enact anti-cruising ordinances. However, such ordinances have generally been upheld by courts even in the absence of specific statutory authorization. Do you want the attached draft to specifically authorize these anti-cruising ordinances? ✓

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "1" draft. ✓

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

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2667/P1dn
ARG:bjk:pg

June 4, 2007

ATTN: John Hogan

Please review the attached draft carefully to ensure that it is consistent with your intent.

Current state law does not specifically authorize local governments to enact anti-cruising ordinances. However, such ordinances have generally been upheld by courts even in the absence of specific statutory authorization. Do you want the attached draft to specifically authorize these anti-cruising ordinances?

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible "/1" draft.

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

Gary, Aaron

From: Hogan, John
Sent: Tuesday, June 05, 2007 11:44 AM
To: Gary, Aaron
Subject: RE: LRB 2667

I don't see any other changes to the draft.

From: Gary, Aaron
Sent: Tuesday, June 05, 2007 11:37 AM
To: Hogan, John
Subject: RE: LRB 2667

Thanks John. I'll make the change. Do you think there will be other changes (i.e. should I put in the queue for redraft or wait)? thanks. Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Hogan, John
Sent: Tuesday, June 05, 2007 10:28 AM
To: Gary, Aaron
Subject: LRB 2667

Aaron,

In response to your drafter's note, I believe we would like to also specifically authorize anti-cruising ordinances.

Thank you.

John Hogan
Office of Senator Alberta Darling
Room 131 South, State Capitol
(608) 266-5830



State of Wisconsin
2007 - 2008 LEGISLATURE

seen

LRB-2667/1 ←
ARG:bjk&wlj:pg

in 6/7

RMA

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

2007 Bill

SA ✓

specifically authorizes

- regen. cost.

- 1 AN ACT to create 349.175 of the statutes; relating to: ~~the removal,~~
- 2 ~~impoundment, and disposal of motor vehicles involved in local ~~existing~~~~
- 3 ordinance ~~violations~~ ^{prohibiting or restricting motor} prohibiting or restricting motor vehicle cruising

Analysis by the Legislative Reference Bureau

or restricting

and allows the
municipal
ordinance

This bill ~~allows~~ a municipality ~~to~~ enact a local ordinance prohibiting "cruising" to provide for the removal (towing), impoundment, and disposal of vehicles involved in cruising violations. If a cruising ordinance provides for the towing, impoundment, and disposal of vehicles operated in violation of the ordinance, the ordinance must 1) specify whether the municipality may contract with a third party for towing services; and 2) provide for the recovery of reasonable charges for the towing, storage, and disposal of vehicles involved in cruising ordinance violations.

Under the bill, if a cruising ordinance provides for the towing, impoundment, and disposal of vehicles operated in violation of the ordinance, a traffic officer may, at the time of issuing a citation for an ordinance violation, cause the vehicle involved in the violation to be removed to a suitable place of impoundment. The owner of the towed and impounded vehicle may secure release of the vehicle by paying the forfeiture for the cruising ordinance violation and the reasonable costs of towing and impounding the vehicle. If the owner fails to timely pay the forfeiture and the towing and impoundment charges, the municipality may dispose of the vehicle. The vehicle owner is responsible for all charges associated with removing, impounding, and disposing of the vehicle, and charges not recovered from the sale of the vehicle may be recovered in a civil action by the municipality against the owner. The bill provides procedures guiding the impoundment and disposal of vehicles involved in cruising

ordinance violations. These procedures are the same as those applicable to towed and impounded unregistered vehicles under current law.

For further information see the *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:

1 SECTION 1. 349.175 of the statutes is created to read:

2 349.175 Authority to ^{regulate} ~~remove, impound, and dispose of~~
3 ~~motor vehicles for~~ ^{ordinance violations} (1) In this section:

4 (a) "Cruising ~~ordinance~~" means ~~an ordinance enacted by the governing body of~~

5 ~~a municipality that prohibits~~ the repetitive unnecessary driving of motor vehicles
6 during specified times on designated highways under the jurisdiction of ^a ~~the~~
7 municipality.

8 (b) "Owner" has the meaning given in s. 341.65 (1) (am).

9 (2) (a) Any ^{enacted under this section} ~~cruising ordinance~~ may provide for the removal, impoundment, and
10 disposal of vehicles operated in violation of the ordinance.

11 (b) If a cruising ordinance provides for the removal, impoundment, and
12 disposal of vehicles operated in violation of the ordinance, the ordinance shall do all
13 of the following:

14 1. Specify whether the municipality may contract with a 3rd party for the
15 performance of services related to removal of motor vehicles, which services shall be
16 rendered only at the request of a traffic officer.

17 2. Provide for the recovery of reasonable towing and storage charges associated
18 with the removal and impoundment of a vehicle, and of reasonable charges
19 associated with disposal of a vehicle, under this section.

Next The governing body of a municipality may, by ordinance, prohibit or restrict
cruising on highways under the jurisdiction of the municipality

1 (3) (a) If a cruising ordinance provides for the removal, impoundment, and
2 disposal of vehicles operated in violation of the ordinance, a traffic officer may, at the
3 time of issuing a citation for violation of the ordinance, cause the motor vehicle
4 involved in the violation to be removed to a suitable place of impoundment. Upon
5 removal of the motor vehicle, if the operator of the vehicle is not the owner of the
6 vehicle, the traffic officer shall follow the notification procedure specified in s. 341.65
7 (2) (b).

8 (b) Any motor vehicle impounded as provided in par. (a) shall remain
9 impounded until lawfully claimed or disposed of as provided in this section.

10 (c) Notwithstanding sub. (5) and s. 341.65 (2) (g), the owner of a motor vehicle
11 that is removed and impounded under par. (a) may secure release of the motor vehicle
12 by paying any forfeiture imposed for violation of the cruising ordinance and the
13 reasonable costs of removing and impounding the motor vehicle, as established by
14 ordinance under sub. (2) (b) 2.

15 (4) The owner of any motor vehicle removed and impounded as provided under
16 this section is responsible for all charges associated with removing, impounding, and
17 disposing of the motor vehicle, as provided under sub. (2) (b) 2. Charges not recovered
18 from the sale of the motor vehicle may be recovered in a civil action by the
19 municipality against the owner.

20 (5) The procedures and provisions of s. 341.65 (2) (f) to (h) shall apply with
21 respect to the impoundment and disposal of motor vehicles authorized to be removed,
22 impounded, and disposed of under this section to the same extent as these provisions
23 apply to the impoundment and disposal of unregistered motor vehicles that are
24 removed under authority of s. 341.65, except that reclamation of the motor vehicle
25 by the owner requires compliance with sub. (3) (c) rather than s. 341.65 (2) (e). The

1 provisions of s. 349.13 (5) (b) shall apply with respect to vehicles removed or stored
2 under this section to the same extent as these provisions apply with respect to
3 vehicles removed or stored under authority of s. 349.13.

4 (END)



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-2667/1
ARG:bjk&wlj:pg

2007 BILL

- 1 **AN ACT** to create 349.175 of the statutes; **relating to:** local ordinances
2 prohibiting or restricting motor vehicle cruising.

Analysis by the Legislative Reference Bureau

This bill specifically authorizes a municipality to enact a local ordinance prohibiting or restricting "cruising" and allows the municipal ordinance to provide for the removal (towing), impoundment, and disposal of vehicles involved in cruising violations. If a cruising ordinance provides for the towing, impoundment, and disposal of vehicles operated in violation of the ordinance, the ordinance must 1) specify whether the municipality may contract with a third party for towing services; and 2) provide for the recovery of reasonable charges for the towing, storage, and disposal of vehicles involved in cruising ordinance violations.

Under the bill, if a cruising ordinance provides for the towing, impoundment, and disposal of vehicles operated in violation of the ordinance, a traffic officer may, at the time of issuing a citation for an ordinance violation, cause the vehicle involved in the violation to be removed to a suitable place of impoundment. The owner of the towed and impounded vehicle may secure release of the vehicle by paying the forfeiture for the cruising ordinance violation and the reasonable costs of towing and impounding the vehicle. If the owner fails to timely pay the forfeiture and the towing and impoundment charges, the municipality may dispose of the vehicle. The vehicle owner is responsible for all charges associated with removing, impounding, and disposing of the vehicle, and charges not recovered from the sale of the vehicle may be recovered in a civil action by the municipality against the owner. The bill provides procedures guiding the impoundment and disposal of vehicles involved in cruising

BILL

ordinance violations. These procedures are the same as those applicable to towed and impounded unregistered vehicles under current law.

For further information see the *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:

1 **SECTION 1.** 349.175 of the statutes is created to read:

2 **349.175 Authority to regulate cruising.** (1) In this section:

3 (a) "Cruising" means the repetitive unnecessary driving of motor vehicles
4 during specified times on designated highways under the jurisdiction of a
5 municipality.

6 (b) "Owner" has the meaning given in s. 341.65 (1) (am).

7 **(2)** (a) The governing body of a municipality may, by ordinance, prohibit or
8 restrict cruising on highways under the jurisdiction of the municipality. Any
9 cruising ordinance enacted under this section may provide for the removal,
10 impoundment, and disposal of vehicles operated in violation of the ordinance.

11 (b) If a cruising ordinance provides for the removal, impoundment, and
12 disposal of vehicles operated in violation of the ordinance, the ordinance shall do all
13 of the following:

14 1. Specify whether the municipality may contract with a 3rd party for the
15 performance of services related to removal of motor vehicles, which services shall be
16 rendered only at the request of a traffic officer.

17 2. Provide for the recovery of reasonable towing and storage charges associated
18 with the removal and impoundment of a vehicle, and of reasonable charges
19 associated with disposal of a vehicle, under this section.

BILL

1 (3) (a) If a cruising ordinance provides for the removal, impoundment, and
2 disposal of vehicles operated in violation of the ordinance, a traffic officer may, at the
3 time of issuing a citation for violation of the ordinance, cause the motor vehicle
4 involved in the violation to be removed to a suitable place of impoundment. Upon
5 removal of the motor vehicle, if the operator of the vehicle is not the owner of the
6 vehicle, the traffic officer shall follow the notification procedure specified in s. 341.65
7 (2) (b).

8 (b) Any motor vehicle impounded as provided in par. (a) shall remain
9 impounded until lawfully claimed or disposed of as provided in this section.

10 (c) Notwithstanding sub. (5) and s. 341.65 (2) (g), the owner of a motor vehicle
11 that is removed and impounded under par. (a) may secure release of the motor vehicle
12 by paying any forfeiture imposed for violation of the cruising ordinance and the
13 reasonable costs of removing and impounding the motor vehicle, as established by
14 ordinance under sub. (2) (b) 2.

15 (4) The owner of any motor vehicle removed and impounded as provided under
16 this section is responsible for all charges associated with removing, impounding, and
17 disposing of the motor vehicle, as provided under sub. (2) (b) 2. Charges not recovered
18 from the sale of the motor vehicle may be recovered in a civil action by the
19 municipality against the owner.

20 (5) The procedures and provisions of s. 341.65 (2) (f) to (h) shall apply with
21 respect to the impoundment and disposal of motor vehicles authorized to be removed,
22 impounded, and disposed of under this section to the same extent as these provisions
23 apply to the impoundment and disposal of unregistered motor vehicles that are
24 removed under authority of s. 341.65, except that reclamation of the motor vehicle
25 by the owner requires compliance with sub. (3) (c) rather than s. 341.65 (2) (e). The

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1 provisions of s. 349.13 (5) (b) shall apply with respect to vehicles removed or stored
2 under this section to the same extent as these provisions apply with respect to
3 vehicles removed or stored under authority of s. 349.13.

4 (END)