



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Assembly Bill 183

**Assembly
Amendment 1**

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Assembly Bill 183 creates a new alternative for a city, village, or town (municipality), or a county to enforce parking violations. The bill permits a municipality or county to enact an ordinance that authorizes a vehicle owned by a habitual parking violator to be immobilized with a device such as a “car boot,” or to be towed and impounded. A vehicle owner is a habitual parking violator if the owner has at least three parking citations that are more than 28 days old and the owner has neither: (1) paid the citations; or (2) scheduled a court appearance to respond to the parking tickets.

Assembly Bill 183 requires that before a vehicle may be immobilized or towed and impounded, notice must be sent to the owner’s last known address with the following information:

- The date the citation was issued.
- The license number of the vehicle involved.
- The location where the citation may be paid.
- The amount to be paid.
- The process in which to contest the ticket.
- Notice that if each of the parking citations is not paid within 28 days, the vehicle may be immobilized or towed and impounded.

Assembly Bill 183 requires that if a vehicle is immobilized, a notice be placed on the vehicle that includes the following information:

- A warning that an immobilization device is placed on the vehicle.

- For each citation that is unpaid or without a scheduled court appearance, the license number of the vehicle involved, and either: (1) the place where the citation may be paid and how to contest it; or (2) a 24-hour telephone number that will provide this information.
- The fee associated with removing the immobilization device.

Assembly Bill 183 also provides options specifying how an owner may secure release if the vehicle is either immobilized or towed and impounded. To secure release, an owner must pay the fees for removing the immobilization device or for towing and storing the vehicle and must choose among paying the entire amount of the traffic citations, scheduling a court appearance in response to the citations, or both paying the citations and scheduling appearances. Once the owner has satisfied the requirements for release of an immobilization device, the device must be removed within three hours.

Under Assembly Bill 183, either the immobilization device must be removed or the owner must be given information on how to personally remove the device within three hours after the municipality, county, or a contractor who provides services related to immobilization received information that the owner has satisfied the requirements to secure release.

Assembly Amendment 1 clarifies that the owner of a vehicle must pay the fees associated with removing the immobilization device or towing and storing the vehicle, regardless of whether the owner chooses to pay the citations, schedule a court appearance in response to the citations, or both pay the forfeitures and schedule appearances.

Legislative History

Assembly Amendment 1 was offered by Representative Krusick. On June 2, 2009, the Assembly Committee on Urban and Local Affairs recommended the adoption of the amendment on a vote of Ayes, 7; Noes, 1; and recommended the passage of the bill, as amended, on a vote of Ayes 5; Noes, 3.

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