



2019 ASSEMBLY BILL 2

January 29, 2019 - Introduced by Representatives SPIROS, HORLACHER, KULP, PLUMER, QUINN, STEFFEN, TITTL, ZIMMERMAN and MURPHY, cosponsored by Senators COWLES, MARKLEIN, OLSEN, STROEBEL and WANGGAARD. Referred to Committee on Local Government.

1 **AN ACT to repeal** 341.65 (1) (a) and 349.139 (1) (b); **to amend** 341.65 (2) (b); and
2 **to create** 341.65 (2) (c) of the statutes; **relating to:** motor vehicle
3 immobilization devices.

Analysis by the Legislative Reference Bureau

Under current law, any municipality or county may enact ordinances prohibiting any unregistered motor vehicle from being located upon a highway and governing the immobilization, removal, and disposal of unregistered motor vehicles. Current law defines “immobilization device” as a device or mechanism that immobilizes a motor vehicle by locking around a wheel, thereby making the motor vehicle inoperable.

This bill applies a definition of “immobilization device” that does not contain a reference to a device being locked around a wheel. The bill also authorizes a county, municipality, or university to enter into a contract with a person that authorizes the person to immobilize motor vehicles.

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:

4 **SECTION 1.** 341.65 (1) (a) of the statutes is repealed.

ASSEMBLY BILL 2**SECTION 2**

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

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

17 **SECTION 3.** 341.65 (2) (c) of the statutes is created to read:

18 341.65 (2) (c) A county, municipality, or university may enter into a contract
19 with a person that authorizes the person to conduct placement and removal of
20 immobilization devices as provided in par. (b). A contract entered into under this
21 paragraph may allow for remote unlocking and removal of an immobilization device.

22 **SECTION 4.** 349.139 (1) (b) of the statutes is repealed.

23

(END)