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# Wisconsin Legislative Council

## AMENDMENT MEMO

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### 2025 Senate Bill 6

### Senate Amendments 1 and 2

## 2025 SENATE BILL 6

The bill creates authority for a law enforcement officer to immediately impound a vehicle if the officer arrests, or issues a citation to, a person for a violation of certain traffic laws. Specifically, the bill allows an officer to impound a vehicle that is used when violating one of the following statutory prohibitions (or an ordinance that conforms to one of the following statutory prohibitions):

- A second or subsequent violation of operating without a license, except for situations involving a license that expired within three months of the violation.
- Operating while revoked, out of service, or disqualified.
- Exceeding an established speed restriction by more than 25 miles per hour.
- Failing to stop for an officer or fleeing or eluding an officer.
- Participating in any race or speed or endurance contest on a roadway.

A vehicle's impoundment must be for 90 days, though a local unit of government may establish by ordinance an impoundment period that is less than 90 days for offenses occurring in the local jurisdiction. However, the vehicle's owner may request release at any time, and the impounding law enforcement agency must release the vehicle to the owner if the vehicle was not being operated with consent at the time of the violation.

The bill also creates a procedure under which certain persons may petition the court for the vehicle's release and specifies certain required actions depending on whether, during the impoundment period, the person is found guilty or not guilty of the violation, including requiring the court to impose and collect costs incurred for the impoundment from the person found guilty of the violation upon which the impoundment was based. If an impounded vehicle is unclaimed for more than 90 days after completion of the impoundment period or the release of the vehicle, the bill authorizes disposal of the impounded vehicle using current law procedures for disposing of abandoned vehicles.

## SENATE AMENDMENT 1

Senate Amendment 1 requires that each law enforcement agency establish a policy regarding the agency's impoundment of vehicles under the authority created by the bill. The amendment also clarifies that storage costs are among the types of incurred costs that must be collected from the person found guilty of the violation.

## **SENATE AMENDMENT 2**

Senate Amendment 2 creates an additional exception to the general 90-day impoundment period for situations in which the impounded vehicle has been reported as stolen. Specifically, it requires the law enforcement agency, upon impounding a vehicle, to make a reasonable effort to determine if the vehicle has been reported as stolen. If the impounded vehicle has been reported as stolen, the law enforcement agency must make a reasonable attempt to contact the owner and must return the vehicle to its owner without the payment of a fee or charge. If a vehicle reported as stolen remains unclaimed for more than 90 days after impoundment, the law enforcement agency may dispose of the vehicle using current law procedures for disposal of abandoned vehicles.

## **BILL HISTORY**

Senator Jacque offered Senate Amendment 1 on February 10, 2025, and Senate Amendment 2 on February 11, 2025. On February 18, 2025, the Senate Committee on Judiciary and Public Safety recommended adoption of Senate Amendment 1, adoption of Senate Amendment 2, and passage of Senate Bill 6, as amended, all on votes of Ayes, 5; Noes, 3.

For a full history of the bill, visit the Legislature's [bill history page](#).

AO:jal