

State of Wisconsin



2023 Senate Bill 92

Date of enactment: April 3, 2023
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2023 WISCONSIN ACT 1

AN ACT to repeal 349.025 (1) (b); to renumber and amend 349.01 (2); to amend 349.03 (5) (a); and to create 349.01 (2) (m) and 349.115 of the statutes; relating to: impoundment of vehicles used in certain reckless driving offenses.

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

SECTION 1. 349.01 (2) of the statutes is renumbered 349.01 (2) (intro.) and amended to read:

349.01 (2) (intro.) In this chapter, “chauffeur”;

(b) “Chauffeur” means a person employed full time or on a regular basis, including leased drivers, for the principal purpose of operating a motor vehicle.

SECTION 2. 349.01 (2) (m) of the statutes is created to read:

349.01 (2) (m) “Political subdivision” means a city, village, town, or county.

SECTION 3. 349.025 (1) (b) of the statutes is repealed.

SECTION 4. 349.03 (5) (a) of the statutes is amended to read:

349.03 (5) (a) Notwithstanding sub. (1), a political subdivision, ~~as defined in s. 349.025 (1) (b),~~ may enter into a written agreement with the owner of a private road or driveway within a manufactured and mobile home community, as defined in s. 66.0435 (1) (cg), that is located within the boundaries of the political subdivision to enforce traffic regulations under ch. 346, or local ordinances in conformity with these regulations, on the private road or driveway.

SECTION 5. 349.115 of the statutes is created to read:

349.115 Authority to impound vehicles. (1) A political subdivision may, by ordinance, authorize a law enforcement officer to impound any vehicle used in the commission of a violation of s. 346.62 or a local ordinance in strict conformity with s. 346.62 at the time of issuing a citation for the offense if the person cited is the owner of the vehicle and the person has a prior conviction for a violation of s. 346.62 or a local ordinance in strict conformity with s. 346.62 for which a forfeiture was imposed that has not been fully paid. The ordinance may provide for impoundment of the vehicle until the person fully pays the prior forfeiture amount and reasonable costs of impounding the vehicle, including towing or other transportation costs and storage costs.

(2) A political subdivision shall return to its owner a vehicle impounded under sub. (1) upon payment of the amount required under the ordinance.

(3) A political subdivision that has impounded a vehicle under sub. (1) may dispose of the vehicle by following the same procedure as provided for disposing of an abandoned vehicle under s. 342.40 if the impounded vehicle remains unclaimed for more than 90 days after the disposition of the citation for which the vehicle was impounded.

* Section 991.11, WISCONSIN STATUTES: 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.”