



## **SB 92: Combating Reckless Driving – Impoundment of Vehicles Used in Reckless Driving Offenses**

Testimony of Senator Steve Nass  
Senate Committee on Judiciary & Public Safety  
March 14, 2023 • 201 Southeast, State Capitol

Thank you Chairman and committee members for allowing me to provide testimony in support of SB 92. This bill is part of a package aimed at combatting the growing problem of reckless driving and the damage and injuries that result from it. SB 92 would allow local governments to enact an ordinance authorizing law enforcement to impound vehicles used in reckless driving offenses when the person cited is the owner of the vehicle and has a prior reckless driving conviction for which a forfeiture was imposed that has not been fully paid.

Reckless driving has become an epidemic in parts of Wisconsin, especially Milwaukee, our largest city. Since 2020, Milwaukee alone has seen over 250 people die in traffic accidents, with the city seeing their highest numbers in decades. Many more have been injured and experienced property damage and destruction. Both Milwaukee Mayor Cavalier Johnson and Governor Evers have called for action to keep our roads safer by reducing incidents of habitual reckless driving in our state.

Current laws have proven wholly inadequate to address this problem, lacking any teeth when it comes to fighting these crimes that have become commonplace on our streets. The fine for a first time offense can be as little as \$25. Reckless drivers causing bodily harm could spend as few as 30 days in jail, while causing serious and lasting injuries to their victims. Many drivers don't even take these fines seriously, as 77% of fines in Milwaukee have gone unpaid since 2020.

This bill works together with SB 90 to help combat the explosion of reckless driving in Wisconsin. These bills will allow local municipalities to impound vehicles that were involved in reckless driving incidents and increase the penalties for first and second reckless driving offenses and offenses that cause bodily harm and great bodily harm. These bills will create a stronger deterrent to reduce these types of offenses and make our streets and communities safer.

***“In God We Trust”***

**11th Senate District**

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Under this bill, as amended by Senate Amendment 1, the local ordinance may allow impoundment of the vehicle until the owner fully pays the amount due on the forfeitures assessed for a previous reckless driving offense. The local government that has impounded a vehicle may dispose of it by following the same procedure as disposing of an abandoned vehicle under s. 342.40, Stats., if the vehicle remains unclaimed for more than 90 days after the disposition of the citation for which the vehicle was impounded.

Additionally, Senate Amendment 1 allows a local municipality to require that the owner pay the reasonable costs of impounding the vehicle, including towing or other transportation costs and storage costs. The amendment was added at the request of the city of Milwaukee.

The Assembly version of this bill (AB 56) passed the Assembly Criminal Justice & Public Safety Committee last week with strong bipartisan support, on 14-1 vote. It is also supported by the City of Milwaukee, the Wisconsin Chiefs of Police Association, the League of Wisconsin Municipalities, the Wisconsin Insurance Alliance, Independent Insurance Agents of Wisconsin, and the Wisconsin State Lodge of the Fraternal Order of Police.

Thank you for the opportunity to provide testimony in support of SB 92. Please contact my office with any further questions committee members have on this legislation.



# BOB DONOVAN

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STATE REPRESENTATIVE • 84<sup>TH</sup> ASSEMBLY DISTRICT

P.O. Box 8952  
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## Testimony in Support of Senate Bill 90 & 92 – Reckless Driving

Chairman Wanggaard, Vice-Chair Jacque, and members of the Committee on Judiciary and Public Safety:

Thank you for meeting today to hear public testimony on Senate Bill 90 and 92, which addresses reckless driving in the form of increased penalties and allowing municipalities to impound vehicles involved in reckless driving.

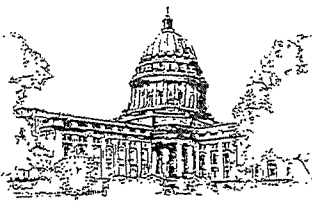
According to the Milwaukee Police Department, 374 driving citations for reckless driving were issued in 2021. This past year we saw 497 citations or a 32% increase. While Milwaukee is the center of attention, this is a statewide issue. The Department of Transportation says about 2,900 people are injured in reckless driving crashes every year with 119 people killed just last year. This does not include the numerous high speed pursuits that are terminated for the safety of the public, but should be worth noting. Reckless driving may include stolen vehicles, fleeing from officers and excessive speeding of 25 mph or more. Last year alone in Milwaukee, 2,342 citations were issued for excessive speeding of 25 mph or more – nearly 6 per day. Senate Bill 90 & 92 seek to curb this rising issue by strengthen penalties and providing another tool for police to deter criminals from habitually reoffending.

Criminals do not fear the repercussions for their actions and even publicly admit this. SB 90 would double the current penalties for all instances of reckless driving including fines and imprisonment. This bill also eliminates the time period for which a second offense modifier can be implemented. Effectively allowing for any second offense to qualify for increased penalties.

Offenders convicted of reckless driving rarely pay their fine – 77% of those have gone unpaid since 2020 in Milwaukee alone. SB 92 allows municipalities to pass ordinances impounding vehicles when the owner has a previous conviction and as not fully paid fines. Habitual offenders previously had no reason to think twice about reckless driving. This legislation will assist in the removal of the instrumental tool in reckless driving – the vehicle.

I have heard from constituents the desire to put an end to reckless driving and I hope that these bills are the crucial first steps. I ask you to join me in supporting Senate Bill 90 & 92, legislation that is long overdue to give proper attention to the rising crime in our state. I would be happy to respond to any questions or concerns about the legislation.

Representative Donovan 84<sup>th</sup> Assembly District



# STATE SENATOR LaTonya Johnson

WISCONSIN STATE SENATE

6<sup>TH</sup> DISTRICT

**Senate Committee on Judiciary and Public Safety  
Testimony on Senate Bill 90 and Senate Bill 92  
March 14, 2023**

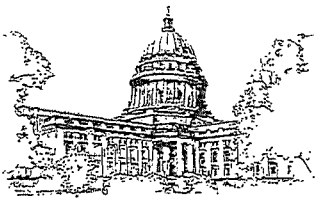
Thank you Chairman Wanggaard and committee members for holding a hearing on Senate Bills 90 and 92 and for providing the opportunity for public testimony on such important legislation.

Basic rules of the road--it's what we follow to get to and from our destinations safely and orderly. Red means stop and green means go. It's a basic fundamental understanding of driver's education, it's so fundamental that the 2 year olds in my daycare would play red light/green light with the older kids because they understood this simple concept.

Unfortunately, in recent years we've suffered a breakdown in these norms with more and more individuals reckless driving without regard for their own lives or anyone else in their path. Running red lights, stop signs, drag racing on residential street, driving on sidewalks as well as fleeing police at high rates of speed have become all-too-common occurrences and my constituent, my community and our city are paying for these poorly made decision with our lives.

On June 28, 2018, 23 year old Milwaukee Police Officer Charles Irvine, Jr. was killed and his partner injured when their squad rolled over during a high speed pursuit of a motorist who had been driving recklessly. Officer Irvine had been with the police department since age 19 but had only been an officer for 2 years.

On March 22, 2019, my daughter's friend, 22 year old Cristina Marlyn Hernandez (called Marlyn), and her best friend Francis were riding in an Uber headed to Marlyn's house when their Uber was struck by a reckless driver in a stolen car. Marlyn was pronounced dead at the scene, Francis was thrown from the vehicle and sustained injuries, but she survived.



# STATE SENATOR LaTonya Johnson

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WISCONSIN STATE SENATE

6TH DISTRICT

February 2, 2023, James Macon, a Milwaukee County Transit System bus driver and former president of the Transit Union, was crossing the street after his shift headed to his car when a reckless driver ran a red light and t-boned another car before finally hitting James, throwing him into the air and into oncoming traffic. James sustained broken bones all over his body and had to undergo surgery.

This dangerous behavior is not only robbing my city of its peace of mind when doing simple every-day tasks such a driving to work, school or the grocery store, it's robbing our citizens of their lives and their quality of life.

In 2020, for reckless driving Milwaukee Police Dept. made 579 arrest, issued 3,798 reckless driving citations and issued 17,322 reckless driving citations with speeding. In addition to all of that there were a total of 6,081 hit and runs.

In 2021, they made 725 arrest, issued 4,873 reckless driving citations and issued 29,252 reckless driving citation with speeding, with an additional 17,520 hit and runs.

I strongly support and urge the passing of Senate Bill 90 and 92 with the full and complete understanding that increasing penalties and impounding vehicles "alone" will not stop all reckless driving, but it will increase the price of putting our communities in danger. I refuse to let lawlessness take away another innocent life and our cities quality of life and our cities quality of life without me doing my part as an elected official representing to help prevent it from happening. I believe these bills, in addition to other investments such as traffic calming, red light cameras and pedestrian safety, have critical roles to play in helping to reverse this alarming behavior that is consistently getting worse rather than better. I also hope we can continue to come together on a bipartisan basis to improve public safety for all Wisconsin families.

Once again, thank you for the opportunity to address the committee on such important legislation, and thank you to my co-authors for their work on this bipartisan bill.

March 14, 2023

TESTIMONY OF ABBIE STRONG  
WITNESS ADVOCATE FOR VICTIMS OF RECKLESS DRIVING

ASSEMBLY BILL 90: RELATING TO: INCREASED PENALTIES FOR RECKLESS DRIVING  
ASSEMBLY BILL 92: IMPOUNDMENT OF VEHICLES USED IN CERTAIN RECKLESS DRIVING OFFENSES

Good morning Mr. Chairman and Members of the Committee on Judiciary and Public Safety:

My name is Abbie Strong, and I am here today representing the family of Aaron Strong, a victim of reckless driving, killed on October 12, 2022. I am here today to be the voice of victims who have been hurt or killed by reckless driving and cannot advocate for themselves.

I am urging you today to pass Assembly Bills 90 and 92. These are vitally essential bills that can positively impact the daily lives of citizens and families in Wisconsin. They can prevent innocent lives from becoming victims of reckless driving. Additionally, these bills can lower the number of Wisconsin families, currently at 2,900, from suffering undue pain from reckless driving.

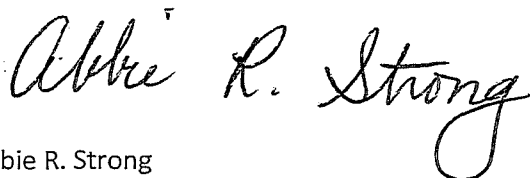
My husband, Aaron Strong, was the victim of reckless driving, so reckless that the driver was driving over 70 miles per hour, on the wrong side of the road, through four red lights, before colliding with his car. This loss has been devastating not only to me but to my children, the middle school soccer team he coached, and the 1,200 members of the church he served as a pastor. The loss of my husband has permanently affected countless lives in our community and the city of Milwaukee, all because of a reckless driver.

I support Assembly Bill 90, as this bill makes it difficult for reckless drivers to meet financial obligations and responsibilities for at least a short time. The increased jail time also allows these risks to society to be kept at bay, away from innocent victims. Assembly Bill 92 goes one step further- it takes the weapon out of the hands of reckless drivers. While these measures cannot completely eradicate reckless driving, it is a positive step to protect the citizens of Wisconsin, even if that means protecting us from our own. If just one family can be spared this heartache, these bills proudly serve their purposes.

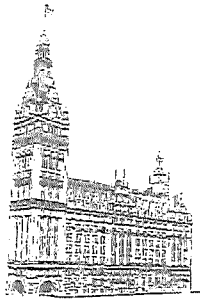
This horrific event not only took away the soccer coach to

Thank you, Mr. Chairman and Members of the Board, for your time and consideration on this matter this morning.

Sincerely,

A handwritten signature in cursive script that reads "Abbie R. Strong". The signature is written in black ink and is positioned above the typed name.

Abbie R. Strong



**Cavalier Johnson**  
Mayor, City of Milwaukee

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March 14, 2023

Wisconsin State Legislature  
Senate Committee on Judiciary and Public Safety  
Wisconsin State Capitol, 2 East Main Street  
Madison, WI 53703

Dear Chairman Van Wanggaard and members of the Senate Committee on Judiciary and Public Safety:

Thank you for holding a hearing on Senate Bill 90 and Senate Bill 92. As Mayor, I am committed to meaningful action to increase public safety in Milwaukee. One significant threat to our safety – a threat we see too often – is reckless driving.

In 2020, the Milwaukee Common Council established a task force in response to the rising issue of reckless driving. The City-County Carjacking and Reckless Driving Task Force produced a report that outlined various recommendations to make our streets safer for everyone.

The recommendations included increasing penalties for reckless driving and providing alternative penalties such as impounding vehicles that have been involved in reckless driving. SB 90 and SB 92 are consistent with these recommendations and would provide valuable tools for holding dangerous drivers accountable while increasing safety.

On my first day as Mayor, I formally declared reckless driving a public safety crisis and began implementing my S.T.A.N.D. Plan (Safe street design, Traffic enforcement, Accountability, Neighborhood engagement and Demand progress) to create safer streets throughout the city. A key component of that plan is strengthening partnerships with the State Legislature to provide the city additional tools to curb reckless driving.

I am grateful for Rep. Bob Donovan's leadership in introducing legislation aimed at solving an issue that impacts communities throughout Wisconsin, including Milwaukee. I want to emphasize the importance of SB 92 providing local flexibility to enact ordinances that meet the needs of different communities to address reckless driving. I also appreciate the opportunity to partner with the State Legislature to ensure that our city has the resources it needs to keep our community safe. I welcome the opportunity to continue to work with this committee to improve public safety in the City of Milwaukee.

Thank you again to Rep. Bob Donovan, Rep. Dan Knodl, Sen. Ducey Stroebel, Sen. Steve Nass and Sen. LaTonya Johnson for introducing SB 90 and SB 92 and to you, Committee Chair Wanggaard, and your colleagues on the committee for holding a hearing on these bills.

Sincerely,

Cavalier Johnson  
Mayor

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## PROFESSIONAL INSURANCE AGENTS OF WISCONSIN, INC.

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### MEMORANDUM

**Date:** Wednesday, March 15, 2023

**To:** Members of the Wisconsin Legislature

**From:** Pete Hanson, Executive Director, Professional Insurance Agents of Wisconsin (PIAW)

**RE:** Support 2023 AB 55/SB 90 & AB 56/SB 92

The trends regarding reckless driving in the United States have been alarming. Spikes in careless driving behaviors such as speeding, driving while impaired, and driving while distracted have coincided with four straight years of increases in traffic deaths and injuries in the State of Wisconsin. The Department of Transportation has reported an average of 2,900 injuries from reckless driving incidents and 119 lives lost from them during 2022. These are dangerous trends that are too often ending in tragic injuries and deaths that were preventable.

In addition to the irreparable human cost, there is a staggering economic cost to this trend. In a report recently published by the National Highway Traffic Safety Administration, traffic crashes cost taxpayers in the United States \$30 billion in 2019 – the equivalent of \$230 in added taxes for every household across the nation.

AB 55/SB 90, authored by Representative Donovan and Senator Stroebel, would strengthen Wisconsin's current penalties by increasing civil forfeiture amounts that have not been updated since the 1950s and would raise additional fines and terms of imprisonment for reckless driving offenders. Updating these statutes is an important measure to keep the penalty consistent with the seriousness of the crime.

AB 56/SB 92, authored by Representative Donovan and Senator Nass, would enable political subdivisions to allow their law enforcement officials to impound vehicles that were used in reckless driving incidents, but only if the person cited is the owner of the vehicle and has not paid fines related to a previous reckless driving incident. This bill is significant in removing the means to repeatedly offend, even if only temporarily.

Although this package is not the cure-all to the reckless driving problem we are facing, the Professional Insurance Agents of Wisconsin urge the Legislature to pass AB 55/SB 90 and AB 56/SB 92. These bipartisan bills are in line with recommendations from Milwaukee's City-County Carjacking and Reckless Driving Task Force, and they will help give additional tools to courts and law enforcement bodies to impede and penalize individuals who continue to cause extensive property damage and endanger the safety of Wisconsin citizens.

Thank you for your consideration. Please contact me or Natalie White with any questions.