



Testimony before the Senate Committee on Judiciary and Public Safety

State Senator André Jacque

February 6, 2025

Chairman Wanggaard and Colleagues on the Senate Committee on Judiciary and Public Safety,

Thank you for holding this hearing and the opportunity to appear before you today as the Senate author of Senate Bill 6, a reintroduction 2023's Senate Bill 410, which passed this committee last session on a bi-partisan 6-1 vote. When individuals get behind the wheel of a vehicle with no intent of obeying the traffic laws that were enacted to keep everyone safe, they put themselves and everyone else on the road in danger. Whether you are driving to work, taking your kids to the park, going to the grocery store, or coming in from a night out, we all deserve to feel safe on the road.

Unfortunately, many individuals are undeterred by present penalties for repeated hazardous driving behavior, to the point that removing access to a vehicle becomes a necessary consideration.

Senate Bill 6 adds impoundment for up to 90 days to the list of penalties which can be imposed for traffic offenses which endanger public safety, including fleeing from a law enforcement officer, speeding more than 25 miles per hour above the speed limit, racing on a highway, and operating a vehicle without a license more than 3 months after expiration or with a suspended or revoked operating privilege. As impoundment costs are otherwise currently borne by local government, this legislation would newly establish that a person found guilty of the violation upon which the impoundment is based must pay the costs that the law enforcement agency reasonably incurs for the impoundment of the vehicle. In addition, the law enforcement agency impounding the vehicle shall release it upon the request of the owner if the law enforcement agency is satisfied that the vehicle was not being operated with the owner's consent at the time of the violation.

This legislation has been requested by numerous law enforcement officials and has been formally supported by Mothers Against Drunk Driving (MADD), the Wisconsin Professional Police Association, Wisconsin Chiefs of Police Association, the City of Milwaukee, and the Wisconsin Chapter of the Fraternal Order of Police. This idea was first suggested to me by former Green Bay Police Chief Jim Arts and I introduced similar legislation with former Rep. David Bowen at the end of the 2021 session.

Senate Bill 6 is complementary to and does not conflict with last session's enacted 2023 Wisconsin Act 1 (AB 56/SB 92 - impoundment of vehicles used in certain reckless driving offenses), as you see described in the chart below:

	2023 Wisconsin Act 1	Senate Bill 6
Covered Jurisdictions	Local governments that adopt an ordinance	Statewide
Covered Offenses	Reckless driving, if cited person has an outstanding unpaid reckless driving forfeiture	Operating without a license, (more than 3 months after expiration) operating after suspension, operating after revocation, speeding (greater than 25 mph over limit), fleeing a law enforcement officer, racing

2023 Wisconsin Act 1

Senate Bill 6

Period of Impoundment	Undefined (until previously unpaid forfeiture paid)	90 days, subject to extension by court
Allows recovery of costs?	Yes	Yes

Thank you for your consideration of Senate Bill 6. I'd be happy to answer any questions.



WILLIAM PENTERMAN

(608) 237-9138

Rep.Penterman@legis.wisconsin.gov

STATE REPRESENTATIVE • 38th ASSEMBLY DISTRICT

P.O. Box 8953

Madison, WI 53708-8953

Senate Committee on Judiciary and Public Safety Testimony in Support of Wisconsin Senate Bill 6 February 6, 2025

Chair Wanggaard and members the Senate Committee on Judiciary and Public Safety, thank you for holding a public hearing on Senate Bill 6 (SB 6), relating to impoundment of vehicles used in certain traffic offenses. SB 6 is a crucial step toward enhancing public safety on our roads and deterring dangerous driving behaviors that put all Wisconsinites at risk.

Reckless and impaired driving remain significant concerns in Wisconsin, leading to preventable accidents, injuries, and fatalities each year. Current penalties often fail to deter repeat offenders or those who flagrantly disregard traffic laws. By empowering law enforcement to impound vehicles involved in specific traffic offenses, SB 6 addresses this gap, providing a tangible consequence that can effectively discourage such behaviors.

SB 6 seeks to grant law enforcement officers the authority to immediately impound vehicles used in certain traffic offenses. While the full text of the bill details the specific offenses warranting impoundment, the overarching goal is clear: remove dangerous drivers and their vehicles from our roads promptly.

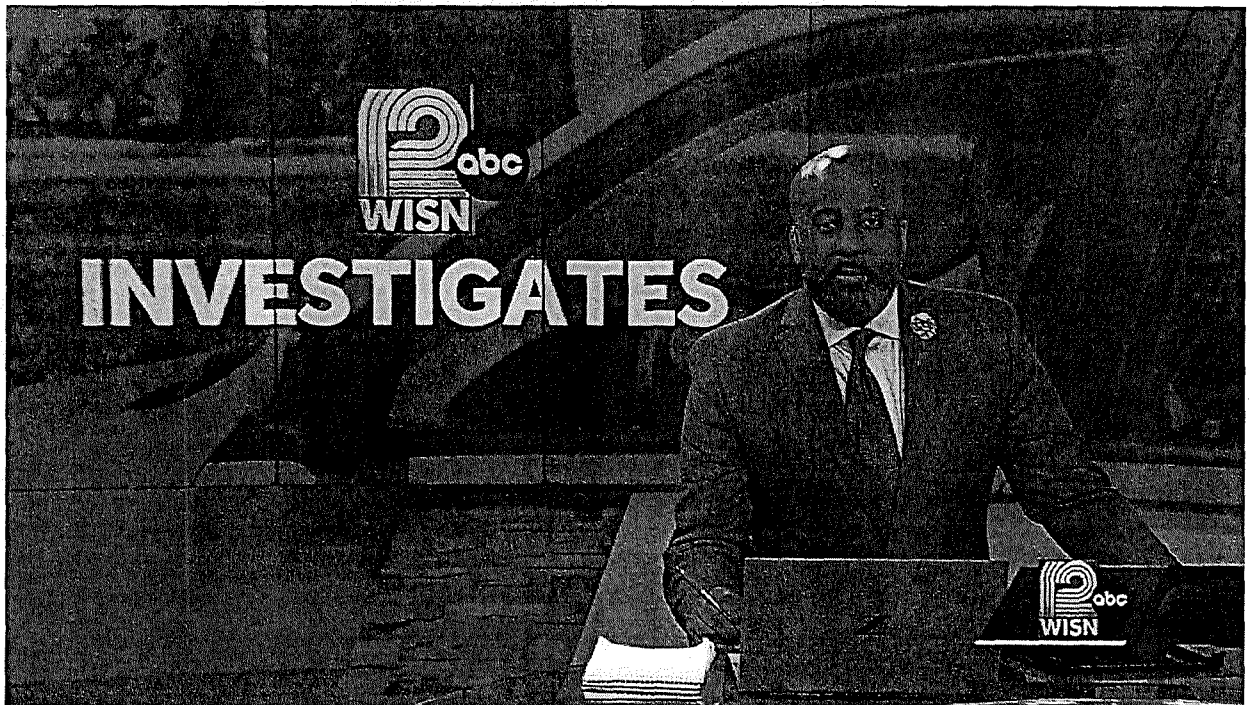
Impounding vehicles used in serious traffic offenses ensures that these vehicles are not available for continued misuse, thereby reducing the immediate risk to public safety. The prospect of losing access to one's vehicle is a strong deterrent against reckless or impaired driving.

SB 6 represents a proactive approach to enhancing road safety in Wisconsin. By authorizing the impoundment of vehicles used in certain traffic offenses, we can deter dangerous driving behaviors, hold offenders accountable, and ultimately save lives. I urge the legislature to pass SB 6 and take a definitive stand for the safety and well-being of all Wisconsin residents.

Thank you for your consideration of this important piece of legislation.

WI lawmakers introduce bill to impound cars of reckless drivers, others with no license

The bill, if passed, will allow police departments discretion to tow the vehicle and can keep it up to 90 days.



Updated: 8:45 PM CST Feb 5, 2025

James Stratton

Reporter

Across Southeastern Wisconsin Police pull over drivers with no license, some were caught speeding, running red lights or driving recklessly.

Lawmakers in Madison want to give police across the state more leverage, allowing them to impound cars of drivers without a license, driving revoked,

speeding more than 25 miles per hour above the speed limit, fleeing police or street racing.

"We have seen very preventable deaths, serious injuries that have resulted from those folks who continue unabated," said State Senator Andre Jacque (R- DePere).

Senate Bill 6, introduced by State Senator Jacque and cosponsored by ten others, including Democrat Rep. Ryan Spaude (D-Ashwaubenon), will be discussed in the Senate Judiciary and Public Safety Committee on Thursday.

"Public safety should be nonpartisan," said Spaude.

Spaude, a first-time representative, is a former assistant district attorney in Brown County and saw the reckless driving problem firsthand.

"There are some bad apples," said Spaude. "They are on the road. They don't actually care about the tickets, certainly don't pay them. There needs to be some deterrents."

The bill, if passed, will allow police departments discretion to tow the vehicle and keep it for up to 90 days.

The city of Milwaukee currently has a towing policy allowing police to tow reckless drivers with an unregistered vehicle, which doesn't include driving without a license. The city also has a policy to tow cars of repeat offenders with a registered vehicle.