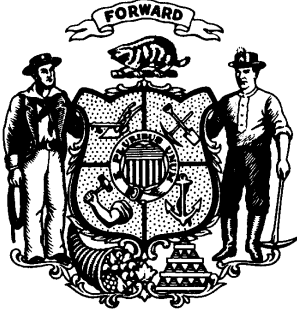


State of Wisconsin



2025 Assembly Bill 78

Date of enactment:
Date of publication*:

2025 WISCONSIN ACT

AN ACT to amend 349.115 (1) and 349.115 (3); to create 349.115 (1m) 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. 349.115 (1) of the statutes is amended to read:

349.115 (1) A political subdivision may, by ordinance, authorize a law enforcement officer, at the discretion of the 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 or making an arrest 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, and any outstanding fine or forfeiture owed by the owner of the vehicle are fully paid.

SECTION 2. 349.115 (1m) of the statutes is created to read:

349.115 (1m) Upon impounding a vehicle under

sub. (1), a law enforcement officer shall make a reasonable effort to determine if the vehicle has been reported as stolen. If the officer determines that the vehicle has been reported as stolen, the officer or political subdivision shall make a reasonable attempt to contact the owner. Notwithstanding sub. (2), the political subdivision shall return to its owner a vehicle reported as stolen and impounded under sub. (1) without the payment of a fee or charge. If a vehicle reported as stolen remains unclaimed for more than 60 days after impoundment, the political subdivision may dispose of the vehicle following the same procedure as provided for disposing of an abandoned vehicle under s. 342.40.

SECTION 3. 349.115 (3) of the statutes is amended to read:

349.115 (3) ~~A~~ Subject to sub. (1m), 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~~ charge 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."