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5 **A RESOLUTION/ORDINANCE**

6  
7 amending Appendix C – Traffic Laws of the Milwaukee County Code of General  
8 Ordinances to create Section 23(1) – Impoundment of vehicles used in reckless driving  
9 offenses as authorized in Wis. Stat. § 349.115  
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12 WHEREAS, Milwaukee County has adopted a Vision Zero goal to eliminate all  
13 traffic fatalities and serious injuries by 2037, and achieving this goal requires the County  
14 to implement effective interventions to reduce reckless driving behavior that jeopardizes  
15 public safety; and  
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17 WHEREAS, on February 6, 2025, the Milwaukee County Board of Supervisors  
18 adopted File No. 25-114, formally approving the County’s Comprehensive Safety Action  
19 Plan (CSAP) as the framework for addressing roadway safety and reducing fatalities  
20 and serious injuries across all 19 municipalities; and  
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22 WHEREAS, the Comprehensive Safety Action Plan identifies reckless driving as  
23 a key contributor to severe traffic crashes in Milwaukee County and notes that  
24 aggressive driving behaviors are a primary factor in high-injury corridors where most  
25 fatal and serious-injury crashes occur; and  
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27 WHEREAS, the County’s Transportation Safety Assessment Report, developed  
28 as part of the Safety Action Plan, found persistent concentrations of severe crashes,  
29 including those involving excessive speed and reckless maneuvers, on multiple  
30 “Corridors of Concern,” indicating an urgent need for stronger enforcement and safety  
31 measures; and  
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33 WHEREAS, residents have expressed frustration and deep concern over  
34 repeated incidents of reckless driving, including excessive speeding and loss of vehicle  
35 control, which have resulted in injuries and deaths to other motorists and pedestrians  
36 and continue to endanger the safety of the community; and  
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38 WHEREAS, the recently enacted 2025 Wisconsin Act 46 (s. 349.115, Wis.  
39 Stats.) empowers political subdivisions to adopt a local ordinance to impound vehicles  
40 used in certain reckless-driving offenses; and

41 WHEREAS, on November 4, 2025, the City of Milwaukee enacted an ordinance  
42 (File No. 251072) to permit the impoundment of vehicles engaged in reckless driving  
43 cases; and  
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45 WHEREAS, Milwaukee County also supports adopting an ordinance that  
46 authorizes the Milwaukee County Sheriff's Office to impound vehicles involved in  
47 reckless driving cases as permitted under 2025 Wisconsin Act 46; and  
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49 WHEREAS, the Committee on Judiciary, Law Enforcement, and General  
50 Services, at its meeting of March 10, 2026, recommended adoption of File No. 26-340  
51 (vote 3-2); and  
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53 WHEREAS, the Milwaukee County Board of Supervisors, at its meeting of  
54 March 19, 2026, referred File No. 26-340 to the Committee on Intergovernmental  
55 Relations (IGR); and  
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57 WHEREAS, IGR, at its meeting of May 22, 2026, recommended adoption of  
58 File No. 26-340 (vote 5-0); now, therefore,  
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60 BE IT RESOLVED, the Milwaukee County Board of Supervisors hereby amends  
61 Appendix C – Traffic Laws of the Milwaukee County Code of General Ordinances to  
62 create Section 23(1) – Impoundment of vehicles used in reckless driving offenses as  
63 authorized in Wis. Stat. § 349.115 by adopting the following:  
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## 65 AN ORDINANCE

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67 The County Board of Supervisors of the County of Milwaukee does ordain as follows:  
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69 **SECTION 1.** Section 23(1) of Appendix C of the Milwaukee County Code of General  
70 Ordinances is created as follows:  
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### 72 **23(1). Impoundment of vehicles used in reckless driving offenses.**

#### 73 74 **1. Authority to impound.**

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76 **(a) Pursuant to the authority of s. 349.115, Wis. Stats., whenever**  
77 **any law enforcement officer acting within the jurisdiction of**  
78 **Milwaukee County, including any member of the Milwaukee**  
79 **County Sheriff's Office, issues a citation or makes an arrest for**  
80 **a violation of s. 346.62, Wis. Stats., or a local ordinance in strict**  
81 **conformity therewith, the officer may, in the officer's discretion,**  
82 **impound any vehicle used in the commission of the offense,**  
83 **consistent with s. 349.115, Wis. Stats.**

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**(b) The decision of the law enforcement officer to impound a vehicle under this section shall be final, subject only to judicial review as provided by law.**

**2. Custody, towing, and storage.**

**(a) Any vehicle impounded under this section may be removed to, and stored in, a storage facility designated by the Milwaukee County Sheriff's Office or by contract with the County.**

**(b) Reasonable costs of impounding the vehicle, including towing or other transportation costs, storage costs, and any administrative fees, may be charged to the owner of the vehicle to the extent permitted under s. 349.115, Wis. Stats.**

**(c) Nothing in this section shall be construed to make Milwaukee County or the Milwaukee County Sheriff's Office liable for towing or storage costs of any impounded vehicle, except as expressly required by state law.**

**3. Stolen vehicles.**

**(a) Upon impounding a vehicle under this section, the law enforcement officer shall make a reasonable effort to determine whether the vehicle has been reported as stolen, in accordance with s. 349.115(1m), Wis. Stats.**

**(b) If the officer determines that the vehicle has been reported as stolen, the officer or Milwaukee County shall make a reasonable attempt to contact the owner.**

**(c) Notwithstanding any other provision of this appendix, Milwaukee County shall return to its owner, without payment of any towing, storage, or administrative fee or charge, any vehicle impounded under this section that is determined to have been reported as stolen, as required by s. 349.115(1m), Wis. Stats.**

**(d) If a vehicle reported as stolen remains unclaimed for more than sixty (60) days after impoundment, Milwaukee County may dispose of the vehicle by following the same procedure as provided for disposing of an abandoned vehicle under s. 342.40, Wis. Stats.**

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**4. Notice to owner and lienholders.**

- (a) The Milwaukee County Sheriff's Office, after removing or causing the removal of any vehicle impounded under this section, shall provide notice of the impoundment to the owner of record and any lienholders of record, to the extent practicable, which may be accomplished by mail to the last known address as shown in the records of the Wisconsin Department of Transportation or comparable authority of any other state.
- (b) The notice shall advise the owner and lienholders of the reason for impoundment, the location of the vehicle, the procedures and conditions for reclaiming the vehicle, and that failure to reclaim the vehicle within the applicable time period may result in disposal of the vehicle as provided herein and in s. 342.40, Wis. Stats., and s. 349.115, Wis. Stats.

**5. Release and disposition of vehicles.**

- (a) Except as provided in subsection (3) with respect to stolen vehicles, and subject to any court order to the contrary, an impounded vehicle may be released to the owner or a person authorized by the owner upon:
1. Presentation of satisfactory proof of ownership or lawful right to possess the vehicle;
  2. Payment of all lawful towing, storage, and administrative charges authorized under this section and s. 349.115, Wis. Stats.; and
  3. Satisfaction of all outstanding fines and forfeitures owed by the owner in accordance with s. 349.115(1), Wis. Stats.; provided, however, that an owner who is compliant with a court-authorized payment plan for any such fine or forfeiture shall be deemed to have satisfied that obligation.
  4. Compliance with any other conditions of release required by applicable law.

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**(b) Pursuant to s. 349.115(1m), Wis. Stats, if a vehicle previously reported as stolen remains unclaimed for more than sixty (60) days after impoundment under this Chapter, Milwaukee County may dispose of the vehicle by following the same procedure as is provided for disposing of an abandoned vehicle under s. 342.40, Wis. Stats.**

**(c) Pursuant to s. 349.115(3) Wis. Stats, if any impounded vehicle remains unclaimed for more than ninety (90) days after disposition of the charge for which the vehicle was impounded, Milwaukee County may dispose of the vehicle by following the same procedure as is provided for disposing an abandoned vehicle under s. 342.40 Wis. Stats.**

**6. Internal procedures.**

**The Milwaukee County Sheriff's Office shall maintain internal procedures governing the implementation of this section, including procedures relating to towing, storage, recordkeeping, and the release of vehicles impounded under this ordinance. Such procedures shall be consistent with this section and with applicable state law.**

**SECTION 2.** Section 23 of Appendix C of the Milwaukee County Code of General Ordinances is amended as follows:

**23-23(2).** - Removal of disabled vehicles.

**SECTION 3.** Section 23(2)(g) of Appendix C of the Milwaukee County Code of General Ordinances is amended as follows:

- (a) The award of towing contracts under **this sections 23(1) and 23(2)** of the county traffic laws are reviewable under **chapter 32 of the applicable** county ordinances.

**SECTION 4.** The provisions of this Ordinance shall become effective upon passage and publication.