



Wauwatosa Police Department

Departmental Correspondence

DATE: 2/24/26

TO: Transportation Affairs Committee (TAC) for 3/17/26

FROM: Capt. Luke Vetter

SUBJECT: Proposal to Adopt Reckless Driving Tow & Impound Law Amendments

ATTCHED: 2025 Wisconsin Act 46 dated 10/31/25; proposed ordinance 11.66.025 language

Issue

State law related to the impounding of reckless driving autos has changed. Our municipal ordinance should be updated to comply with state law.

Background

In May and June of 2023, the TAC and Council approved a new ordinance, 11.66.025, to comply with a law change related to reckless driving enforcement under WI SS 346.62 and 349.115. On October 31st, 2025, the Wisconsin Legislature passed Act 46 which amended some portions of SS 349.115, related to the impounding and towing of reckless driving autos.

Act 46 amended 349.115 as follows (see attached document):

- Impounds can occur at the discretion of the officer.
 - *Our operating procedure 5.2.4 requires supervisory authorization, also.*
- The reckless driver does not need to be the vehicle owner for police to tow.
- Fees for the impounding, towing, storage, and outstanding fines or forfeitures must be paid before the vehicle will be returned to the owner.

Strategic Area of Focus

This ordinance update is in line with City Strategic priority area #2 – public safety and reckless driving initiatives, as well as Police strategic area #1 – community services and improving public safety.

City link, <https://www.wauwatosa.net/government/open-government/strategic-plan>

PD link, <https://www.wauwatosa.net/government/departments/police/strategic-plan>

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Fiscal Impact

There is no fiscal impact to the City or Department. The costs of towing, storing and impounding reckless driving vehicles are assessed directly to the reckless driver and/or the vehicle owner. The PD has space to store impounded vehicles.

Recommendation

The Police Department supports adopting amended statute 349.115 into Wauwatosa ordinance 11.66.025. If approved, we will provide all police staff with an updated impound and tow procedure to train staff in the judicious use of this authority.

Respectfully,



Capt. Luke Vetter
Administrative Bureau