

Deposits may be brought or mailed to the Clerk of Circuit Court or Village Office within five (5) days of the issuance of the citation in lieu of court appearance.

(2) Non-Moving Traffic Offences.

a. Direct Payment of Penalty Permitted. Persons cited (summons not issued) for violation of non-moving traffic offences described and defined in this Chapter may discharge the penalty thereof and avoid court prosecution by mailing or forwarding within five (5) days of the issuance of the citation the minimum forfeiture specified for the violation. When payment is made as provided in this paragraph, no court costs shall be charged.

b. Court Prosecution. If the alleged violator does not deliver or mail a deposit as provided in Subsection a. within fifteen (15) days of the date of the citation, the matter may be prosecuted.

c. Registration Suspension. If the alleged violator does not pay the forfeiture or appear in court in response to the citation for a non-moving traffic violation on the date specified in the citation or, if no date is specified on the citation, within twenty-eight (28) days after the citation is issued, the Village may ask the Wisconsin Department of Transportation to suspend the registration of the vehicle involved or refuse registration of any vehicle owned by the person pursuant to the provisions of Sec. 345.28(4), Wis. Stats., and Subsection (c) (3) below.

d. Bond. Any official authorized to accept deposits under Sec. 345.26, Wis. Stats., or this Section, shall qualify by taking the oath prescribed by Sec. 19.01, Wis. Stats.

(3) Notice of Demerit Points and Receipt. Every officer accepting a forfeited penalty or money deposit under this Section shall receipt therefor in triplicate as provided in Sec. 345.26(3)(b), Wis. Stats. Every officer accepting a stipulation under the provisions of this Section shall comply with the provisions of sections 343.27, 343.28, 345.26(1)(a) and 345.27(2), Wis. Stats., and shall require the alleged violator to sign a statement of notice in substantially the form contained on the uniform traffic citation and complaint promulgated under Sec. 345.11, Wis. Stats.

(4) Registration Suspension Program.

a. The Village shall participate in the Wisconsin Department of Transportation Traffic Violation and Registration Program as set forth in Sec. 345.28, Wis. Stats., and Wis. Adm. Code Trans. 128 and all amendments or changes thereto.

b. The Village Clerk-Treasurer or his designee is hereby designated as a delegated authority for purposes of Sections 85.13 and 345.28, Wis. Stats., and Wis. Adm. Code Trans. 128. The Village Clerk-Treasurer or his designee is authorized to perform, on behalf of the Village, all functions required of a local authority under said Statutes and Code including, but not limited to:

1. Preparing and completing all forms and notices, notifying the Wisconsin Department of Transportation of unpaid citations for non-moving traffic violations;

2. Specifying whether the registration of vehicles involved in unpaid citations for non-moving traffic violations should be suspended and/or whether registration should be

refused for any vehicle owned by persons with unpaid citations for non-moving traffic violations;

3. Determining the method by which the Village will pay the Wisconsin Department of Transportation for administration of the program; establishing the effective date for participation;

4. And taking such other action as is necessary to institute and continue participation in the Wisconsin Department of Transportation Traffic Violation and Registration Program.

c. In addition to all applicable fines and court costs, the cost of using the Wisconsin Department of Transportation Traffic Violation and Registration Program shall be assessed as permitted by Sec. 345.28(4)(d), Wis. Stats. The Village may refuse to notify the Wisconsin Department of Transportation of payment on a citation until all applicable fines and costs, including costs assessed under the preceding sentence, are paid.

d. This Subsection shall not be interpreted as requiring that all unpaid citations for non-moving traffic violations be processed through the Wisconsin Department of Transportation Traffic Violation and Registration Program. The Village's participation in such program shall be in addition to any and all other means legally available to enforce such citations.

State Law Reference: Sec. 345.28, Wis Stats.; Chapter Trans. 128, Wis. Adm. Code.