

NOTICE OF PROPOSED GUIDANCE DOCUMENT

WithdrawalManual20200312

Pursuant to Wis. Stat. s. 227.112, the Wisconsin Department of Transportation is hereby seeking comment on WithdrawalManual20200312, a proposed guidance document.

PUBLIC COMMENTS AND DEADLINE FOR SUBMISSION

Comments may be submitted to the Wisconsin Department of Transportation for 21 days by:

1. Department's

website: <https://trust.dot.state.wi.us/act369/?id=DMV1005&uri=file:WithdrawalManual20200312&division=DMV&tags=CWS>

2. Mailing written comments to:

Division of Motor Vehicles
Wisconsin Department of Transportation
4822 Madison Yards Way
PO Box 7336
Madison, WI 53707-7336

WEBSITE LOCATION OF FINAL GUIDANCE DOCUMENT

The final version of this guidance document will be posted at wisconsin.gov to allow for ongoing comment.

AGENCY CONTACT

DOTDMVGuidanceDocs@DOT.WI.GOV

DRIVER LICENSE WITHDRAWALS

REVOCATIONS, SUSPENSIONS, AND DISQUALIFICATIONS



**Citations & Withdrawals Section
Bureau of Driver Services
Division of Motor Vehicles
Department of Transportation
(608) 266-2261**

**<http://wisconsindot.gov/Documents/dmv/shared/withdrawals.pdf>
Information Current as of February 2020**

DRIVER LICENSE WITHDRAWALS

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COURT ORDERED

Consent Decree/Delinquency/Truancy Court Ordered Suspensions

Statute #	Charge Code #	Charge/Reason	Court Action	Dept. Action	Points
938.32 (under 17)	210	UCD Underage Consent Decree	Confidential May extend decree and suspend no more than 2 years s.938.32(2)(a) & (c). Not eligible for an occupational.	NONE	0
938.34(14m) (under 17)	18	FD Found Delinquent	Confidential May restrict or suspend for 2 years, ordered by the court. Not eligible for an occupational.	NONE	0
938.355(6)(d)2 (under 17)	18	FD Found Delinquent Violations of Conditions under s.938.355(2)(b)7	Confidential May suspend or limit operating privilege for a period of not more than 3 years. Circuit court only. Municipal courts must suspend under FPJ. Not eligible for an occupational.	NONE	0
938.342(1g)(a) (under 18)	122	T Habitually Truant s.118.163(2)(a)	Confidential May suspend not less than 30 days nor more than 1 year. Previous revocations or suspensions do not have any effect on this action. Not eligible for an occupational.	NONE	0
938.342(2)(a) (over 16 - under 18)	122	T School Dropout s.118.163(2m)(a)	Confidential Shall suspend until age 18, except if judge determines suspension to be a hardship to child or family. Not eligible for an occupational.	NONE	0
938.355(6m) (under 17)	122	T Sanctions - Violations of Previous Court Order based on Habitual Truancy	Confidential May suspend not more than 1 year or not more than 2 years if no valid license. Not eligible for an occupational.	NONE	0

Drug Related Court Ordered Suspensions

Statute #	Charge Code #	Charge/Reason	Court Action	Dept. Action	Points
938.34(14r)(a) (under 17)	178	JCS Juvenile Controlled Substance - excluding Drug paraphernalia Violations of Chapter. 961	Confidential May suspend not less than 6 months nor more than 5 years. Circuit court only. Not eligible for an occupational. Effective 04/28/2009 - Act 8 eliminated mandatory suspension of operating privilege	NONE	0
938.344(2e)(a) (under 17)	178	JCS Juvenile Controlled Substance Drug Paraphernalia Viol. of s.961.573(2), s.961.574(2), & s.961.575(2)	Confidential May suspend not less than 6 months nor more than 5 years. Municipal or Circuit court. Not eligible for an occupational. Effective 04/28/2009 - Act 8 eliminated mandatory suspension of operating privilege.	NONE	0
961.50(1) (17 and over) Tribal – 343.32(1m)(b)	188	D Drugs Chapter 961 - Any Drug Violation	May suspend not less than 6 months nor more than 5 years. Circuit court only. 1st - Eligible for occupational immediately. 2nd - Eligible for occupational after 60 days. 3rd & subq - Eligible for occupational after 90 days. The five year period shall be measured from date of violation which resulted in conviction. Refer to s.961.50(2). Effective 04/28/2009 - Act 8 eliminated mandatory suspension of operating privilege	NONE	0

Failure to Pay Court Ordered Suspensions

Statute #	Charge Code #	Charge/Reason	Court Action	Dept. Action	Points
343.30(1z)	206	FPD Failure to Pay Driver Improvement Surcharge	May suspend until surcharge is paid, not to exceed 2 yrs. Period is reduced to the date paid. Court to notify department if payment received during suspension period. Previous revocations or suspensions do not have any effect on this action. Eligible for occupational after 15 days.	NONE	0
345.47(1)(b)	23	FPF Failure to Pay Forfeiture Traffic	Required to suspend for 1 years or until forfeiture is paid. Court to notify department if payment received during suspension period. Previous revocations or suspensions do not have any effect on this action. Not eligible for an occupational.	NONE	0
767.303(1),(2)	205	FPS Failure to Pay Support Viol. of Chp 767, 769, or 948.22(7)	May suspend until all arrearages paid or makes arrangements to court for payments, not to exceed 2 years. Certification by court-767.303(2). Eligible for occupational immediately.	NONE	0
343.345 & 49.857(3)(a)3	205	FPS Failure to Pay Support	The Department of Workforce Development may suspend until all arrearages paid or makes arrangements for payments, not to exceed 5 years. Eligible for occupational immediately.	NONE	0
49.857(3)(b)	205	FPS Failure to Comply with DWD subpoena or warrant	6 month suspension Eligible for occupational immediately.	NONE	0
938.17(2)(d), 938.34(8), 938.343(2) (under 17)	87	FPJ Failure to Pay Forfeiture Juvenile civil law/local ord or juvenile disposition	Confidential May suspend not more than 2 years. Not eligible for an occupational. Effective 12/01/01 - Act 16 Courts may suspend for FPJ for charges with conviction dates on or after 10/01/01.	NONE	0
938.355(6)(d)2 (under 17)	87	FPJ Failure to Comply with Dispositional Order	May suspend not more than 3 years.	NONE	0
938.34(8d)(d) (under 17)	87	FPJ Failure to Pay Victim Witness Fee	May suspend not more than 5 years.	NONE	0

Juvenile/Underage Alcohol & Related Court Ordered Suspensions

Statute # Conviction	Charge Code #	Charge/Reason	Court Action	Dept. Action	Points
125.07(4)(a)& (4)(bs) (under 17)	103	JA Juvenile Alcohol Underage Procures, Attempts to Procure, Enters or is on Licensed Premises, Falsely Represents Age	Confidential Under 17 - See s.938.344(2b) Eligible for occupational after 15 days.	NONE	0
125.07(4)(a)& (4)(bs) (17-20)	207	UAL Underage Alcohol Procures, Attempts to Procure, Enters or is on Licensed Premises, Falsely Represents Age	Confidential Age 17-20 - See s.343.30(6)(b) Eligible for occupational after 15 days.	NONE	0
125.07(4)(b) & (4)(c) (under 17)	103	JA Juvenile Alcohol Underage Possess or Consume Alcohol Beverages	Confidential Under 17 - See s.938.344(2)(a) Eligible for occupational after 15 days.	NONE	0
125.07(4)(b) & (4)(c) (17-20)	207	UAL Underage Alcohol Possess or Consume Alcohol Beverages	Confidential Age 17-20 - See s.343.30(6)(b) Eligible for occupational after 15 days.	NONE	0
125.085(3)(b) (under 17)	111	JID Juvenile Identification Card	Confidential Under 17 - See s.938.344(2d) Eligible for occupational after 15 days.	NONE	0
125.085(3)(b) (17-20)	208	UID Underage Identification Card	Confidential Age 17-20 - See s.343.30(6)(bm) Eligible for occupational after 15 days.	NONE	0

Statute # Withdrawal	Charge Code #	Charge/Reason	Court Action	Dept. Action	Points
343.30(6)(b) (17-20)	207	UAL Underage Alcohol Viol.-s.125.07(4)(a) or (b), s.125.09(2)(b)	Confidential May suspend: 1st viol. - 30-90 days. 2nd viol. - not more than 1 year if within 12 mos. of a previous violation. Court must suspend for up to 1 year if offense involved a motor vehicle. 3 rd and subsequent viol. - not more than 2 years if within 12 mos. of 2 or more previous violations. Court must suspend for up to 1 year if offense involved a motor vehicle. Eligible for occupational after 15 days. Under age 17 - See s.938.344(2). .	NONE	0
343.30(6)(bm) (17-20)	208	UID Underage Identification Card s.125.085(3)(b)	Confidential May suspend 30 to 90 days. Eligible for occupational after 15 days. Under age 17 - See s.938.344(2d).	NONE	0
938.344(2) (a),(b),(c) (under 17)	103	JA Juvenile Alcohol Underage Viol. of s.125.07(4)(b) & s.125.09(2)(b) Possess or consume alcohol beverages or possess or consume on school grounds, etc.	Confidential May suspend: 1 st violation- 30-90 days. 2 nd violation- not more than 1 year if within 12 mos. of a previous violation. For violations after 01/01/01, court must suspend for up to 1 year if offense involved a motor vehicle. 3 rd and subsequent violations- not more than 2 years if within 12 mos of 2 or more previous violations. For violations after 01/01/01, court must suspend for up to 1 year if offense involved a motor vehicle. Suspension time periods provided for under s.343.30(6)(b). Eligible for occupational after 15 days.	NONE	0

Statute # Withdrawal	Charge Code #	Charge/Reason	Court Action	Dept. Action	Points
938.344(2b) (a),(b),(c) (under 17)	103	JA Juvenile Alcohol Underage Viol. of s.125.07(4)(a) Procures or attempts to procure, enters or is on licensed premises, falsely represents age	Confidential See s.938.344(2)(a), (b), (c), listed above, for information regarding suspension. Suspension time periods provided for under s.343.30(6)(b). Eligible for occupational after 15 days.	NONE	0
938.344(2d) (under 17)	111	JID Juvenile Identification Card Viol. of s.125.085(3)(b)	Confidential May suspend 30 to 90 days. Suspension time periods provided for under s.343.30(6)(bm). Eligible for occupational after 15 days.	NONE	0

Traffic Related Court Ordered Revocations or Suspensions

Statute #	Charge Code #	Charge/Reason	Court Action	Dept. Action	Points
343.30(1d)	53	OWL Operating w/o Driver License Violation of s.343.05(3)(a)	Effective for violations on or after 03/01/12 resulting in GBH or D to another, may revoke for 6 months.		3
343.30(1g)(a) & (b)	52	OWS Operating While Suspended Violation of s.343.44(1)(a)	Court may suspend for any violation, for any period not to exceed 6 months. Eligible for occupational after 15 days. 4th+ in a 5 year period. Court may revoke 6 months (court may order a lesser time period). Federal and Tribal convictions shall count as priors. Eligible for occupational after 15 days Effective 5/1/2010 – Act 102 eliminated the requirement for the department to administratively revoke on 4 th & subsequent violations, if the court failed to do so. This act also permitted the department to re-evaluate and release cases set up prior to 5/1/2010 that had been ordered by the department.	Dept will take action if no court order & point accumulation is 12 or more in a 1 yr period. Trans. 101	3
	44	OAR Operating After Revocation Violation of s.343.44(1)(b)			
	183	OWD Operating While Disqualified Violation of s.343.44(1)(d)			
343.30(1g)(c)& (d)		OWS Operating While Suspended Violation of s.343.44(1)(a) OAR Operating After Revocation Violation of s.343.44(1)(b)	Effective for violations on or after 11/01/12 resulting in GBH or D to another, may revoke for 6 months.		

OAR/OWS/OWD Violations On or After 08/01/00 through 4/30/2010

Statute #	Charge Code #	Charge/Reason	Court Action	Dept. Action	Points
343.30(1g)(a) & (b)	52	OWS Operating While Suspended Violation of s.343.44(1)(a)	1st-3rd in a 5 year period. May suspend for any period not to exceed 6 months.	Dept will take action if no court order & point accumulation is 12 or more in a 1 yr period. Trans. 101	3
	44	OAR Operating After Revocation Violation of s.343.44(1)(b)	Eligible for occupational after 15 days.		
	183	OWD Operating While Disqualified Violation of s.343.44(1)(d)	4th+ in a 5 year period. Shall revoke 6 months (court may order a lesser time period). Federal and Tribal convictions shall count as priors. Eligible for occupational after 15 days. Act 84 - violations will result in suspension only if ordered by court. No action will be taken if court does not order. 2005 Wis. Act 97: Effective with convictions received by the department on or after 07/27/05 – OAR/OWS/OWD convictions are no longer counted as HTO minor convictions.	Dept will take action if court fails to do so-s.343.31(1)(hm)	

Operating While Under Influence of Intoxicant s. 346.63(1)(a), Prohibited Alcohol Concentration 346.63(1)(b) or Detectable Amount of Controlled Substance s.346.63(1)(am) –

Violations ON/AFTER July 1, 2010

Statute #	Charge Code #	Charge/Reason	Court Action	Dept. Action	Points
343.30(1q)	55	OWI Operating While Intoxicated	1st offense – s. 343.30(1q)(b)2.	Assessment Required Department to take revocation action if court fails to do so. s.343.30(1q)(f)	6
	212	PAC Prohibited Alcohol	Revoke 6-9 months - Eligible for occupational immediately. IID required if BAC 0.15 or greater.		
	174	Concentration			
	157	OCS Operating Controlled Substance	2nd offense – s. 343.30(1q)(b)3.		
	138	CWI Commercial Operating While Intoxicated	Revoke 1 yr-18 months - Eligible for occupational after 45 days, completion of assessment, & in compliance with Driver Safety Plan-(s. 343.30(1q)(b)3.). IID required.		
	173	CCS Commercial OWI – Controlled Substance	3rd & subsequent offenses– s. 343.30(1q)(b)4. Revoke 2-3 yrs. - Eligible for occupational after 45 days, completion of assessment, & in compliance with Driver Safety Plan-(s. 343.30(1q)(b)4. IID required.		
	165	HWI Hazardous Commercial Operating While Intoxicated			
	HCS Hazardous Commercial OWI – Controlled Substance	Double revocation time period if passenger in vehicle under age 16.			

Operating While Under Influence of Intoxicant s. 346.63(1)(a), Prohibited Alcohol Concentration 346.63(1)(b) or Detectable Amount of Controlled Substance s.346.63(1)(am) -

Violations PRIOR to July 1, 2010

Statute #	Charge Code #	Charge/Reason	Court Action	Dept. Action	Points
343.30(1q)	55	OWI Operating While Intoxicated	1st offense – s. 343.30(1q)(b)2.	Assessment Required Department to take action if court fails to do so. s.343.30(1q)(f)	6
	212	PAC Prohibited Alcohol Concentration	Revoke 6-9 months - Eligible for occupational immediately.		
	174				
	157	OCS Operating Controlled Substance	2nd offense – s. 343.30(1q)(b)3. Revoke 1 yr-18 months - Eligible for occupational after 60 days, completion of assessment, & in compliance with Driver Safety Plan-(s. 343.30(1q)(b)3.).		
	138	CWI Commercial Operating While Intoxicated	Effective with OWI-type violations on or after 09/30/01, eligible for occupational after 1 year if any 2 convictions have violation dates within a 5 year period.		
	173	CCS Commercial OWI – Controlled Substance			
	165	HWI Hazardous Commercial Operating While Intoxicated HCS Hazardous Commercial OWI – Controlled Substance	3rd & subsequent offenses – s. 343.30(1q)(b)4. Revoke 2-3 yrs. - Eligible for occupational after 90 days, completion of assessment, & in compliance with Driver Safety Plan-(s. 343.30(1q)(b)4.). Effective with OWI-type violations on or after 09/30/01, eligible for occupational after 1 year if any 2 convictions have violation dates within a 5 year period. Double revocation period if passenger in vehicle under age 16.		

Other Court Ordered Traffic Violations

Statute #	Charge Code #	Charge/Reason	Court Action	Dept. Action	Points
343.30(1)		Any State Traffic Conviction or Local Ordinance	May suspend up to 1 yr. Eligible for occupational after 15 days.	Dept. will take action if point accumulation is 12 or more in 1 yr period and the court ordered suspension is less than the suspension ordered by the department, per Trans. 101	Assessed Value Trans. 101.02
343.30(1j)	33	FYR Failure to Yield Right of Way s.346.18	Court cannot order suspensions for violations on or after 08/01/2012. See Departmental Action section for violations occurring on or after 08/01/2012.		
343.30(1n)	65	SE Speeding Excess s.346.57(4)(gm) or (h) (25 or more over legal limit of 55 mph, 65 mph or 70 mph)	Court is required to suspend for a period of 15 days effective date of notification by the department.	Dept. will take action if point accumulation is 12 or more in 1 yr period and the court ordered suspension is less than the suspension ordered by the department, per Trans. 101	6
343.30(1o)	88	PI Illegal Passing of Emergency Vehicle s.346.072(1)(a) or (b)	If offense resulted in property damage to another, suspend 90 days - year. If offense resulted in bodily harm to another, suspend 180 days - 2 years. If offense resulted in the death of another, suspend 2 years.	Dept. will take action if point accumulation is 12 or more in 1 yr period and the court ordered suspension is less than the suspension ordered by the department, per Trans. 101	3

Statute #	Charge Code #	Charge/Reason	Court Action	Dept. Action	Points
343.30(1p) (under 21)	108	UAO Underage Alcohol Operation over .00% but not more than 0.08% s.346.63(2m)	Court shall suspend 3 months - Court shall suspend 6 months if violation on or after 06/21/96 and passenger in vehicle under age 16. (Act 425 effective 06/21/96) Eligible for occupational immediately. 2005 Act 317 – Changed demerit point assessment for violations on or after 04/21/06 to 4 points. Violations prior to 04/21/06 are assessed 0 points.	Dept. will take action if point accumulation is 12 or more in 1 yr period and the court ordered suspension is less than the suspension ordered by the department, per Trans. 101	4
343.30(2d)	64	SO Sex Offense s.940.225, s.948.02, s.948.025, s.948.07	May suspend for 1 yr. or until discharged from jail, prison, or probation or parole; whichever date is later. Eligible for occupational after 15 days.	NONE	0
343.30(2g)	25 142 167 184 185 186	FSA Failure to Stop After Accident Violations of s.346.67; No personal injury, great bodily harm, or death. CFS Comm. Failure to Stop After Accident Violations of s.346.67; No personal injury, great bodily harm, or death. HFS Haz. Comm. Failure to Stop After Accident Violations of s.346.67; No personal injury, great bodily harm, or death. FSU Failure to Stop After Accident- Unattended Vehicle Violations of s.346.68 CFU Comm. Failure to Stop After Accident-Unattended Vehicle Violations of s.346.68	May suspend or revoke for any period not to exceed 1 year. (Mandatory action - See s.343.31.) Eligible for occupational after 15 days. For Confidential 343.31(1)(d) see Other Mandatory Traffic Violations.	Dept. will take action if point accumulation is 12 or more in 1 yr period and the court ordered suspension is less than the suspension ordered by the department, per Trans. 101.	6 6

Statute #	Charge Code #	Charge/Reason	Court Action	Dept. Action	Points
343.30(2g)	189 190 191	HFU Haz. Comm. Failure to Stop After Accident-Unattended Vehicle Violations of s.346.68 DSP Duty Upon Striking Property Violations of s.346.69 CDS Comm. Duty Upon Striking Property Violations of s.346.69 HDS Haz. Comm. Duty Upon Striking Property Violations of s.346.69	May suspend or revoke for any period not to exceed 1 year. (Mandatory action - See s.343.31.) Eligible for occupational after 15 days. For Confidential 343.31(1)(d) see Other Mandatory Traffic Violations.	Dept. will take action if point accumulation is 12 or more in 1 yr period and the court ordered suspension is less than the suspension ordered by the department, per Trans. 101.	0
343.30(2j)	63 151	RD Reckless Driving Violation of s.346.44(1) or s.346.62(2m). Endanger safety by driving vehicle on or across railroad crossing or through, around, or under crossing gate or barrier at railroad crossing. CRD Comm. Reckless Driving Violation of s.346.44(1) or s.346.62(2m). Endanger safety by driving vehicle on or across railroad crossing or through, around, or under crossing gate or barrier at railroad crossing.	May suspend 6 months for first conviction. Shall suspend 6 months for the 2nd or subsequent conviction within a 5-year period. The 5-year period shall be measured from dates of violations that resulted in the convictions. Convictions arising out of the same incident or occurrence shall be counted as a single conviction.	Dept. will take action if point accumulation is 12 or more in 1 yr period and the court ordered suspension is less than the suspension ordered by the department, per Trans. 101	6
343.30(6)(b)	34	IIV Intoxicant in Vehicle carrying underage person s.346.93	May suspend not less than 30 days nor more than 1 yr. Previous revocations or suspensions for other reasons do not have any effect on this action. Eligible for occupational after 15 days.	NONE	0
343.30(3)	312	OCR Occupational license – Court Ordered Withdrawal s.343.10	May withdraw the occupational order whenever the judge does not see fit to permit licensee to retain the occupational license.	Department will cancel occupational (LPO)	0

Statute #	Charge Code #	Charge/Reason	Court Action	Dept. Action	Points
343.305(10)	91 144 169	IC Implied Consent (Refusal) CIC Comm.-Implied Consent HIC Haz. Comm. Implied Consent	<p>1st offense - Revoke 1 year. IID required. Eligible for occupational after 30 days.</p> <p>2nd offense - Revoke 2 years. IID required. Eligible for occupational after 90 days, completion of assessment, & in compliance with Driver Safety Plan-(s. 343.305(10)(b)3.). Effective with OWI-type violations on or after 09/30/01, not eligible for occupational until after 1 year if any 2 convictions have violation dates within a 5 year period.</p> <p>3rd and subsequent offenses - Revoke 3 years. IID required. Eligible for occupational after 120 days, completion of assessment & in compliance with Driver Safety Plan-(s.343.305(10)(b)4.) Not eligible for occupational until after 1 year if any 2 convictions have violation dates within a 5 year period.</p> <p>Double revocation time period if passenger in vehicle under age 16.</p>	Assessment Required. Department may take revocation action if court fails to do so. s.343.305(10)(f)	0
343.305 (10)(em) (under 21 if ICU)	109 146 171	ICU Implied Consent Underage (Refusal) Viol. of s.346.63(2m) CIN Comm. Implied Consent - Not a Drop Viol. of s.346.63(7) HIN Haz. Comm. Implied Consent - Not a Drop Viol. of s.346.63(7)	<p>Revoke 6 mos. - see s. 346.65(2u)(c). IID Required. Revoke 12 months if passenger in vehicle under age 16. Eligible for occupational after 15 days.</p>	<p>No assessment required.</p> <p>Department may take action if court fails to do so. (s.343.305(10)(f))</p>	0

Statute #	Charge Code #	Charge/Reason	Court Action	Dept. Action	Points
346.63(5)(a)	130 163	CA Commercial Alcohol 0.04% or more but less than 0.08% HCA Haz. Commercial Alcohol 0.04% or more but less than 0.08%	No suspension or revocation is required. The court may proceed under s. 343.30(1). This conviction is a disqualifying offense and will result in a disqualification of only the commercial privilege. See Commercial Motor Vehicle Disqualifications s. 343.315.		0
346.63(6)(a)	134 161	CAI Commercial Alcohol Causing Injury 0.04% or more but less than 0.08% HAI Haz. Commercial Alcohol Causing Injury 0.04% or more but less than 0.08%	See s. 343.31(1)(ar) in Mandatory Section. See Commercial Motor Vehicle Disqualifications s. 343.315.	Department will revoke. See s. 343.31(1)(ar) on page 20.	6
346.63(7)(a)1 346.63(7)(a)2	148	COO Commercial 0.0 - Not a Drop	Issue a 24 hr out-of-service order. The court may proceed under s. 343.30(1).		0
346.63(7)(a)3	149	CPB Commercial Possession of Intoxicating Beverage	Issue a 24 hr out-of-service order. The court may proceed under s. 343.30(1).	Dept. will take action if point accumulation is 12 or more in 1 yr period and the court ordered suspension is less than the suspension ordered by the department, per Trans. 101	3

Other Traffic Violations PRIOR to August 1, 2012

Statute #	Charge Code #	Charge/Reason	Court Action	Dept. Action	Points
343.30(1j)	33	FYR Failure to Yield Right of Way s.346.18	<p>If offense resulted in bodily harm of another, suspend 60 days.</p> <p>If offense resulted in great bodily harm of another, suspend 90 days.</p> <p>If offense resulted in the death of another, suspend 9 months.</p> <p>Effective 10/01/06 – 2005 Act 466.</p>	Dept. will take action if point accumulation is 12 or more in 1 yr period and the court ordered suspension is less than suspension ordered by the department, per Trans. 101	4

Informational

Assessment Required

s.343.30(1q)(c) & s.343.305(10)(c)

If person is convicted under s.346.63(1)(a) Operating While Under the Influence of an Intoxicant or Controlled Substance-OWI, OCS, CWI, CCS, HWI, HCS; s.346.63(1am) Operating With Detectable Amount of Restricted Controlled Substance in Blood-OWI, CWI, HWI; s.346.63(1)(b) Prohibited Alcohol Concentration-PAC; s.346.63(2) Operating While Intoxicated With Injury-OII, CII, HII; s.940.25 Great Bodily Harm-GBH, CBH, CAH, HBH, HAH; s.940.09 Homicide Intoxicated Use-5 yrs. where the offense involved the use of a vehicle-NHI, CHI, HHI, CAD, HAD; or is revoked for implied consent refusal- IC, CIC, HIC; the court shall order assessment. Department is to take action if court fails to do so. Refer to s.343.30(1q)(f) or s.343.305(10)(f). No assessment required for convictions received from a tribal court.

Chemical Tests Required

s.343.305

Test may be required for the purpose of determining presence of alcohol or controlled substances for the violation of s.346.63(1)(a)-Operating While Intoxicated, s.346.63(1am) Operating With Detectable Amount of Restricted Controlled Substance in Blood, s.346.63(1)(b)-Prohibited Alcohol Concentration, s.346.63(5)-Commercial Alcohol 0.04 or more but less than 0.08, s.346.63(2)-Operating While Intoxicated With Injury, s.346.63(6)-Commercial Alcohol With Injury 0.04 or more but less than 0.08, s.346.63(7)-Commercial Not A Drop, s.940.25-Great Bodily Harm, & s.940.09-Negligent Homicide Intoxicated-5 yr.

Department's Authority

s.343.30(1q)(f), S.343.31(2), & S.343.31(3)(bm)

If courts fail to make order, department may make order. This applies to revocation only.

Fees

s.343.21(1)(e), s.343.21(1)(j), s.343.21(1)(jm), s.343.21(1)(m), 343.21(1)(jr), 343.21(k)

Occupational fee - \$50.00; Reinstatement fee \$200 for alcohol related offenses, \$60 for all other offenses.

Ignition Interlock Device

s. 343.301(1g), s. 343.301(2m)

The court shall order a person's operation of Class D vehicles be restricted to operating vehicles that are equipped with an ignition interlock device and shall order that each motor vehicle for which the person's name appears on the certificate of title or registration be equipped with an ignition interlock device for all refusals, 1st offense violations of s. 346.63 (1),(2); 940.09; or 940.25 if the person had a blood alcohol concentration of 0.15 or greater at the time of the offense, or all second and subsequent violations of s. 346.63 (1),(2); 940.09; or 940.25. The operating privilege restriction shall begin whenever the department issues an occupational license or whenever the person reinstates their operating privilege, whichever comes first. The operating privilege restriction shall last not less than one year nor more than the maximum period of revocation. The courts may order the restrictions on the vehicles in the person's name to begin immediately.

Extension for ignition interlock for tampering 347.50(1t)

Occupational License Eligibility

s.343.10(2)(a)1

Eligible for occupational license if not previously suspended or revoked under Chp.343, 344, or s.961.50 within the 1 year period immediately preceding the present revocation or suspension. Additional information regarding occupational eligibility can be found on the DMV website at <http://www.dot.wisconsin.gov/drivers/drivers/revoke/occ-eligibility.htm>

Time Periods Doubled

s.343.30(1q)(b)4m, s.343.30(1p), s.343.305(10)(b)4m, s.343.305(10)(em), s.343.31(3)(bm)4m, s.343.31(3)(c), s.343.31(3)(e), & s.343.31(3)(f)

Revocation or suspension time period is doubled if passenger in vehicle under age 16 for convictions under s.346.63(1)(a) Operating While Under the Influence of an Intoxicant or Controlled Substance-OWI, OCS, CWI, CCS, HWI, HCS; s.346.63(1am) Operating With Detectable Amount of Restricted Controlled Substance in Blood-OWI, CWI, HWI; s.346.63(1)(b)-Prohibited Alcohol Concentration-PAC; s.343.305(10)(b) revoked for implied consent refusal-IC, CIC, HIC; s.343.305(10)(em) revoked for implied consent refusal underage-ICU, CIN, HIN; s.346.63(2) Operating While Intoxicated With Injury-OII, CII, HII; s.940.09 Homicide Intoxicated Use-NHI, CHI, HHI, CAD, HAD; s.940.25 Great Bodily Harm-GBH, CBH, CAH, HBH, HAH.

Time Periods Extended by Jail / Prison Sentence

s.343.30(1r)

Revocation period is extended by the time to which a person is sentenced to jail or prison, in addition to any revocation required for convictions under s.346.63(1)(a) Operating While Under the Influence of an Intoxicant or Controlled Substance-OWI, OCS, CWI, CCS, HWI, HCS; s.346.63(1am) Operating With Detectable Amount of Restricted Controlled Substance in Blood-OWI, CWI, HWI; s.346.63(1)(b)-Prohibited Alcohol Concentration-PAC; s.343.305(10)(b) revoked for implied consent refusal-IC, CIC, HIC; s.343.305(10)(em) revoked for implied consent refusal underage-ICU, CIN, HIN; s.346.63(2) Operating While Intoxicated With Injury-OII, CII, HII; s.940.09 Homicide Intoxicated Use-NHI, CHI, HHI, CAD, HAD; s.940.25 Great Bodily Harm-GBH, CBH, CAH, HBH, HAH.

Time Periods Reduced

s.343.30(1q)(h) & s.343.305(10)(g)

The period of suspension or revocation shall be reduced by any period of suspension or revocation previously served under s.343.305 for any refusal or Administrative Suspension for Prohibited Alcohol Concentration and the conviction for violation of s.346.63(1)(a)-Operating While Intoxicated, s.346.63(1am) Operating With Detectable Amount of Restricted Controlled Substance in Blood, 346.63(1)(b)-Prohibited Alcohol Concentration and s.346.63(2m)-Underage Alcohol Operation or local ordinance in conformity therewith if they arise out of the same incident or occurrence.

Prior Alcohol Offenses To Be Counted

Under s.343.307(1), s.343.307(2), s.343.30(1q)(b)1, & s.343.305(10)(b)1

- Consider previous convictions for:
 - s.940.25 Great Bodily Harm
GBH, CBH, CAH, HBH, HAH
(always counts as a prior)
 - s.940.09 Negligent Homicide Intoxicated-5 yr. where the offense involved the use of a vehicle
NHI, CHI, HHI, CAD, HAD
(always counts as a prior)
 - s.346.63(1)(a), and/or (am), and/or (b) Operating While Intoxicated
OWI, PAC, OCS, CWI, CCS, HWI, HCS
(Violations on/after January 1, 1989 count as priors)
 - s.346.63(2) Operating While Intoxicated With Injury
OII, CII, HII
(Violations on/after January 1, 1989 count as priors)
 - s.343.305(9) Refusal revocations; if not same incident
IC, CIC, HIC
(Violations on/after January 1, 1989 count as priors)
- Tribal Court convictions with violations on or after 08/15/91 for the above charges are to be counted as priors.
- Convictions for Commercial Alcohol-CA/HCA, Commercial Alcohol Injury-CAI/HAI are counted as priors only when the latest entry is a refusal-s.343.307(2)(a) & (b).
- Convictions from other jurisdictions using substantially similar terms are to be counted as a prior offense.

MANDATORY

REVOCATIONS/SUSPENSIONS REQUIRING DEPARTMENT TO REVOKE/SUSPEND OPERATING PRIVILEGE-343.31

The department shall revoke or suspend the operating privilege upon receiving a record of conviction for any violation of a state law or local ordinance which is in conformity therewith or under a law of a federally recognized American Indian tribe or band in this state which is in conformity with state law for any of the charges listed in this Mandatory section.

Operating While Under the Influence of an Intoxicant or Controlled Substance, Prohibited Alcohol Concentration, or any substantially similar terms used by the other jurisdiction

Statute #	Charge Code #	Charge/Reason	Action	Points
343.31(2) & (3)(b) Other Jurisdiction	55	OWI Operating While Intoxicated	Assessment required. 1st - Revoke 6 months - Eligible for occupational after 15 days. 2nd & subq - Revoke 1 year - Eligible for occupational after 15 days. Double revocation period if passenger in vehicle under age 16.	0
	212	PAC Prohibited Alcohol Concentration		
	174	OCS Operating While Intoxicated – Controlled Substance		
	157	CWI Commercial Operating While Intoxicated		
	138	CCS Commercial OWI – Controlled Substance		
	173	HWI Hazardous. Commercial Operating While Intoxicated		
	165	HCS Hazardous Commercial OWI – Controlled Substance		
343.31(3)(bm) Tribal Convictions	55	OWI Operating While Intoxicated s.346.63(1)(a)	Assessment required. 1st - Revoke 6-9 months - Eligible for occupational immediately. 2nd - Revoke 1 yr-18 months - Eligible for occupational after 45 days. 3rd & subq - Revoke 2-3 years - Eligible for occupational after 45 days. Double revocation period if passenger in vehicle under age 16.	6
	212	PAC Prohibited Alcohol Concentration s346.63(1)(b)		
	174	OCS Operating While Intoxicated – Controlled Substance s.346.63(1)(am)		
		(includes same charges listed above for CMV)		

Other Traffic Violations

Statute #	Charge Code #	Charge/Reason	Action	Points
343.31(1)(a)	45	NH Negligent Homicide s.940.06 & s.940.10	Revoke 1 year - Eligible for occupational after 15 days.	0
	63	RD Negligent Operation Causing Great Bodily Harm s.346.62(4)		6
	151	CRD Comm. Negligent Operation Causing Great Bodily Harm s.346.62(4) only		6
343.31(1)(ar)	134	CAI Commercial Alcohol Causing Injury (0.04 but less than 0.08) s.346.63(6)	Revoke 1 year - Eligible for occupational after 15 days.	6
	161	HAI Haz. Commercial Alcohol Causing Injury (0.04 but less than 0.08) s.346.63(6)		
343.31(1)(c)	75	VUF Vehicle Used in Commission of Felony	Revoke 1 year - Eligible for occupational after 15 days.	0
	156	CVF Comm. Vehicle Used in Commission of Felony		
	172	HVF Haz. Comm. Vehicle Used in Commission of Felony		
	137	CCF Comm. Controlled Substance Felony		
	164	HCF Haz. Comm. Controlled Substance Felony OWO Operating Vehicle Without Owners Consent s.943.23 (Replaced OWO charge code with VUF abbreviation on 04/01/92)		
343.31(1)(d)	25	FSA Failure to Stop After Accident s.346.67(1) (with personal injury).	Under 17-Confidential- s.938.396(4) Revoke 1 year - Eligible for occupational after 15 days. See s.343.31(3)(i) & (j) for Revocation 2-5 years involving great bodily harm or death.	6
	142	CFS Comm. Failure to Stop After Accident s. 346.67(1) (with personal injury)		
	167	HFS Haz. Comm. Failure to Stop After Accident s. 346.67(1) (with personal injury)		
343.31(2u)	105	SVO Serious traffic violation by holder of an occupational license	Suspend 1 year - Eligible for occupational after 15 days.	0

Statute #	Charge Code #	Charge/Reason	Action	Points
343.31(2r)	94 56	FA Falsified Application s.343.14(5), s.343.19(2), & s.345.17 P Perjury	Suspend 1 year - (s.345.17, s.343.14(5), s.343.19(2) pertaining to Identification Card and failure to return original license is exempt as a mandatory revocation.) Eligible for occupational after 15 days.	0
343.31(2t)(a)	33	FYR Failure to Yield Right of Way s.346.18	If offense resulted in bodily harm of another, suspend 2 months. (repealed 12/2/17) If offense resulted in great bodily harm of another, suspend 3 months. If offense resulted in the death of another, suspend 9 months. Effective 08/01/2012 – 2011 Act 173.	4
343.31(2t)(a)	7 16 22 33 77 88/150	BI Backing Illegally 346.87 DWS Driving on the wrong Side 346.05(1), 346.06 FOS Failure to Obey Sign or Signal 346.37(1)(c)3, (1)(d)1, 346.39(1), 346.46(1), 346.46(4)(a) FYR Failure to Yield Right of Way 346.06, 346.18(1), (2), (3), (3m), (5), (6), (7), (7)(a), (7)(b), (8)(a), (8)(b), 346.23(1), (2), 346.28(3m), 346.37(1)(a)1, (1)(c)3, (1)(d)1, 346.47(1), (2) IT Improper Turn 346.31(1), (2), (3), (3)(a), (3)(b), (3)(c), (4), 346.37(1)(c)3, PI/CPI Passing Illegally/Commercial Passing Illegally 346.07(2), (3), 346.09(1), (2), (3), (4)	No Harm – requires the Right of Way course to be completed within 6 months or suspension of Failure to Comply with Course (FCC). If offense resulted in great bodily harm of another, suspended 3 months. If offense resulted in the death of another, suspend 9 months Effective 12/2/2017 – 2017 Act 105	2 4 3 4 3 3

Statute #	Charge Code #	Charge/Reason	Action	Points
343.31(3)(c)	120 143 168 132 159	NHI Negligent Homicide Intoxicated s.940.09 CHI Commercial Negligent Homicide Intoxicated s.940.09 HHI Haz. Commercial Negligent Homicide Intoxicated s.940.09 CAD Commercial Alcohol Causing Death s.940.09(1)(bm) HAD Haz. Commercial Alcohol Causing Death s.940.09(1)(bm)	Revoke 5 years - Revoke 10 years if violation on or after 06/21/96 and passenger in vehicle under age 16. (Act 425 effective 06/21/96) Eligible for occupational after 120 days. Effective with OWI-type violations on or after 09/30/01, not eligible for occupational until after 1 year if any 2 convictions have violation dates within a 5 year period (s.343.31(3m)(a). Assessment Required.	0
343.31(3)(d)	21	AEO Attempt to Elude Officer s.346.04(3)	Revoke 6 months – No Bodily Harm or Property Damage Revoke 1 year – With Bodily Harm or Property Damage Revoke 2 years – Result in Great Bodily Harm Revoke 5 years – Result in Death Eligible for occupational after 15 days.	6
343.31(3)(e)	107 145 170	OII Operating While Intoxicated Causing Injury s.346.63(2)(a) CII Commercial OWI Causing Injury s.346.63(2)(a)1 & 2 & 3 HII Haz. Commercial OWI Causing Injury s.346.63(2)(a)1 & 2 & 3	Revoke 1-2 years - Revoke 2-4 years if violation on or after 06/21/96 and passenger in vehicle under age 16. (Act 425 effective 06/21/96) Eligible for occupational after 60 days. Effective with OWI-type violations on or after 09/30/01, not eligible for occupational until after 1 year if any 2 convictions have violation dates within a 5 year period (s.343.31(3m)(b). Assessment required.	6
343.31(3)(f)	86 135 133 162 160	GBH Great Bodily Harm s.940.25 CBH Commercial OWI Causing Great Bodily Harm s.940.25 CAH Commercial Alcohol Causing Great Bodily Harm s.940.25(1)(bm), (e). HBH Haz. Commercial OWI Causing Great Bodily Harm s.940.25 HAH Haz. Commercial Alcohol Causing Great Bodily Harm 940.25(1)(bm), (e).	Revoke 2 years - Revoke 4 years if violation on or after 06/21/96 and passenger in vehicle under age 16. (Act 425 effective 06/21/96) Eligible for occupational after 120 days. Effective with OWI-type violations on or after 09/30/01, not eligible for occupational until after 1 year if any 2 convictions have violation dates within a 5 year period (s.343.31(3m)(a). Assessment required.	0

Statute #	Charge Code #	Charge/Reason	Action	Points
343.31(3)(i)	25	FSA Failure to Stop After Accident (GBH) s.346.67(1) (involving Great Bodily Harm)	Under 17-Confidential-s.938.396(4) Revoke 2 years - Eligible for occupational after 15 days. See s.343.31(1)(d) for 1 yr revocation with personal injury & s.343.31(3)(j) for 5 yr revocation involving death.	6
	142	CFS Commercial Failure to Stop After Accident (GBH) (involving Great Bodily Harm)		
	167	HFS Haz. Commercial Failure to Stop After Accident (GBH) (involving Great Bodily Harm)		
343.31(3)(j)	25	FSA Failure to Stop After Accident (Death) s.346.67(1) (involving death)	Under 17-Confidential-s.938.396(4) Revoke 5 years - Eligible for occupational after 15 days. See s.343.31(1)(d) for 1 yr revocation with personal injury & s.343.31(3)(i) for 2 yr revocation involving great bodily harm.	6
	142	CFS Commercial Failure to Stop After Accident (Death) (involving death)		
	167	HFS Haz. Commercial Failure to Stop After Accident (Death) (involving death)		

DEPARTMENTAL ACTION

The department shall revoke or suspend the operating privilege for ADL, LOL, IUL upon receiving a record of conviction for violation of a state law or local ordinance under Chp. 349 or under a law of a federally recognized American Indian tribe or band in this state in conformity with a state traffic violation-s.343.32(1s).

Statute #	Charge Code #	Charge/Reason	Action	Points
343.32(1s) Trans.101.04(6)	05	ADL Altering Drivers License Viol. of s.343.43(1)(g)	Suspend 6 months - Eligible for occupational after 15 days.	0
	43	LOL Loaning of License Viol. of s.343.43(1)(b)		
	41	IUL Illegal Use of Operator's License Viol. of s.343.43(1)(a),(c),(e),(f)		
343.32(1)(c) Other Jurisdiction	05	ADL Altering Drivers License	Department has authority to revoke 6 months from date of conviction, however, no action will be taken due to difference in handling convictions under s.343.32(1s).	0
	43	LOL Loaning of License		
	41	IUL Illegal Use of Operator's License		

Statute #	Charge Code #	Charge/Reason	Action	Points
TR101.06(2)	211	AFA Appear for Examination for Another Viol. of s.343.16(7)(b)	Suspend 2 months, effective date of notification by department. Eligible for occupational after 15 days.	0
344.14	192	SR Safety Responsibility DL suspension	Suspend 1 year, or if court action initiated, suspend until court action is satisfied. Not eligible for occupational license. SR22 and reinstatement fee required to reinstate operating privilege.	0
344.14	193	SRR Safety Responsibility Registration suspension	Suspend 1 year, or if court action initiated, suspend until court action is satisfied. Not eligible for occupational license. SR22 for vehicle coverage and reinstatement fee required to reinstate registration privilege.	0
344.25	12	DJN Certified Unsatisfied Damage Judgment	Suspend 5 years or until judgment satisfied or an acceptable installment agreement filed. This includes suspension of registration privileges. Not eligible for occupational license. SR 22 and reinstatement fee required to reinstate operating and registration privileges.	0
351.025 351.07(2)	82 213	HTO Habitual Traffic Offender RHT Repeat Habitual Traffic Offender	Revoke for 5 years if determined to be a habitual traffic offender, effective date of notification by department. Eligible for occupational after 2 nd year of revocation period. s.343.10(1r).	0
343.31(1m)(b) 343.31(1m)(c)	356 357	LR1 Lifetime Revocation LR2 Lifetime Revocation	Revoke indefinite – not eligible for occupational. May reinstate after 10 years.	0

Point System Cases-Trans. 101.04 (DR)

The department shall suspend the operating privilege for an accumulation of 12 or more demerit points in 12 months. Eligible for an occupational license immediately-s.343.32(6).

The length of the suspension is determined by Trans. 101.04(4).

Point system cases are based on convictions with violations of any state traffic laws or local ordinance or any traffic laws enacted by a federally recognized American Indian tribe or band in this state which is in strict conformity with a state traffic law.

Failure to Comply with Right of Way Course (FCC)

S.343.31(2t) (c) If a person is convicted of violating s. [346.05 \(1\)](#), [346.06](#), [346.07 \(2\)](#) or [\(3\)](#), [346.09](#), [346.18](#), [346.23](#), [346.31](#), [346.37 \(1\) \(a\) 1](#), [\(c\) 3](#), or [\(d\) 1](#), [346.39 \(1\)](#), [346.46 \(1\)](#) or [\(4\) \(a\)](#), [346.47 \(1\) or \(2\)](#), or [346.87](#) or a local ordinance in conformity therewith and great bodily harm or death did not result, and the person has not completed the course required under par. [\(b\)](#) within 6 months of the department ordering the person to attend the course, the department shall suspend the person's operating privilege until the person successfully completes the course. The department may not suspend a person's operating privilege for more than 5 years.

Completion of the right of way course will reduce the suspension and allow the customer to reinstate.

Under this suspension there is a 15 day wait for an occupational license s.343.10(2)(a)4.

Lifetime Revocation (LR1, LR2)

Act 172 creates a "permanent" revocation for anyone convicted of the following: **LR1 343.31(1m)(b)** - If the number of convictions as counted under [940.09\(1\)](#) (Negligent Homicide Intoxicated) or [940.25](#) (Great Bodily Harm) plus convictions under [343.307\(1\)](#) = 4 or more and the 4th conviction occurs within 15 years of the previous conviction the department shall revoke for the person's operating privilege permanently. **LR2 343.31(1m)(c)** - If the number of convictions as counted under [940.09\(1\)](#) (Negligent Homicide Intoxicated) or [940.25](#) (Great Bodily Harm) plus convictions under [343.307\(1\)](#) = 2 or more within 25 yrs and the person has 2 or more qualifying convictions, the department shall revoke the person's operating privilege permanently. ****Qualifying convictions** means any of the following: A conviction for a violation under [s.940.06](#) (Negligent Homicide), [940.09](#) (Negligent Homicide Intoxicated) or [940.10](#) (Negligent Homicide) involving the use of a vehicle. A conviction for a crime punishable as a felony under chs. [341](#) to [348](#) or a felony in the commission of which a vehicle is used.

Non-Compliance Suspensions/Revocations (NCF,NCI,NCP,NCA,NCT,NCE)

S.343.30(1q)(d) & s.343.305(10)(d) - The department, if notified of non-compliance which includes non-payment of the Driver Safety Plan fee, shall withdraw the operating privilege until compliance is made with assessment or Driver Safety Plan. NCI, NCP, NCA cases are revocations. NCE, NCF, NCT cases are 2 year suspensions.

Administrative Suspensions (BAC,CAC,HAC)

S.343.305(7)-BAC, CAC, HAC: If a person submits to chemical testing administered in accordance with s.343.305 and any test results indicate a prohibited alcohol concentration (0.08% or more if 1, 2 or no priors, or more than 0.02% if 3 or more priors) or a detectable amount of a restricted controlled substance in his or her blood, the law enforcement officer shall report the results to the department.

The person's operating privilege is administratively suspended for six months and shall become effective 30 days after the date of the notice-s.343.305(8)(a).

A person who has his or her operating privilege administratively suspended is eligible for an occupational license immediately-s.343.305(8)(d).

The person has 10 days from the date of notice to request an Administrative Review-s.343.305(8)(b)1.

Judicial Review

After the Administrative Review, an aggrieved person may request a Judicial Review by the court-s.343.305(8)(c). The request for Judicial Review does not automatically stay the Administrative Suspension.

S.343.305(8)(c)1. The request must be filed with the court within 20 days from date of the hearing examiners decision. The court shall forward a copy of the Judicial Review Request to the department. The review shall be conducted at the time of trial of the underlying offense. The prosecutor of the underlying offense shall represent the interests of the department.

S.343.305(8)(c)2. If the court orders the suspension either rescinded or sustained the court shall file its order with the department. The department shall vacate the administrative suspension if the judicial review is not held within 60 days from the date requested.

No reinstatement fee will be required if the court orders the Administrative Suspension rescinded.

Credit for Time Served

S.343.30(1q)(h) and 343.305 (10)(g) states that the court or department shall provide that the period of suspension or revocation imposed under this subsection shall be reduced by any period of suspension or revocation previously **served** for any Implied Consent, Administrative Suspension for Prohibited Alcohol Concentration and the conviction for Operating While Intoxicated, Prohibited Alcohol Concentration or Underage Alcohol Operation or a local ordinance in conformity therewith which arose out of the same incident or occurrence.

Section 343.325(3m) - Whenever the suspension or revocation of an operating privilege has been rescinded or withheld because of administrative action, an appeal, or a court order to reopen, stay, or vacate a conviction, suspension, or revocation and that suspension or revocation is subsequently re-imposed; the period of suspension or revocation so re-imposed shall be reduced by the period of suspension or revocation previously served.

COMMERCIAL MOTOR VEHICLE DISQUALIFICATIONS

Effective with violations on / after September 30, 2005, non-CMV violations count if the driver is a CDL holder (or has a history of CMV operation) when the non-CMV violation occurs

Statute #	Charge Code #	Charge/Reason	Action
s.343.315(2)(k)	215	IH Imminent Hazard	<p>Gives Federal Secretary of DOT authority to disqualify a CDL driver if they pose an imminent hazard</p> <ul style="list-style-type: none"> • Disqualify for 30 days without hearing • Disqualification over 30 days, requires notice and hearing. <p>Imminent hazard defined as the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property or the environment may occur before the reasonably foreseeable completion date of a formal proceeding</p>
s.343.315(2)(a)1	55 212 174 157 138 173 165	<p>OWI Operating While Intoxicated/Restricted Controlled Substance</p> <p>PAC Prohibited Alcohol Concentration</p> <p>OCS Operating Controlled Substance</p> <p>CWI Commercial Operating While Intoxicated</p> <p>CCS Commercial OWI – Controlled Substance</p> <p>HWI Hazardous Commercial Operating While Intoxicated</p> <p>HCS Hazardous Commercial OWI – Controlled Substance</p> <p>Operating While Under the Influence of an Intoxicant s.346.63(1)(a), (b) and (am); Controlled Substance-s.346.63(1)(a)</p>	<p>1st Viol-Disqualified 1 year</p> <p>2nd & Subq Viol - Disqualified for LIFE</p> <p>1st Viol-Disqualified 3 yrs</p> <p>2nd & Subq Viol - Disqualified for LIFE</p>

Statute #	Charge Code #	Charge/Reason	Action	
s.343.315(2)(a)2	130	CA Commercial Alcohol - 0.04 but less than 0.08 s.346.63(5)(a)	1st Viol-Disqualified 1 year 2nd & Subq Viol - Disqualified for LIFE	
	163	HCA Haz. Commercial Alcohol s.346.63(5)(a)	1st Viol-Disqualified 3 yrs 2nd & Subq Viol - Disqualified for LIFE	
s.343.315(2)(a)3	25	FSA Failure to Stop After Accident s.346.67(1) (with personal injury).	1st Viol-Disqualified 1 year 2nd & Subq Viol-Disqualified for LIFE	
	142	CFS Comm. Failure to Stop After Accident s.346.67(1)		
	184	FSU Failure to Stop After Accident - Unattended Vehicle s.346.68		
	185	CFU Comm. Failure to Stop After Accident - Unattended Vehicle s.346.68		
	24	FRA Failure to Report Accident s.346.69		
	141	CFR Comm. Failure to Report Accident s.346.69		
	189	DSP Duty Upon Striking Property s.346.69		
	190	CDS Comm. Duty Upon Striking Property s.346.69		
	167	HFS Haz. Comm. Failure to Stop After Accident s.346.67(1)		1st Viol-Disqualified 3 yrs 2nd & Subq Viol - Disqualified for LIFE
	186	HFU Haz. Comm. Failure to Stop After Accident - Unattended Vehicle s.346.68		
	166	HFR Haz. Comm. Failure to Report Accident s.346.69		
	191	HDS Haz. Comm. Duty Upon Striking Property s.346.69		
s.343.315(2)(a)4	75	VUF Vehicle Used in Commission of Felony	1st Viol-Disqualified 1 year 2nd & Subq Viol-Disqualified for LIFE	
	156	CVF Comm. Vehicle Used in Commission of Felony		
	172	HVF Haz. Comm. Vehicle Used in Commission of Felony	1st Viol-Disqualified 3 yrs 2nd & Subq Viol - Disqualified for LIFE	

Statute #	Charge Code #	Charge/Reason	Action
s.343.315(2)(a)5	121	BAC Blood Alcohol Concentration	1st Viol-Disqualified 1 year 2nd & Subq Viol-Disqualified for LIFE
	131	CAC Commercial Blood Alcohol Concentration	
	91	IC Implied Consent (Refusal)	
	109	ICU Implied Consent Underage	
	144	CIC Comm. Implied Consent	
	146	CIN Comm. Implied Consent - Not a Drop	
	169	HIC Haz. Comm. Implied Consent	1st Viol-Disqualified 3 yrs 2nd & Subq Viol - Disqualified for LIFE
	171	HIN Haz. Comm. Implied Consent - Not a Drop	
	158	HAC Hazardous Materials Blood Alcohol Concentration	

Statute #	Charge Code #	Charge/Reason	Action	
s.343.315(2)(a)6	107	OII Operating While Intoxicated Causing Injury s.346.63(2)	1st Viol-Disqualified 1 year 2nd & Subq Viol-Disqualified for LIFE	
	145	CII Comm. OWI Causing Injury s.346.63(2)(a)1, 2 & 3		
	134	CAI Comm. Alcohol Causing Injury – .04 or greater s.346.63(6)		
	120	NHI Negligent Homicide Intoxicated s.940.09		
	143	CHI Comm. Negligent Homicide Intoxicated s.940.09(1), 940.09(1)(am) & (cm)		
	86	GBH Great Bodily Harm s.940.25		
	135	CBH Comm. OWI Causing Great Bodily Harm s.940.25, 940.25(1)(am) & (cm)		
	132	CAD Comm. Alcohol Causing Death s.940.09(1)(bm)		
	133	CAH Comm. Alcohol Causing Great Bodily Harm s.940.25(1)(bm)		
	170	HII Haz. Comm. OWI Causing Injury s.346.63(2)(a)1, 2 & 3		1st Viol-Disqualified 3 yrs 2nd & Subq Viol - Disqualified for LIFE
	161	HAI Haz. Comm. Alcohol Causing Injury – .04 or greater s.346.63(6)		
	168	HHI Haz. Comm. Negligent Homicide Intoxicated s.940.09(1), 940.09(1)(am) & (cm)		
	162	HBH Haz. Comm. OWI Causing Great Bodily Harm s.940.25, 940.25(1)(am) & (cm)		
	159	HAD Haz. Comm. Alcohol Causing Death s.940.09(1)(bm)		
	160	HAH Haz. Comm. Alcohol Causing Great Bodily Harm s.940.25(1)(bm)		

Statute #	Charge Code #	Charge/Reason	Action
s.343.315(2)(a)7	52 44 183	OWS Driving a CMV When CDL is Suspended OAR Driving a CMV When CDL is Revoked OWD Driving a CMV When CDL is Disqualified	1st Viol-Disqualified 1 year 2nd & Subq Viol-Disqualified for LIFE
s.343.315(2)(a)8	45	NH Causing a Fatality/Negligent Operation of CMV NH Haz. Causing a Fatality/Negligent Operation of CMV	1st Viol-Disqualified 1 year 2nd & Subq Viol-Disqualified for LIFE 1st Viol-Disqualified 3 yrs 2nd & Subq Viol-Disqualified for LIFE
s.343.315(2)(e)	137 164	CCF Comm. Controlled Substance Felony HCF Haz. Comm. Controlled Substance Felony	Disqualified for LIFE with any violation on or after 07-01-87.

Statute #	Charge Code #	Charge/Reason	Action
s.343.315(2)(f) s.343.315(2)(f)7 s.343.315(2)(f)6 s.343.315(2)(f)8	04 13 27 63 65 68 88 136 139 140 150 151 152 153 79 155	<p>Serious Traffic Violations – CMV and non-CMV (Separate occurrences within a 3 yr period. The 120 day disqualification shall be in addition to any other disqualification imposed.)</p> <p>ACF Any conviction related to a motor vehicle traffic violation with a fatal accident.</p> <p>DLT Deviating From Lane of Traffic</p> <p>FTC Following Too Closely</p> <p>RD Reckless Driving</p> <p>SE Speeding Excess (20 mph or more over limit)</p> <p>SI Speeding Intermediate (15-19 mph over the limit)</p> <p>PI Passing Illegally</p> <p>CCD Comm. Careless Driving (out-of-state convictions only)</p> <p>CDL Comm. Deviating From Lane of Traffic</p> <p>CFC Comm. Following Too Closely</p> <p>CPI Comm. Passing Illegally</p> <p>CRD Comm. Reckless Driving</p> <p>CSE Comm. Speeding Excess (20 mph or more over the limit)</p> <p>CSI Comm. Speeding Intermediate (15-19 mph over the limit)</p> <p>LNP Driving a CMV Without a CDL in Possession 343.18</p> <p>CUL Driving a CMV Without Obtaining a CDL/Driving a CMV Without Proper Class/Endorsement 343.05(2)(a)1,2,4</p>	<p>Two Viols within 3 years-Disqualified 60 days Three Viols within 3 years-Disqualified 120 days</p> <p>For non-CMV convictions: CDL disqualified if the conviction results in rev/sus or cancel of CDL holder’s license or non-CMV driving privileges.</p>
s.343.315(2)(fm)	94	<p>FA CDL Falsified Application s.343.14(5) & s.345.17</p>	<p>Disqualified 60 days</p> <p>Effective with violations on or after 12/21/95.</p>
s.343.315(2)(h)	331	<p>OSO Comm. Operating While Out of Service s.343.44(1)(c) A disqualification under this paragraph shall be in addition to any penalty under s.343.44. Do not take action on a conviction in another jurisdiction or consider as a prior violation for violations occurring prior to 1/1/10.</p>	<p>1st Viol-Disqualified 90 days. Violation on/after 12/15/2013 – Disqualified 180 days. 2nd Viol-Disqualified 2 years 3rd & subq Viol-Disqualified 3 yrs Previous violations are violations arising from separate occurrences within a 10 yr period while operating a commercial motor vehicle.</p>

