NOTICE OF PROPOSED GUIDANCE DOCUMENT

Lifetime Revocation

Pursuant to Wis. Stat. s. 227.112, the Wisconsin Department of Transportation is hereby seeking comment on Lifetime Revocation s.343, 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://appengine.egov.com/apps/wi/dot/guidance-docs?guidDocId=DMV7

2. Mailing written comments to:

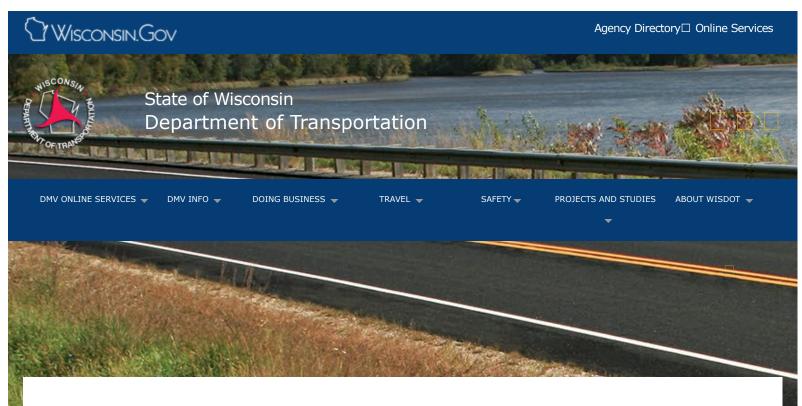
Division of Motor Vehicles Wisconsin Department of Transportation 4822 Madison Yards Way PO Box 7336 Madison, WI 53707-7336

WEBSITE LOCATION OF FINAL GUIDANCE DOCUMENT

The final version of this guidance document will be posted at <u>wisconsindot.gov</u> to allow for ongoing comment.

AGENCY CONTACT

DOTDMVGuidanceDocs@DOT.WI.GOV



Lifetime revocation

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Lifetime Revocation (2017 Wisconsin Act 172) is effective December 1, 2018.

Any alcohol related violations received on or after December 1, 2018, if convicted could result in a Lifetime revocation.

2017 Wisconsin Act 172 requires the Wisconsin Department of Transportation (WisDOT) to revoke the operating privilege of a person permanently.

• When the person is convicted, revoked, or suspended for four or more operating while

intoxicated (OWI) offenses and the fourth OWI offense occurs within 15 years of the previous offense.

- When a person has two alcohol related conviction, suspension or revocation within a 25-year period and has two or more **qualifying convictions***.
- A person who is permanently revoked under any of these provisions is not eligible for an occupational license.

*Qualifying conviction is defined to mean either of the following:

- A conviction for second-degree reckless homicide, homicide by intoxicated use of a motor vehicle, or homicide by negligent operation of a motor vehicle.
- A conviction for a crime punishable as a felony under the Motor Vehicle Statute or a felony in the commission of which a motor vehicle is used.

A person may apply for reinstatement after 10 years of the revocation period have elapsed if the person meets the general requirements for license reinstatement and satisfies both of the following:

- The person has not been convicted of certain felonies or misdemeanors related to motor vehicle operation during the 10-year period immediately preceding the application for reinstatement.
- The person submits to, and complies with, an alcohol or drug assessment by an approved public treatment facility, not more than 45 days before applying for reinstatement.

Act 172 creates a permanent or Lifetime revocation and has created the following statutes:

- §.343.31(1m)(b) If the number of convictions as counted under §.940.09(1) or §.940.25 plus convictions as counted under §.343.307(1) equals 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.
- §.343.31(1m)(c) If the number of convictions as counted under §.940.09(1) or §.940.25 plus convictions as counted under §.343.307(1) equal 2 or more within 25 years 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:

- §.343.31(1m)(a)1 A conviction for a violation under §.940.06, §.940.09 or §.940.10 involving the use of a vehicle.
- §.343.31(1m)(a)2 A conviction for a crime punishable as a felony under chapters 341 to 348 or a felony in the commission of which a vehicle is used.

More information regarding 2017 Wisconsin Act 172.

Driver Information Section

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Email Wisconsin DMV email service **Phone** (608) 264-7447 **Fax** (608) 267-3812

Contact Information

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