

NOTICE OF PROPOSED GUIDANCE DOCUMENT

DealerAgentSectionLicenses

Pursuant to Wis. Stat. s. 227.112, the Wisconsin Department of Transportation is hereby seeking comment on DealerAgentSectionLicenses, 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=DMV1009&uri=file:DealerAgentSectionLicenses&division=DMV&tags=DAS>

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

Applicants applying for a salesperson license, a buyer's license or BID card license should be aware that as part of the application review process, the Department will conduct a background check to determine if the applicant has been charged with a crime that relates to the activities associated with the type of license applied for. Pending charges or a conviction for the following types of crimes may be a reason to deny an applicant's license. This list should not be considered comprehensive or definitive, but should serve as a general overview of the types of crimes considered:

- Crimes related to the sale of a motor vehicle
- Theft of property including auto theft
- Fraud
- Financial crimes
- Fraud schemes
- Identity theft

If the Department determines that a pending charge or a previous conviction would be grounds to deny an application, you will be provided with an opportunity to supply additional documentation to prove sufficient rehabilitation and fitness as required by Wis. Stat. §111.335(4)(d). Additional documentation could be any of the following:

1. A certified copy of your DD-214 showing an honorable discharge, or separation under honorable conditions, from the U.S. armed forces for military service rendered following conviction for any offense that would otherwise disqualify you.
2. A copy of the local, state, or federal release document; and either a copy of the relevant department of corrections document showing completion of probation, extended supervision, or parole; or other evidence that at least one year has elapsed since release from any local, state, or federal correctional institution without subsequent conviction of a crime along with evidence showing compliance with all terms and conditions of probation, extended supervision, or parole.

In addition to documentation required in number one and two above, the Department shall consider any of the following evidence presented by the individual as required by Wis. Stat. §111.335(4)(d)2:

- Evidence of the nature and seriousness of any offense of which he or she was convicted.
- Evidence of all circumstances relative to the offense, including mitigating circumstances or social conditions surrounding the commission of the offense.
- The age of the individual at the time the offense was committed.
- The length of time that has elapsed since the offense was committed.
- Letters of reference by persons who have been in contact with the individual since the applicant's release from any local, state, or federal correctional institution.
- All other relevant evidence of rehabilitation and present fitness presented.