



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2017 Wisconsin Act 172
[2017 Senate Bill 135]

**Permanent Driver License
Revocation**

2017 Wisconsin Act 172 requires the Department of Transportation (DOT) to revoke the operating privilege of a person permanently under certain circumstances. Under the Act, DOT must revoke a person's operating privilege if 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. DOT must also permanently revoke a person's license if the total number of convictions for homicide by intoxicated use of a vehicle and injury by intoxicated use of a vehicle in the person's lifetime plus the person's total number of OWI convictions, revocations, or suspensions within a 25-year period equals two or more and the person has two or more qualifying convictions. "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 Code or a felony in the commission of which a motor vehicle is used.

A person who is permanently revoked under any of these provisions is not eligible for an occupational license. The Act provides that 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 assessment by an approved public treatment facility, not more than 45 days before applying for reinstatement, for

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

examination of the person's use of alcohol, controlled substances, or controlled substance analogs and development of a driver safety plan for the person.

The Act appropriates \$198,510 to DOT to increase funding for purposes related to operating privilege revocations under the Act.

Effective date: The Act initially applies to violations that occur on the Act's effective date, but does not preclude the counting of other convictions, suspensions, or revocations as prior convictions, suspensions, or revocations for purposes of administrative action by DOT. The effective date of the Act is generally December 1, 2018, except that the effective date of the appropriation to DOT is March 30, 2018.

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