
Wisconsin Legislative Council

ACT MEMO



Prepared by: David Moore, Senior Staff Attorney

April 10, 2020

2019 Wisconsin Act 107
[2019 Assembly Bill 222]

**Revocation of Operating
Privileges for Certain OWI
Offenses**

BACKGROUND

2017 Wisconsin Act 172 required the Department of Transportation (DOT) to permanently revoke the operating privilege of a person if the person is convicted, revoked, or suspended for various offenses related to operating under the influence of an intoxicant or other drug (OWI). Among those circumstances, 2017 Act 172 required DOT to revoke a person's operating privilege if the person is convicted, revoked, or suspended for four or more OWI offenses and the fourth OWI offense occurs within 15 years of the previous offense. The act also provided that it first applies to violations that occur on the act's effective date, which was December 1, 2018, but does not preclude the counting of other convictions, suspensions, or revocations for purposes of administrative action by DOT.

2019 WISCONSIN ACT 107

2019 Wisconsin Act 107 makes two changes to the requirements created by 2017 Act 172. First, it modifies the provision that requires DOT to revoke a person's operator's license if the fourth offense occurs within 15 years of the previous offense to instead provide that DOT must revoke a person's license upon the person's conviction for a fourth or subsequent OWI offense, except that revocation is not required if more than 15 years have elapsed between the person's last preceding conviction, suspension, or revocation and the person's most recent offense. Second, it clarifies that DOT's obligation to revoke a person's license under the provisions created by 2017 Wisconsin Act 172 is triggered when DOT receives a record of conviction, revocation, or suspension that, together with the other records of the department, show that the permanent revocation provisions apply to the individual.

Effective date: March 1, 2020

DM:mca;ty