

1983 Assembly Bill 994

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1983 Wisconsin Act 526

AN ACT to amend 343.10 (1) and 343.126 (title) and (1) (intro.) of the statutes, relating to issuance of a limited chauffeur's license after suspension.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 343.10 (1) of the statutes is amended to read:

343.10 (1) If a person has had his or her chauffeur's license revoked or suspended he or she may file a petition with the department for a limited chauffeur's license under s. 343.126. If a person has had his or her license revoked or suspended under this chapter and if the person is engaged in an occupation or trade making it essential that he or she operate a motor vehicle, the person may after complying with sub. (2) file with a judge of a court of record in the county of his or her residence or of a municipal court in the county of his or her residence a petition setting forth in detail the need for operating a motor vehicle. Thereupon, if the petitioner has not had his or her license revoked or suspended under this chapter within the one-year period immediately preceding the present revocation or suspension, the judge may order the department to issue an occupational license to the person. The order for issuance of an occupational license shall contain definite restrictions as to hours of the day, not to exceed 12, hours per week, not to exceed 60, type of occupation and areas or routes of travel to be permitted under the license. If the petitioner holds a valid chauffeur's license at the time of filing petition the order for issuance shall further restrict operation under the occupational license to travel only between the licensee's place of residence and his or her place of employment, in addition to operation permitted under the chauffeur's license. The order may permit travel to and from church but the order shall specify the hours during which the travel is to be permitted. The order may permit travel necessary to comply with a driver safety plan ordered under s. 343.30 (1q) or 343.305. The number and seriousness of prior traffic convictions shall be considered in determining whether or when an occupational license shall be issued. A copy of the petition and the order for the occupational license shall be forwarded to the department. If a certificate of insurance issued by the insurer or an agent of the insurer is submitted to the court and at least 15 days have elapsed since the date of suspension or revocation or, in the case of an appeal which is subsequently dismissed or affirmed, until at least 15 days have elapsed since the date of revocation or suspension following the dismissal or affirmance of the appeal, the court may issue a 30-

day temporary occupational license. The license shall be on forms provided to the court by the department. Occupational licenses are subject to the limitations specified in ss. 343.30 (1q) (b), 343.305 (9) (b) and 343.31 (3m).

SECTION 2. 343.126 (title) and (1) (intro.) of the statutes are amended to read:

343.126 (title) Limited chauffeur's license after revocation or suspension. (1) (intro.) When at least 15 days of a period for which a person's chauffeur's license has been revoked or suspended have elapsed or, in the case of an appeal which is subsequently dropped or affirmed, if at least 15 days have elapsed since the date of revocation or suspension following the dropping or affirmance of the appeal, the secretary may, upon application therefor accompanied by a filing fee of \$5, issue a limited chauffeur's license to the person if:
