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1 within 3 years. A violation of a local ordinance in conformity with this section ~~or a~~
2 violation of, a law of a federally recognized American Indian tribe or band in this
3 state in conformity with this section, or the law of another jurisdiction for an offense
4 therein which, if committed in this state, would have been a violation under this
5 section, shall count as a previous offense.

6 **SECTION 3229.** 343.06 (1) (bm) of the statutes is created to read:

7 343.06 (1) (bm) To any person whose operating privilege is currently
8 suspended, revoked, or canceled by another jurisdiction for an offense or combination
9 of offenses identified in the rules under s. 343.02 (3) (b), except if the operating
10 privilege was suspended, revoked, or canceled by another jurisdiction for failure to
11 comply with a judgment in that other jurisdiction and at least 5 years have elapsed
12 since the operating privilege was suspended, revoked, or canceled for failure to
13 comply.

14 **SECTION 3230.** 343.06 (1) (j) of the statutes is repealed.

15 **SECTION 3231.** 343.06 (1) (L) of the statutes, as created by 2005 Wisconsin Act
16 126, is amended to read:

17 343.06 (1) (L) To any person who does not provide the ~~documentary proof~~
18 ~~described in s. 343.14 (2) (er)~~ satisfy the requirements under s. 343.165.

19 **SECTION 3232.** 343.06 (2) of the statutes is amended to read:

20 343.06 (2) The department shall not issue a commercial driver license,
21 including a renewal or reinstated license, to any person during any period of
22 disqualification under s. 343.315 or 49 CFR 383.51 or the law of another jurisdiction
23 in substantial conformity therewith, as the result of one or more disqualifying
24 offenses committed on or after July 1, 1987, or to any person whose operating
25 privilege is revoked, suspended, or canceled. Any With respect to any person who is

1 known to the department to be subject to disqualification as described in s. 343.44
2 (1) (d), the department shall be disqualified by the department as provided order the
3 person disqualified or provide notice as specified in s. 343.315.

4 **SECTION 3233.** 343.085 (4) of the statutes is amended to read:

5 343.085 (4) The secretary may require that a person be continued on
6 probationary status beyond the period of first issuance if such person appears by the
7 records of the department to have repeatedly violated any of the state traffic laws or
8 any local ordinance in conformity therewith or any law of a federally recognized
9 American Indian tribe or band in this state in conformity with any of the state traffic
10 laws or any law of another jurisdiction for an offense therein which, if committed in
11 this state, would have been a violation of this state's traffic laws. A person may not
12 be continued on probationary status due to a suspension under s. 343.30 (6).

13 **SECTION 3234.** 343.10 (2) (a) (intro.) of the statutes is amended to read:

14 343.10 (2) (a) (intro.) Except as provided in pars. (b) to (e), and subject to s.
15 343.165 (5), a person is eligible for an occupational license if the following conditions
16 are satisfied:

17 **SECTION 3235.** 343.10 (2) (a) 3. of the statutes is repealed.

18 **SECTION 3236.** 343.10 (6) of the statutes is amended to read:

19 343.10 (6) FEE. No person may file an application for an occupational license
20 under sub. (1) unless he or she first pays ~~a fee of \$40~~ to the department the fees
21 specified in s. 343.21 (1) (k) and (n).

22 **SECTION 3237.** 343.10 (7) (b) of the statutes is amended to read:

23 343.10 (7) (b) The Subject to s. 343.165 (5), the department shall issue an
24 occupational license as soon as practicable upon receipt of an application to the

1 department under sub. (1) or an order from a court under sub. (4) or s. 351.07 for such
2 a license, if the department determines that the applicant is eligible under sub. (2).

3 **SECTION 3238.** 343.10 (7) (d) of the statutes is amended to read:

4 343.10 (7) (d) An occupational license issued by the department under this
5 subsection shall be in the form of a photo license that includes a photograph
6 described in s. 343.14 (3) and any special restrictions cards under s. 343.17 (4). The
7 license shall clearly indicate that restrictions on a special restrictions card apply and
8 that the special restrictions card is part of the person's license.

9 **SECTION 3239.** 343.10 (7) (f) of the statutes is amended to read:

10 343.10 (7) (f) The expiration date of the occupational license is the 2nd working
11 day after the date of termination of the period of revocation or suspension as provided
12 by law, or the expiration date determined under s. 343.20 (1m), whichever is earlier.
13 The occupational license may be revoked, suspended or canceled before termination
14 of that period. An occupational license is not renewable when it expires. If an
15 occupational license expires and is not revoked, suspended or canceled, the licensee
16 may obtain a new license upon that expiration but only if he or she complies with the
17 conditions specified in s. 343.38. Revocation, suspension or cancellation of an
18 occupational license has the same effect as revocation, suspension or cancellation of
19 any other license.

20 **SECTION 3240.** 343.135 (1) (a) 3. of the statutes is amended to read:

21 343.135 (1) (a) 3. Pays the all required fee fees.

22 **SECTION 3241.** 343.135 (7) of the statutes is amended to read:

23 343.135 (7) EXPIRATION; RENEWAL. A special restricted operator's license issued
24 under this section shall expire 2 years after the date of issuance. Within 90 days prior
25 to the expiration of a license, the holder of the restricted license may renew the

1 license by paying the all required fee fees and passing the examination under sub.
2 (1) (a) 4.

3 **SECTION 3242.** 343.14 (1) of the statutes, as affected by 2005 Wisconsin Acts
4 25 and 59, is repealed and recreated to read:

5 343.14 (1) Every application to the department for a license or identification
6 card or for renewal thereof shall be made upon the appropriate form furnished by the
7 department and shall be accompanied by all required fees. Names, addresses,
8 license numbers, and social security numbers obtained by the department under this
9 subsection shall be provided to the department of revenue for the purpose of
10 administering ss. 71.93 and 71.935 and state taxes.

11 **SECTION 3243.** 343.14 (2) (a) and (br) of the statutes are amended to read:

12 343.14 (2) (a) The full legal name and principal residence address of the
13 applicant;

14 (br) If the applicant does not have a social security number, a statement made
15 or subscribed under oath or affirmation that the applicant does not have a social
16 security number and is not eligible for a social security number. The statement shall
17 provide the basis or reason that the applicant is not eligible for a social security
18 number, as well as any information requested by the department that may be needed
19 by the department for purposes of verification under s. 343.165 (1) (c). The form of
20 the statement shall be prescribed by the department, with the assistance of the
21 department of workforce development. A license that is issued or renewed under s.
22 343.17 in reliance on a statement submitted under this paragraph is invalid if the
23 statement is false.

24 **SECTION 3244.** 343.14 (2) (br) of the statutes, as affected by 2007 Wisconsin Act
25 (this act), is amended to read:

1 343.14 (2) (br) If the applicant does not have a social security number, a
2 statement made or subscribed under oath or affirmation that the applicant does not
3 have a social security number and is not eligible for a social security number. The
4 statement shall provide the basis or reason that the applicant is not eligible for a
5 social security number, as well as any information requested by the department that
6 may be needed by the department for purposes of verification under s. 343.165 (1)
7 (c). The form of the statement shall be prescribed by the department, with the
8 assistance of the department of ~~workforce development~~ children and families. A
9 license that is issued or renewed under s. 343.17 in reliance on a statement
10 submitted under this paragraph is invalid if the statement is false.

11 **SECTION 3245.** 343.14 (2) (er) 1. and 2. of the statutes, as created by 2005
12 Wisconsin Act 126, are consolidated, renumbered 343.14 (2) (es) (intro.) and
13 amended to read:

14 343.14 (2) (es) (intro.) ~~Documentary~~ Subject to sub. (2g) (a) 2. d. and s. 343.125
15 (2) (a) and (b), valid documentary proof that the individual is a citizen or national of
16 the United States or documentary proof that the individual is legally present an alien
17 lawfully admitted for permanent or temporary residence in the United States. ~~2. If~~
18 ~~the individual is not a citizen of the United States, he or she shall provide~~
19 ~~documentary proof of his or her status as a legal permanent resident or conditional~~
20 ~~resident, a~~ or has any of the following:

21 2. A valid, unexpired nonimmigrant visa or nonimmigrant visa status for entry
22 into the United States, a pending or

23 3. An approved application for asylum in the United States, valid entry or has
24 entered into the United States in refugee status, ~~a,~~

1 5. A pending or approved application for temporary protected status in the
2 United States, approved.

3 6. Approved deferred action status, or a.

4 7. A pending application for adjustment of status to legal that of an alien
5 lawfully admitted for permanent resident status residence in the United States or
6 conditional permanent resident status in the United States.

7 **SECTION 3246.** 343.14 (2) (es) 1. and 4. of the statutes are created to read:

8 343.14 (2) (es) 1. Conditional permanent resident status in the United States.

9 4. A pending application for asylum in the United States.

10 **SECTION 3247.** 343.14 (2) (f) of the statutes is amended to read:

11 343.14 (2) (f) Such Subject to s. 343.165 (1), such further information as the
12 department considers appropriate to identify the applicant, including biometric
13 data, and such information as the department may reasonably require to enable it
14 to determine whether the applicant is by law entitled to the license applied for;

15 **SECTION 3248.** 343.14 (2j) of the statutes, as affected by 2007 Wisconsin Act
16 (this act), section 3249, is amended to read:

17 343.14 (2j) Except as provided in sub. (2g) (b) and as otherwise required to
18 administer and enforce this chapter, the department of transportation may not
19 disclose a social security number obtained from an applicant for a license under sub.
20 (2) (bm) to any person except to the department of children and families for the sole
21 purpose of administering s. 49.22 or, to the department of revenue for the purposes
22 of administering state taxes and collecting debt, or to the driver licensing agency of
23 another jurisdiction.

1 **SECTION 3249.** 343.14 (2j) of the statutes, as affected by 2005 Wisconsin Acts
2 25 and 59 and 2007 Wisconsin Act ... (this act), section 3251, is repealed and
3 recreated to read:

4 **372343.14 (2j)** Except as otherwise required to administer and enforce this
5 chapter, the department of transportation may not disclose a social security number
6 obtained from an applicant for a license under sub. (2) (bm) to any person except to
7 the department of children and families for the sole purpose of administering s. 49.22
8 or to the department of revenue for the purposes of administering state taxes and
9 collecting debt.

10 **SECTION 3250.** 343.14 (2j) (a) of the statutes is repealed.

11 **SECTION 3251.** 343.14 (2j) (b) of the statutes is renumbered 343.14 (2j).

12 **SECTION 3252.** 343.14 (2r) of the statutes is created to read:

13 **343.14 (2r)** Notwithstanding sub. (2j), the department may, upon request,
14 provide to the department of health and family services any applicant information
15 maintained by the department of transportation and identified in sub. (2), including
16 providing electronic access to the information, for the sole purpose of verification by
17 the department of health and family services of birth certificate information.

18 **SECTION 3253.** 343.14 (3) of the statutes is amended to read:

19 343.14 (3) The department shall, as part of the application process, take a
20 digital photograph including facial image capture of the applicant to comply with s.
21 343.17 (3) (a) 2. ~~Except where specifically exempted by statute or by rule of the~~
22 ~~department, no~~ No application may be processed without the photograph being
23 taken. ~~In~~ Except as provided in s. 343.165 (4) (d), in the case of renewal licenses, the
24 photograph shall be taken once every 8 years, and shall coincide with the appearance
25 for examination which is required under s. 343.16 (3). ~~The department may make~~

1 ~~provision for issuance of a license without a photograph if the applicant is stationed~~
2 ~~outside the state in military service and in specific situations where the department~~
3 ~~deems such action appropriate.~~

4 **SECTION 3254.** 343.14 (4m) of the statutes is amended to read:

5 343.14 (4m) The Subject to s. 343.17 (2), the department shall develop designs
6 for licenses and identification cards which are resistant to tampering and forgery no
7 later than January 1, 1989. Licenses and licenses and identification cards issued on
8 or after January 1, 1989, shall incorporate the designs required under this
9 subsection.

10 **SECTION 3255.** 343.16 (3) (a) of the statutes is amended to read:

11 343.16 (3) (a) The Except as provided in s. 343.165 (4) (d), the department shall
12 examine every applicant for the renewal of an operator's license once every 8 years.
13 The department may institute a method of selecting the date of renewal so that such
14 examination shall be required for each applicant for renewal of a license to gain a
15 uniform rate of examinations. The examination shall consist of a test of eyesight.
16 The department shall make provisions for giving such examinations at examining
17 stations ~~in each county~~ to all applicants for an operator's license. ~~The person to be~~
18 ~~examined shall appear at the examining station nearest the person's place of~~
19 ~~residence or at such time and place as the department designates in answer to an~~
20 ~~applicant's request.~~ In lieu of examination, the applicant may present or mail to the
21 department a report of examination of the applicant's eyesight by an
22 ophthalmologist, optometrist or physician licensed to practice medicine. The report
23 shall be based on an examination made not more than 3 months prior to the date it
24 is submitted. The report shall be on a form furnished and in the form required by

1 the department. The department shall decide whether, in each case, the eyesight
2 reported is sufficient to meet the current eyesight standards.

3 **SECTION 3256.** 343.16 (5) (a) of the statutes is amended to read:

4 343.16 (5) (a) The secretary may require any applicant for a license or any
5 licensed operator to submit to a special examination by such persons or agencies as
6 the secretary may direct to determine incompetency, physical or mental disability,
7 disease, or any other condition that might prevent such applicant or licensed person
8 from exercising reasonable and ordinary control over a motor vehicle. If the
9 department requires the applicant to submit to an examination, the applicant shall
10 pay for the examination. If the department receives an application for a renewal or
11 duplicate license after voluntary surrender under s. 343.265 or receives a report from
12 a physician, advanced practice nurse prescriber certified under s. 441.16 (2), or
13 optometrist under s. 146.82 (3), or if the department has a report of 2 or more arrests
14 within a one-year period for any combination of violations of s. 346.63 (1) or (5) or
15 a local ordinance in conformity with s. 346.63 (1) or (5) or a law of a federally
16 recognized American Indian tribe or band in this state in conformity with s. 346.63
17 (1) or (5), or s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or (6) or 940.25, or s. 940.09
18 where the offense involved the use of a vehicle, or the law of another jurisdiction for
19 an offense therein which, if committed in this state, would have been a violation of
20 any of these provisions, the department shall determine, by interview or otherwise,
21 whether the operator should submit to an examination under this section. The
22 examination may consist of an assessment. If the examination indicates that
23 education or treatment for a disability, disease or condition concerning the use of
24 alcohol, a controlled substance or a controlled substance analog is appropriate, the
25 department may order a driver safety plan in accordance with s. 343.30 (1q). If there

1 is noncompliance with assessment or the driver safety plan, the department shall
2 revoke the person's operating privilege in the manner specified in s. 343.30 (1q) (d).

3 **SECTION 3257.** 343.165 of the statutes is created to read:

4 **343.165 Processing license and identification card applications. (1)**

5 The department may not complete the processing of an application for initial
6 issuance or renewal of an operator's license or identification card received by the
7 department after May 10, 2008, and no such license or identification card may be
8 issued or renewed, unless the applicant presents or provides, and the department
9 verifies under sub. (3), all of the following information:

10 (a) An identification document that includes either the applicant's photograph
11 or both the applicant's full legal name and date of birth.

12 (b) Documentation showing the applicant's date of birth, which may be the
13 identification document under par. (a).

14 (c) Proof of the applicant's social security number or, except as provided in s.
15 343.14 (2g) (a) 4., verification that the applicant is not eligible for a social security
16 number.

17 (d) Documentation showing the applicant's name and address of principal
18 residence.

19 (e) Subject to ss. 343.125 (2) (a) and (b) and 343.14 (2g) (a) 2. d., the
20 documentary proof described in s. 343.14 (2) (es).

21 **(2)** (a) The department shall, in processing any application for an operator's
22 license or identification card under sub. (1), capture a digital image of each document
23 presented or provided to the department by an applicant. Images captured under
24 this paragraph shall be maintained, in electronic storage and in a transferable

1 format, in the applicant's file or record as provided under ss. 343.23 (2) (a) and 343.50
2 (8) (a).

3 (b) The department shall record in the applicant's file under s. 343.23 (2) (a) or
4 record under s. 343.50 (8) (a) the date on which verification under subs. (1) and (3)
5 is completed.

6 (3) (a) Except as provided in pars. (b) and (c), the department shall verify, in
7 the manner and to the extent required under federal law, each document presented
8 or provided to the department that is required to be presented or provided to the
9 department by an applicant under sub. (1).

10 (b) The department may not accept any foreign document, other than an official
11 passport, to satisfy a requirement under sub. (1).

12 (c) For purposes of par. (a) and sub. (1) (c), if an applicant presents a social
13 security number that is already registered to or associated with another person, the
14 department shall direct the applicant to investigate and take appropriate action to
15 resolve the discrepancy and shall not issue any operator's license or identification
16 card until the discrepancy is resolved. The department shall adopt procedures for
17 purposes of verifying that an applicant is not eligible for a social security number.

18 (4) (a) Subsection (1) does not apply to an application for renewal of an
19 operator's license or identification card received by the department after May 10,
20 2008, if in connection with a prior application after May 10, 2008, the applicant
21 previously presented or provided, and the department verified, the information
22 specified in sub. (1) and the department recorded the date on which the verification
23 procedures were completed as described in sub. (2) (b).

24 (b) The department shall establish an effective procedure to confirm or verify
25 an applicant's information for purposes of any application described in par. (a). The

1 procedure shall include verification of the applicant's social security number or
2 ineligibility for a social security number.

3 (c) Notwithstanding pars. (a) and (b), no operator's license displaying the
4 legend required under s. 343.03 (3m) or identification card displaying the legend
5 required under s. 343.50 (3) may be renewed unless the applicant presents or
6 provides valid documentary proof under sub. (1) (e) and this proof shows that the
7 status by which the applicant qualified for the license or identification card has been
8 extended by the secretary of the federal department of homeland security.

9 (d) With any license or identification card renewal following a license or
10 identification card expiration established under s. 343.20 (1m) or 343.50 (5) (c) at
11 other than an 8-year interval, the department may determine whether the
12 applicant's photograph is to be taken, or if the renewal is for a license the applicant
13 is to be examined, or both, at the time of such renewal, so long as the applicant's
14 photograph is taken, and if the renewal is for a license the applicant is examined,
15 with a license or card renewal at least once every 8 years and the applicant's license
16 or identification card at all times includes a photograph.

17 (5) The department may, by rule, require that applications for reinstatement
18 of operator's licenses or identification cards, issuance of occupational licenses,
19 reissuance of operator's licenses, or issuance of duplicate licenses, received by the
20 department after May 10, 2008, be processed in a manner consistent with the
21 requirements established under this section for applications for initial issuance or
22 renewal of operator's licenses and identification cards.

23 (6) During the period in which the department processes an application under
24 this section, the department may issue a receipt under s. 343.11 (3) or 343.50 (1) (c).

25 **SECTION 3258.** 343.17 (1) of the statutes is amended to read:

1 343.17 (1) LICENSE ISSUANCE. ~~The~~ Subject to s. 343.165, the department shall
2 issue an operator's license and endorsements, as applied for, to every qualifying
3 applicant who has paid the required fees.

4 **SECTION 3259.** 343.17 (2) of the statutes is amended to read:

5 343.17 (2) LICENSE DOCUMENT. The license shall be a single document, in
6 ~~one-part~~ one part, consisting of 2 sides, except as otherwise provided in sub. (4) and
7 s. 343.10 (7) (d). The document shall be, to the maximum extent practicable, tamper
8 proof and shall contain physical security features consistent with any requirement
9 under federal law.

10 **SECTION 3260.** 343.17 (3) (a) 1. and 5. of the statutes are amended to read:

11 343.17 (3) (a) 1. The full legal name, date of birth, and principal residence
12 address of the person.

13 5. ~~A facsimile of the~~ The person's signature, or a space upon which the licensee
14 ~~shall immediately write his or her usual signature with a pen and ink on receipt of~~
15 ~~the license, without which the license is not valid.~~

16 **SECTION 3261.** 343.17 (3) (a) 14. of the statutes, as created by 2005 Wisconsin
17 Act 126, is repealed.

18 **SECTION 3262.** 343.17 (5) of the statutes is amended to read:

19 343.17 (5) NO PHOTOS ON CERTAIN TEMPORARY LICENSES. The temporary licenses
20 issued under ss. 343.10, 343.11 (1) and (3), 343.16 (6) (b) and 343.305 (8) (a) shall be
21 on forms provided by the department and shall contain the information required by
22 sub. (3), except the license is not required to include a photograph of the licensee.
23 This subsection does not apply to a noncitizen temporary license, as described in s.
24 343.03 (3m).

25 **SECTION 3263.** 343.19 (1) of the statutes is amended to read:

1 343.19 (1) If a license issued under this chapter or an identification card issued
2 under s. 343.50 is lost or destroyed or the name or address named in the license or
3 identification card is changed or the condition specified in s. 343.17 (3) (a) 12. or 13.
4 no longer applies, the person to whom the license or identification card was issued
5 may obtain a duplicate thereof or substitute therefor upon furnishing proof
6 satisfactory to the department of full legal name and date of birth and that the license
7 or identification card has been lost or destroyed or that application for a duplicate
8 license or identification card is being made for a change of address or name or
9 because the condition specified in s. 343.17 (3) (a) 12. or 13. no longer applies. If the
10 applicant is a male who is at least 18 years of age but less than 26 years of age, the
11 application shall include the information required under s. 343.14 (2) (em). If the
12 original license or identification card is found it shall immediately be transmitted to
13 the department. ~~Duplicates of nonphoto licenses shall be issued as nonphoto~~
14 ~~licenses.~~

15 **SECTION 3264.** 343.20 (1) (a) of the statutes is amended to read:

16 343.20 (1) (a) Except as otherwise expressly provided in this chapter,
17 reinstated licenses, probationary licenses issued under s. 343.085 and original
18 licenses other than instruction permits shall expire 2 years from the date of the
19 applicant's next birthday. Subject to s. 343.125 (3), all other licenses and license
20 endorsements shall expire 8 years after the date of issuance. The department may
21 institute any system of initial license issuance which it deems advisable for the
22 purpose of gaining a uniform rate of renewals. In order to put such a system into
23 operation, the department may issue licenses which are valid for any period less than
24 the ordinary effective period of such license. If the department issues a license that

1 is valid for less than the ordinary effective period as authorized by this paragraph,
2 the fees due under s. 343.21 (1) (a), (b) and (d) shall be prorated accordingly.

3 **SECTION 3265.** 343.20 (1) (e) 1. of the statutes is amended to read:

4 343.20 (1) (e) 1. The person is moving to this state, surrenders his or her valid
5 commercial driver license issued by another state jurisdiction, and makes
6 application for a commercial driver license in this state.

7 **SECTION 3266.** 343.20 (1) (f) of the statutes, as created by 2005 Wisconsin Act
8 126, is amended to read:

9 343.20 (1) (f) The department shall cancel an operator's license, regardless of
10 the license expiration date, if the department ~~is notified by~~ receives information from
11 a local, state, or federal government agency that the operator ~~is no longer a citizen~~
12 ~~of the United States, a legal permanent resident of the United States, or a conditional~~
13 ~~resident of the United States, or otherwise not legally present in the United States~~
14 licensee no longer satisfies the requirements for issuance of a license under ss. 343.14
15 (2) (es) and 343.165 (1) (e).

16 **SECTION 3267.** 343.20 (1m) of the statutes, as created by 2005 Wisconsin Act
17 126, is amended to read:

18 343.20 (1m) A Notwithstanding sub. (1) (a) and (e), and except as otherwise
19 provided in this subsection, a license that is issued to a person who is not a United
20 States citizen or permanent resident and who provides documentary proof of legal
21 status as provided under s. 343.14 (2) (er) 2. shall expire on the date that the person's
22 legal presence in the United States is no longer authorized or on the expiration date
23 determined under sub. (1), whichever date is earlier. If the documentary proof as
24 provided under s. 343.14 (2) (er) 2. does not state the date that the person's legal
25 presence in the United States is no longer authorized, sub. (1) shall apply.

1 **SECTION 3268.** 343.20 (1m) of the statutes, as affected by 2007 Wisconsin Act
2 (this act), is amended to read:

3 343.20 **(1m)** Notwithstanding sub. (1) (a) and (e), and except as provided in s.
4 343.165 (4) (c) and as otherwise provided in this subsection, a license that is issued
5 to a person who is not a United States citizen or permanent resident and who
6 provides documentary proof of legal status as provided under s. 343.14 (2) ~~(er) 2.~~ (es)
7 2., 4., 5., 6., or 7. shall expire on the date that the person's legal presence in the United
8 States is no longer authorized or on the expiration date determined under sub. (1),
9 whichever date is earlier. If the documentary proof as provided under s. 343.14 (2)
10 ~~(er) 2.~~ (es) does not state the date that the person's legal presence in the United States
11 is no longer authorized, sub. (1) shall apply except that, if the license was issued or
12 renewed based upon the person's presenting of any documentary proof specified in
13 s. 343.14 (2) (es) 4. to 7., the license shall, subject to s. 343.165 (4) (c), expire one year
14 after the date of issuance or renewal.

15 **SECTION 3269.** 343.20 (2) (a) of the statutes is amended to read:

16 343.20 **(2)** (a) The department shall mail to the last-known address of a
17 licensee at least 30 days prior to the expiration of the license a notice of the date upon
18 which the license must be renewed. If the license was issued or last renewed based
19 upon the person's presenting of any documentary proof specified in s. 343.14 (2) (es)
20 4. to 7., the notice shall inform the licensee of the requirement under s. 343.165 (4)
21 (c).

22 **SECTION 3270.** 343.21 (1) (n) of the statutes is created to read:

23 343.21 **(1)** (n) In addition to any other fee under this subsection, for the
24 issuance, renewal, upgrading, or reinstatement of any license, endorsement, or
25 instruction permit, a federal security verification mandate fee of \$10.

1 **SECTION 3271.** 343.22 (1) of the statutes is repealed.

2 **SECTION 3272.** 343.22 (2) (intro.) and (a) of the statutes are amended to read:

3 343.22 (2) (intro.) Whenever any person, after applying for or receiving a
4 license ~~containing a photograph~~ under this chapter, or an identification card under
5 s. 343.50, moves from the address named in the application or in the license or
6 identification card issued to him or her or is notified by the local authorities or by the
7 postal authorities that the address so named has been changed, the person shall,
8 within ~~10~~ 30 days thereafter, do one of the following:

9 (a) Apply for a duplicate license or identification card showing on the
10 application the correct full legal name and address. The licensee or identification
11 card holder shall return the current license or identification card to the department
12 along with the application for duplicate.

13 **SECTION 3273.** 343.22 (2m) of the statutes is amended to read:

14 343.22 (2m) Whenever any person, after applying for or receiving a license
15 containing a photograph under this chapter, or an identification card under s. 343.50,
16 is notified by the local authorities or by the postal authorities that the address named
17 in the application or in the license or identification card issued to him or her has been
18 changed and the person applies for a duplicate license or identification card under
19 sub. (2), no fee fees shall be charged under s. 343.21 (1) (L) and (n) or 343.50 (5m) and
20 (7) for the duplicate license or identification card.

21 **SECTION 3274.** 343.22 (2m) of the statutes, as affected by 2007 Wisconsin Act
22 (this act), is amended to read:

23 343.22 (2m) Whenever any person, after applying for or receiving a license
24 containing a photograph under this chapter, or an identification card under s. 343.50,
25 is notified by the local authorities or by the postal authorities that the address named

1 in the application or in the license or identification card issued to him or her has been
2 changed and the person applies for a duplicate license or identification card under
3 sub. (2), no fees shall be charged under s. 343.21 (1) (L) and (n) or 343.50 (5m) and
4 (7) for the duplicate license or identification card.

5 **SECTION 3275.** 343.22 (3) of the statutes is amended to read:

6 343.22 (3) When the name of a licensee or identification card holder is changed,
7 such person shall, within 10 days thereafter, apply for a duplicate license or
8 identification card showing the correct name and address. The licensee or
9 identification card holder shall return the current license or identification card to the
10 department along with the application for a duplicate. If the licensee holds more
11 than one type of license under this chapter, the licensee shall return all such licenses
12 to the department along with one application and fee fees for a duplicate license for
13 which the licensee may be issued a duplicate of each such license.

14 **SECTION 3276.** 343.22 (3) of the statutes, as affected by 2007 Wisconsin Act
15 (this act), is amended to read:

16 343.22 (3) When the name of a licensee or identification card holder is changed,
17 such person shall, within ~~10~~ 30 days thereafter, apply for a duplicate license or
18 identification card showing the correct full legal name and address. The licensee or
19 identification card holder shall return the current license or identification card to the
20 department along with the application for a duplicate. If the licensee holds more
21 than one type of license under this chapter, the licensee shall return all such licenses
22 to the department along with one application and fees for a duplicate license for
23 which the licensee may be issued a duplicate of each such license.

24 **SECTION 3277.** 343.23 (2) (a) (intro.) of the statutes is amended to read:

1 343.23 (2) (a) (intro.) The department shall maintain a file for each licensee or
2 other person containing the application for license, permit or endorsement, a record
3 of reports or abstract of convictions, any demerit points assessed under authority of
4 s. 343.32 (2), the information in all data fields printed on any license issued to the
5 person, any notice received from the federal transportation security administration
6 concerning the person's eligibility for an "H" endorsement specified in s. 343.17 (3)
7 (d) 1m., the status of the person's authorization to operate different vehicle groups,
8 a record of any out-of-service orders issued under s. 343.305 (7) (b) or (9) (am), a
9 record of the date on which any background investigation specified in s. 343.12 (6)
10 (a) or (d) was completed, a record of the date on which any verification specified in
11 s. 343.165 (1) and (3) was completed, all documents required to be maintained under
12 s. 343.165 (2) (a), and a record of any reportable accident in which the person has
13 been involved, including specification of any type of license and endorsements issued
14 under this chapter under which the person was operating at the time of the accident
15 and an indication whether or not the accident occurred in the course of any of the
16 following:

17 **SECTION 3278.** 343.23 (2) (a) (intro.) of the statutes, as affected by 2007
18 Wisconsin Act (this act), is amended to read:

19 343.23 (2) (a) (intro.) The department shall maintain a file for each licensee or
20 other person identified in par. (am) 1. c. containing the information specified in par.
21 (am) 1. c. and for each person who is a licensee under this chapter or is a resident to
22 whom another jurisdiction has not issued an operator's license containing the
23 application for license, permit or endorsement, a record of reports or abstract of
24 convictions, any notice received from another jurisdiction of the revocation,
25 suspension, or cancellation of the person's operating privilege in that other

1 jurisdiction, any demerit points assessed under authority of s. 343.32 (2), the
2 information in all data fields printed on any license issued to the person, any notice
3 received from the federal transportation security administration concerning the
4 person's eligibility for an "H" endorsement specified in s. 343.17 (3) (d) 1m., the status
5 of the person's authorization to operate different vehicle groups, a record of any
6 out-of-service orders issued under s. 343.305 (7) (b) or (9) (am), a record of the date
7 on which any background investigation specified in s. 343.12 (6) (a) or (d) was
8 completed, a record of the date on which any verification specified in s. 343.165 (1)
9 and (3) was completed, all documents required to be maintained under s. 343.165 (2)
10 (a), and a record of any reportable accident in which the person has been involved,
11 including specification of any type of license and endorsements issued under this
12 chapter under which the person was operating at the time of the accident and an
13 indication whether or not the accident occurred in the course of any of the following:

14 **SECTION 3279.** 343.23 (2) (b) of the statutes is amended to read:

15 343.23 (2) (b) The information specified in pars. (a) and (am) must be filed by
16 the department so that the complete operator's record is available for the use of the
17 secretary in determining whether operating privileges of such person shall be
18 suspended, revoked, canceled, or withheld, or the person disqualified, in the interest
19 of public safety. The record of suspensions, revocations, and convictions that would
20 be counted under s. 343.307 (2) shall be maintained permanently, except that the
21 department shall purge the record of a first violation of s. 23.33 (4c) (a) 2., 30.681 (1)
22 (b) 1., 346.63 (1) (b), or 350.101 (1) (b) after 10 years, if the person who committed the
23 violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the
24 time of the violation, if the person does not have a commercial driver license, if the
25 violation was not committed by a person operating a commercial motor vehicle, and

1 if the person has no other suspension, revocation, or conviction that would be counted
2 under s. 343.307 during that 10-year period. The record of convictions for
3 disqualifying offenses under s. 343.315 (2) (h) shall be maintained for at least 10
4 years. The record of convictions for disqualifying offenses under s. 343.315 (2) (f) and
5 (j), and all records specified in par. (am), shall be maintained for at least 3 years. The
6 record of convictions for disqualifying offenses under s. 343.315 (2) (a) to (e) shall be
7 maintained permanently, except that 5 years after a licensee transfers residency to
8 another state such record may be transferred to another state of licensure of the
9 licensee if that state accepts responsibility for maintaining a permanent record of
10 convictions for disqualifying offenses. Such reports and records may be cumulative
11 beyond the period for which a license is granted, but the secretary, in exercising the
12 power of suspension granted under s. 343.32 (2) may consider only those reports and
13 records entered during the 4-year period immediately preceding the exercise of such
14 power of suspension. The department shall maintain the digital images of
15 documents specified in s. 343.165 (2) (a) for at least 10 years.

16 **SECTION 3280.** 343.23 (2) (b) of the statutes, as affected by 2007 Wisconsin Act
17 (this act), is amended to read:

18 343.23 (2) (b) The information specified in pars. (a) and (am) must be filed by
19 the department so that the complete operator's record is available for the use of the
20 secretary in determining whether operating privileges of such person shall be
21 suspended, revoked, canceled, or withheld, or the person disqualified, in the interest
22 of public safety. The secretary may also consider the information specified in sub.
23 (2m) for purposes of this paragraph, and, except as provided in sub. (3) (a), any
24 information maintained under sub. (2m) that is described in this paragraph shall be
25 maintained for the periods specified in this paragraph. The record of suspensions,

1 revocations, and convictions that would be counted under s. 343.307 (2) shall be
2 maintained permanently, except that the department shall purge the record of a first
3 violation of s. 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b) after
4 10 years, if the person who committed the violation had a blood alcohol concentration
5 of 0.08 or more but less than 0.1 at the time of the violation, if the person does not
6 have a commercial driver license, if the violation was not committed by a person
7 operating a commercial motor vehicle, and if the person has no other suspension,
8 revocation, or conviction that would be counted under s. 343.307 during that 10-year
9 period. The record of convictions for disqualifying offenses under s. 343.315 (2) (h)
10 shall be maintained for at least 10 years. The record of convictions for disqualifying
11 offenses under s. 343.315 (2) (f) and (j), and all records specified in par. (am), shall
12 be maintained for at least 3 years. The record of convictions for disqualifying offenses
13 under s. 343.315 (2) (a) to (e) shall be maintained permanently, except that, subject
14 to s. 343.23 (3m), 5 years after a licensee transfers residency to another state such
15 record may be transferred to another state of licensure of the licensee if that state
16 accepts responsibility for maintaining a permanent record of convictions for
17 disqualifying offenses. Such reports and records may be cumulative beyond the
18 period for which a license is granted, but the secretary, in exercising the power of
19 suspension granted under s. 343.32 (2) may consider only those reports and records
20 entered during the 4-year period immediately preceding the exercise of such power
21 of suspension. The department shall maintain the digital images of documents
22 specified in s. 343.165 (2) (a) for at least 10 years.

23 **SECTION 3281.** 343.23 (2m) of the statutes is created to read:

24 343.23 (2m) (a) Subject to sub. (3m) (b), the department shall maintain a file,
25 other than the operator's record file specified in sub. (2) (a), for each nonresident who

1 is convicted of a violation, or who otherwise commits an offense, in this state that
2 shall include all of the following:

3 1. A record of reports or abstract of convictions resulting from any offense
4 specified in s. 343.305 (10) (em) or 343.307.

5 2. A record of any suspension or revocation by the department of the person's
6 operating privilege under par. (b) or as provided under s. 344.08 (1m), 344.14 (1r),
7 or 344.25 (7).

8 3. A record of any administrative suspension, notice of refusal, notice of intent
9 to revoke, issuance of an out-of-service order, or report of test results under s.
10 343.305 (7) or (9).

11 (b) The department may use the file under par. (a), and the file specified in sub.
12 (2) (a) if updated as provided in sub. (3m) (b), to suspend or revoke the operating
13 privilege of, or to disqualify, a nonresident if any of the following apply:

14 1. The person is licensed by or resides in another jurisdiction that is not a
15 member jurisdiction.

16 2. The offense for which the suspension, revocation, or disqualification occurs
17 was committed in this state and is not an offense identified in the rules under s.
18 343.02 (3) (b).

19 (c) Nothing in this subsection requires the department to maintain a record of
20 any conviction other than a conviction for an offense specified in s. 343.305 (10) (em)
21 or 343.307 if, at the time of the conviction, the person was licensed in or resided in
22 another jurisdiction.

23 **SECTION 3282.** 343.23 (3m) of the statutes is created to read:

24 343.23 (3m) (a) Subject to s. 343.03 (7), upon receiving notice that a person for
25 whom the department maintains a file under sub. (2) (a) has applied for or been

1 issued an operator's license in another jurisdiction or has transferred residency to
2 another jurisdiction, the department shall transfer to the other jurisdiction all file
3 information specified in sub. (2) (a) and (am) within 30 days of receiving such notice
4 if the other jurisdiction is a member jurisdiction or if the other jurisdiction accepts
5 responsibility for maintaining the person's operator's record. Subject to par. (b),
6 upon such transfer, the department shall not update the file described in sub. (2) (a)
7 with any information described in sub. (2) (a) and (am) except as provided under sub.
8 (2) (am) 1. c. and except as required under federal law.

9 (b) If the department transfers the operator's record file information to another
10 jurisdiction as provided in par. (a), and that other jurisdiction is not a member
11 jurisdiction, the department may continue to update the file specified in sub. (2) (a)
12 with respect to any conviction or other information described in sub. (2) (a) and (am)
13 related to an offense committed in this state that is not recorded by the other
14 jurisdiction on the person's operator's record.

15 (c) If the department transfers a person's operator's record file information to
16 another jurisdiction as provided in par. (a), the department may continue to
17 maintain and update the file specified in sub. (2m). If a person subsequently applies
18 for or is issued an operator's license under this chapter or transfers residency back
19 to this state, the department may use the file specified in sub. (2m) to update the file
20 specified in sub. (2) (a) with respect to any conviction, suspension, revocation,
21 disqualification, or other information contained in the file specified in sub. (2m)
22 related to an offense committed in this state that does not appear on an operator's
23 record transferred to the department from the person's former jurisdiction of
24 licensure or residency.

25 **SECTION 3283.** 343.23 (4) (b) of the statutes is amended to read:

1 343.23 (4) (b) Any record of issuance of an out-of-service order under s. 343.305
2 (7) (b) or (9) (am) upon receipt of a report from the court hearing the action arising
3 out of the same incident or occurrence that the action has been dismissed or the
4 person has been found innocent of the charge of violating s. 346.63 (7) arising out of
5 that incident or occurrence. ~~In the case of a nonresident, the department shall also~~
6 ~~inform the state of licensure of the dismissal or finding of innocence.~~

7 **SECTION 3284.** 343.23 (5) of the statutes is amended to read:

8 343.23 (5) The department shall maintain the files specified in this section in
9 a form that is appropriate to the form of the records constituting those files. Records
10 under sub. (1) and files under sub. (2) shall be maintained in an electronic and
11 transferable format accessible for the purpose specified in s. 343.03 (6) (a).

12 **SECTION 3285.** 343.235 (3) (a) of the statutes is amended to read:

13 343.235 (3) (a) A law enforcement agency, a state authority, a district attorney,
14 a driver licensing agency of another jurisdiction, or a federal governmental agency,
15 to perform a legally authorized function.

16 **SECTION 3286.** 343.237 (2) of the statutes is amended to read:

17 343.237 (2) Any photograph taken of an applicant under s. 343.14 (3) or 343.50
18 (4), and any fingerprint taken of an applicant under s. 343.12 (6) (b), may be
19 maintained by the department and, except as provided in this section, shall be kept
20 confidential. Except as provided in this section, the department may release a
21 photograph or fingerprint only to the person whose photograph or fingerprint was
22 taken or to the driver licensing agency of another jurisdiction.

23 **SECTION 3287.** 343.237 (3) (intro.) of the statutes is amended to read:

24 343.237 (3) (intro.) The department shall provide a Wisconsin law enforcement
25 agency or a federal law enforcement agency with a print or electronic copy of a

1 photograph taken on or after September 1, 1997, of an applicant under s. 343.14 (3)
2 or 343.50 (4), or a printed or electronic copy of a fingerprint taken of an applicant
3 under s. 343.12 (6) (b), if the department receives a written request on the law
4 enforcement agency's letterhead that contains all of the following:

5 **SECTION 3288.** 343.24 (3) of the statutes is amended to read:

6 343.24 (3) The department shall not disclose information concerning or related
7 to a violation as defined by s. 343.30 (6) to any person other than a court, district
8 attorney, county corporation counsel, city, village, or town attorney, law enforcement
9 agency, driver licensing agency of another jurisdiction, or the minor who committed
10 the violation or his or her parent or guardian.

11 **SECTION 3289.** 343.24 (4) (c) 1. of the statutes is amended to read:

12 343.24 (4) (c) 1. A law enforcement agency, a state authority, a district attorney,
13 a driver licensing agency of another jurisdiction, or a federal governmental agency,
14 to perform a legally authorized function.

15 **SECTION 3290.** 343.26 of the statutes is amended to read:

16 **343.26 License after cancellation.** Any person whose license has been
17 canceled, whether the license has been canceled by the secretary or stands canceled
18 as a matter of law, may apply for a new license at any time. Upon receipt of the
19 application and the all required fee fees, the department shall issue or refuse
20 issuance of the license as upon an original application. The department may, but
21 need not, require the applicant to submit to an examination as provided in s. 343.16.

22 **SECTION 3291.** 343.26 of the statutes, as affected by 2007 Wisconsin Act ... (this
23 act), is amended to read:

24 **343.26 License after cancellation.** Any person whose license has been
25 canceled, whether the license has been canceled by the secretary or stands canceled

1 as a matter of law, may apply for a new license at any time. Upon receipt of the
2 application and all required fees, and after processing the application as provided in
3 s. 343.165, the department shall issue or refuse issuance of the license as upon an
4 original application. The department may, but need not, require the applicant to
5 submit to an examination as provided in s. 343.16.

6 **SECTION 3292.** 343.265 (2) of the statutes is amended to read:

7 343.265 (2) A person whose voluntary surrender of license under sub. (1) or
8 (1m) has been accepted by the department may apply for a duplicate license under
9 s. 343.19, or, if the person's license has expired during the period of surrender, a
10 renewal license, at any time. Upon receipt of the person's application and the
11 applicable fee fees under s. 343.21, the department shall issue or deny the license as
12 provided in this subchapter. The department may require the person to submit to
13 an examination under s. 343.16 (5).

14 **SECTION 3293.** 343.28 (2) of the statutes is amended to read:

15 343.28 (2) Whenever a person is convicted of any offense for which s. 343.31
16 makes mandatory the revocation by the secretary of such person's operating
17 privilege, the court in which the conviction occurred shall may require the surrender
18 to it of any license then held by such person. If the court requires surrender of a
19 license, the court shall destroy the license. The clerk of the court, or the justice, judge
20 or magistrate if the court has no clerk, shall, as provided in s. 345.48, forward to the
21 department the record of conviction ~~and any surrendered licenses.~~ ~~The record of~~
22 ~~conviction forwarded to the department, which~~ shall state whether the offender was
23 involved in an accident at the time of the offense, whether the offender was operating
24 a commercial motor vehicle at the time of the offense and, if so, whether the offender
25 was transporting hazardous materials requiring placarding or any quantity of a

1 material listed as a select agent or toxin under 42 CFR 73, or was operating a vehicle
2 designed to carry, or actually carrying, 16 or more passengers, including the driver.

3 **SECTION 3294.** 343.30 (1g) (b) of the statutes is amended to read:

4 343.30 (1g) (b) A court shall may revoke a person's operating privilege upon the
5 person's conviction for violating s. 343.44 (1) (a), (b) or (d) or a local ordinance in
6 conformity therewith if the person has been convicted of 3 or more prior violations
7 of s. 343.44 (1) (a), (b) or (d), or of similar violations under s. 343.44 (1), 1997 stats.,
8 or a local ordinance in conformity therewith, with s. 343.44 (1) (a), (b), or (d), or the
9 law of another jurisdiction prohibiting operating a motor vehicle with a suspended
10 or revoked license or while disqualified or ordered out of service, as those terms or
11 substantially similar terms are used in that other jurisdiction's laws, within the
12 5-year period preceding the violation. The revocation shall be for a period of 6
13 months, unless the court orders a period of revocation of less than 6 months and
14 places its reasons for ordering the lesser period of revocation on the record.

15 **SECTION 3295.** 343.30 (1q) (b) 4. of the statutes is amended to read:

16 343.30 (1q) (b) 4. Except as provided in subd. 4m., if the number of convictions
17 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other
18 convictions, suspensions, and revocations counted under s. 343.307 (1), equals 3 or
19 more, the court shall revoke the person's operating privilege for not less than 2 years
20 nor more than 3 years. After the first 90 days of the revocation period or, if the total
21 number of convictions, suspensions, and revocations counted under this subdivision
22 within any 5-year period equals 2 or more, after one year of the revocation period has
23 elapsed, the person is eligible for an occupational license under s. 343.10 if he or she
24 has completed the assessment, if applicable, and is complying with the driver safety
25 plan ordered under par. (c), if applicable.

1 **SECTION 3296.** 343.30 (1q) (c) 1. (intro.), a. and c. of the statutes are
2 consolidated, renumbered 343.30 (1q) (c) 1. and amended to read:

3 343.30 (1q) (c) 1. Except as provided in ~~subd. 1. a. or b.~~ this subdivision, and
4 except for a first violation of s. 346.63 (1) (b), if the person who committed the
5 violation is a licensee under this chapter or is a resident to whom another jurisdiction
6 has not issued an operator's license and had a blood alcohol concentration of 0.08 or
7 more but less than 0.1 at the time of the violation, the court shall order the person
8 to submit to and comply with an assessment by an approved public treatment facility
9 as defined in s. 51.45 (2) (c) for examination of the person's use of alcohol, controlled
10 substances or controlled substance analogs and development of a driver safety plan
11 for the person. The court shall notify the department of transportation of the
12 assessment order. The court shall notify the person that noncompliance with
13 assessment or the driver safety plan will result in revocation of the person's
14 operating privilege until the person is in compliance. The assessment order shall:
15 a. ~~If the person is a resident,~~ refer the person to an approved public treatment facility
16 in the county in which the person resides. The facility named in the order may
17 provide for assessment of the person in another approved public treatment facility.
18 The order shall provide that if the person is temporarily residing in another state,
19 the facility named in the order may refer the person to an appropriate treatment
20 facility in that state for assessment and development of a driver safety plan for the
21 person satisfying the requirements of that state. ~~e. Require~~ The assessment order
22 shall require a person who is referred to a treatment facility in another state under
23 ~~subd. 1. a. or b.~~ this subdivision to furnish the department written verification of his
24 or her compliance from the agency which administers the assessment and driver
25 safety plan program. The person shall provide initial verification of compliance

1 within 60 days after the date of his or her conviction. The requirement to furnish
2 verification of compliance may be satisfied by receipt by the department of such
3 verification from the agency which administers the assessment and driver safety
4 plan program.

5 **SECTION 3297.** 343.30 (1q) (c) 1. b. of the statutes is repealed.

6 **SECTION 3298.** 343.30 (2j) (a) of the statutes is renumbered 343.30 (2j) and
7 amended to read:

8 **343.30 (2j)** A court may revoke a person's operating privilege upon the person's
9 first conviction for violating s. 346.44 or 346.62 (2m) and shall revoke a person's
10 operating privilege upon the person's ~~2nd or subsequent conviction for violating s.~~
11 346.44 or 346.62 (2m) if within a 5-year period, the person was previously convicted
12 for violating s. 346.44 or 346.62 (2m) or the law of another jurisdiction for an offense
13 therein which, if committed in this state, would have been cause for revocation under
14 this subsection. The revocation shall be for a period of 6 months. For purposes of
15 determining prior convictions for purposes of this ~~paragraph~~ subsection, the 5-year
16 period shall be measured from the dates of the violations that resulted in the
17 convictions. Each conviction under s. 346.44 or 346.62 (2m) or the applicable law of
18 another jurisdiction shall be counted, except that convictions under s. 346.44 and
19 346.62 (2m) or the applicable law of another jurisdiction arising out of the same
20 incident or occurrence shall be counted as a single conviction.

21 **SECTION 3299.** 343.30 (4) of the statutes is amended to read:

22 **343.30 (4)** Whenever a court ~~or judge~~ suspends or revokes an operating
23 privilege under this section, the court ~~or judge~~ shall immediately may take
24 possession of any suspended or revoked license ~~and. If the court takes possession of~~
25 a license, it shall destroy the license. The court shall forward it, as provided in s.

1 345.48, to the department ~~together with~~ the record of conviction and notice of
2 suspension or revocation. Whenever a court ~~or judge~~ restricts the operating privilege
3 of a person, the court ~~or judge~~ shall forward notice of the restriction to the
4 department.

5 **SECTION 3300.** 343.30 (5) of the statutes is amended to read:

6 343.30 (5) No court may suspend or revoke an operating privilege except as
7 authorized by this chapter or ch. 345, 351, or 938 or s. 767.73, 800.09 (1) (c), 800.095
8 (4) (b) 4., 943.21 (3m), or 961.50. When a court revokes, suspends, or restricts a
9 juvenile's operating privilege under ch. 938, the department of transportation shall
10 not disclose information concerning or relating to the revocation, suspension, or
11 restriction to any person other than a court, district attorney, county corporation
12 counsel, city, village, or town attorney, law enforcement agency, driver licensing
13 agency of another jurisdiction, or the minor whose operating privilege is revoked,
14 suspended, or restricted, or his or her parent or guardian. Persons entitled to receive
15 this information shall not disclose the information to other persons or agencies.

16 **SECTION 3301.** 343.301 (1) (e) of the statutes is created to read:

17 343.301 (1) (e) The court shall notify the department, in a form and manner
18 prescribed by the department, that an order requiring a motor vehicle to be equipped
19 with an ignition interlock device has been entered. If the motor vehicle is registered
20 in this state under ch. 341 and the department has issued a valid certificate of title
21 for the vehicle under ch. 342, the registration records of the department shall reflect
22 that the order has been entered against the motor vehicle and remains unexecuted.
23 Any law enforcement officer may execute that order based on the information
24 provided by the department. The law enforcement agency shall notify the
25 department when an order has been executed under this paragraph and the

1 department shall amend its vehicle registration records to reflect that notification
2 if the motor vehicle is registered in this state under ch. 341 and the department has
3 issued a valid certificate of title for the vehicle under ch. 342.

4 **SECTION 3302.** 343.301 (2) (d) of the statutes is amended to read:

5 343.301 (2) (d) The court shall notify the department, in a form and manner
6 prescribed by the department, that an order to immobilize a motor vehicle has been
7 entered. The If the motor vehicle is registered in this state under ch. 341 and the
8 department has issued a valid certificate of title for the vehicle under ch. 342, the
9 registration records of the department shall reflect that the order has been entered
10 against the motor vehicle and remains unexecuted. Any law enforcement officer may
11 execute that order based on the information provided by the department. The law
12 enforcement agency shall notify the department when an order has been executed
13 under this paragraph and the department shall amend its vehicle registration
14 records to reflect that notification if the motor vehicle is registered in this state under
15 ch. 341 and the department has issued a valid certificate of title for the vehicle under
16 ch. 342.

17 **SECTION 3303.** 343.305 (6) (e) 2. am. of the statutes is amended to read:

18 343.305 (6) (e) 2. am. In the case of an individual who does not have a social
19 security number, a statement made or subscribed under oath or affirmation that the
20 applicant does not have a social security number. The form of the statement shall
21 be prescribed by the department of ~~workforce development~~ children and families. A
22 permit or approval that is issued or renewed under this section in reliance on a
23 statement submitted under this subd. 2. am. is invalid if the statement is false.

24 **SECTION 3304.** 343.305 (6) (e) 3. b. of the statutes is amended to read:

1 343.305 (6) (e) 3. b. The licensor may not disclose any information received
2 under subd. 2. a. or b. except to the department of ~~workforce development~~ children
3 and families for purposes of administering s. 49.22 or the department of revenue for
4 the sole purpose of requesting certifications under s. 73.0301.

5 **SECTION 3305.** 343.305 (7) (a) of the statutes is amended to read:

6 343.305 (7) (a) If a person submits to chemical testing administered in
7 accordance with this section and any test results indicate the presence of a detectable
8 amount of a restricted controlled substance in the person's blood or a prohibited
9 alcohol concentration, the law enforcement officer shall report the results to the
10 department ~~and take possession of the person's license and forward it to the~~
11 department. The person's operating privilege is administratively suspended for 6
12 months.

13 **SECTION 3306.** 343.305 (7) (b) of the statutes is amended to read:

14 343.305 (7) (b) If a person who was driving or operating or on duty time with
15 respect to a commercial motor vehicle submits to chemical testing administered in
16 accordance with this section and any test results indicate an alcohol concentration
17 above 0.0, the law enforcement officer ~~may take possession of the person's license and~~
18 ~~retain the license for 24 hours. The person may reclaim a seized license in person~~
19 ~~or request return of the license by mail. The law enforcement officer shall issue a~~
20 citation for violation of s. 346.63 (7) (a) 1., issue citations for such other violations as
21 may apply and issue an out-of-service order to the person for the 24 hours after the
22 testing, and report both the out-of-service order and the test results to the
23 department in the manner prescribed by the department. ~~If the person is a~~
24 ~~nonresident, the department shall report issuance of the out-of-service order to the~~
25 ~~driver licensing agency in the person's home jurisdiction.~~

1 **SECTION 3307.** 343.305 (8) (b) 5. (intro.) of the statutes is amended to read:

2 343.305 (8) (b) 5. (intro.) If the hearing examiner finds that any of the following
3 applies, the examiner shall order that the administrative suspension of the person's
4 operating privilege be rescinded without payment of the any fee under s. 343.21 (1)
5 (j) or (n):

6 **SECTION 3308.** 343.305 (8) (c) 5. of the statutes is amended to read:

7 343.305 (8) (c) 5. If any court orders under this subsection that the
8 administrative suspension of the person's operating privilege be rescinded, the
9 person need not pay the any fee under s. 343.21 (1) (j) or (n).

10 **SECTION 3309.** 343.305 (9) (a) (intro.) of the statutes is amended to read:

11 343.305 (9) (a) (intro.) If a person refuses to take a test under sub. (3) (a), the
12 law enforcement officer shall immediately ~~take possession of the person's license and~~
13 prepare a notice of intent to revoke, by court order under sub. (10), the person's
14 operating privilege. If the person was driving or operating a commercial motor
15 vehicle, the officer shall issue an out-of-service order to the person for the 24 hours
16 after the refusal and notify the department in the manner prescribed by the
17 department. The officer shall issue a copy of the notice of intent to revoke the
18 privilege to the person and submit or mail a copy ~~with the person's license to the~~
19 circuit court for the county in which the arrest under sub. (3) (a) was made or to the
20 municipal court in the municipality in which the arrest was made if the arrest was
21 for a violation of a municipal ordinance under sub. (3) (a) and the municipality has
22 a municipal court. The officer shall also mail a copy of the notice of intent to revoke
23 to the attorney for that municipality or to the district attorney for that county, as
24 appropriate, and to the department. Neither party is entitled to pretrial discovery
25 in any refusal hearing, except that, if the defendant moves within 30 days after the

1 initial appearance in person or by an attorney and shows cause therefor, the court
2 may order that the defendant be allowed to inspect documents, including lists of
3 names and addresses of witnesses, if available, and to test under s. 804.09, under
4 such conditions as the court prescribes, any devices used by the plaintiff to determine
5 whether a violation has been committed. The notice of intent to revoke the person's
6 operating privilege shall contain substantially all of the following information:

7 **SECTION 3310.** 343.305 (9) (am) (intro.) of the statutes is amended to read:

8 343.305 (9) (am) (intro.) If a person driving or operating or on duty time with
9 respect to a commercial motor vehicle refuses a test under sub. (3) (am), the law
10 enforcement officer shall immediately ~~take possession of the person's license~~, issue
11 an out-of-service order to the person for the 24 hours after the refusal and notify the
12 department in the manner prescribed by the department, and prepare a notice of
13 intent to revoke, by court order under sub. (10), the person's operating privilege. The
14 officer shall issue a copy of the notice of intent to revoke the privilege to the person
15 and submit or mail a copy ~~with the person's license~~ to the circuit court for the county
16 in which the refusal is made or to the municipal court in the municipality in which
17 the refusal is made if the person's refusal was in violation of a municipal ordinance
18 and the municipality has a municipal court. The officer shall also mail a copy of the
19 notice of intent to revoke to the attorney for that municipality or to the district
20 attorney for that county, as appropriate, and to the department. Neither party is
21 entitled to pretrial discovery in any refusal hearing, except that, if the defendant
22 moves within 30 days after the initial appearance in person or by an attorney and
23 shows cause therefor, the court may order that the defendant be allowed to inspect
24 documents, including lists of names and addresses of witnesses, if available, and to
25 test under s. 804.09, under such conditions as the court prescribes, any devices used

1 by the plaintiff to determine whether a violation has been committed. The notice of
2 intent to revoke the person's operating privilege shall contain substantially all of the
3 following information:

4 **SECTION 3311.** 343.305 (10) (b) 3. of the statutes is amended to read:

5 343.305 (10) (b) 3. Except as provided in subd. 4m., if the number of convictions
6 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other
7 convictions, suspensions, and revocations counted under s. 343.307 (2) within a
8 10-year period, equals 2, the court shall revoke the person's operating privilege for
9 2 years. After the first 90 days of the revocation period or, if the total number of
10 convictions, suspensions, and revocations counted under this subdivision within any
11 5-year period equals 2 or more, after one year of the revocation period has elapsed,
12 the person is eligible for an occupational license under s. 343.10 if he or she has
13 completed the assessment, if applicable, and is complying with the driver safety
14 plan, if applicable.

15 **SECTION 3312.** 343.305 (10) (b) 4. of the statutes is amended to read:

16 343.305 (10) (b) 4. Except as provided in subd. 4m., if the number of convictions
17 under ss. 940.09 (1) and 940.25 in the person's lifetime, plus the total number of other
18 convictions, suspensions, and revocations counted under s. 343.307 (2), equals 3 or
19 more, the court shall revoke the person's operating privilege for 3 years. After the
20 first 120 days of the revocation period or, if the total number of convictions,
21 suspensions, and revocations counted under this subdivision within any 5-year
22 period equals 2 or more, after one year of the revocation period has elapsed, the
23 person is eligible for an occupational license under s. 343.10 if he or she has
24 completed the assessment, if applicable, and is complying with the driver safety
25 plan, if applicable.

1 **SECTION 3313.** 343.305 (10) (c) 1. (intro.), a. and c. of the statutes are
2 consolidated, renumbered 343.305 (10) (c) 1. and amended to read:

3 343.305 (10) (c) 1. Except as provided in subd. 1. a. or b. this subdivision, if the
4 person is a licensee under this chapter or is a resident to whom another jurisdiction
5 has not issued an operator's license, the court shall order the person to submit to and
6 comply with an assessment by an approved public treatment facility as defined in s.
7 51.45 (2) (c) for examination of the person's use of alcohol, controlled substances or
8 controlled substance analogs and development of a driver safety plan for the person.
9 The court shall notify the person and the department of transportation of the
10 assessment order. The court shall also notify the person that noncompliance with
11 assessment or the driver safety plan will result in license suspension until the person
12 is in compliance. The assessment order shall: a. ~~If the person is a resident, refer the~~
13 ~~person to an approved public treatment facility in the county in which the person~~
14 ~~resides. The facility named in the order may provide for assessment of the person~~
15 ~~in another approved public treatment facility. The order shall provide that if the~~
16 ~~person is temporarily residing in another state, the facility named in the order may~~
17 ~~refer the person to an appropriate treatment facility in that state for assessment and~~
18 ~~development of a driver safety plan for the person satisfying the requirements of that~~
19 ~~state. e. Require~~ The assessment order shall require a person who is referred to a
20 treatment facility in another state under subd. 1. a. or b. this subdivision to furnish
21 the department written verification of his or her compliance from the agency which
22 administers the assessment and driver safety plan program. The person shall
23 provide initial verification of compliance within 60 days after the date of his or her
24 conviction. The requirement to furnish verification of compliance may be satisfied

1 by receipt by the department of such verification from the agency which administers
2 the assessment and driver safety plan program.

3 **SECTION 3314.** 343.305 (10) (c) 1. b. of the statutes is repealed.

4 **SECTION 3315.** 343.305 (11) of the statutes is amended to read:

5 343.305 (11) RULES. The department shall promulgate rules under ch. 227
6 necessary to administer this section. The rules shall include provisions relating to
7 the expeditious exchange of information under this section between the department
8 and law enforcement agencies, circuit courts, municipal courts, attorneys who
9 represent municipalities, and district attorneys, and driver licensing agencies of
10 other jurisdictions. The rules may not affect any provisions relating to court
11 procedure.

12 **SECTION 3316.** 343.31 (1) (intro.) of the statutes is amended to read:

13 343.31 (1) (intro.) The department shall revoke ~~a person's~~ the operating
14 privilege of a person who is a licensee under this chapter or is a resident to whom
15 another jurisdiction has not issued an operator's license upon receiving a record of
16 conviction showing that the person has been convicted of any of the following offenses
17 under a state law or under a local ordinance which is in conformity therewith or
18 under a law of a federally recognized American Indian tribe or band in this state
19 which is in conformity with state law:

20 **SECTION 3317.** 343.31 (1) (hm) of the statutes is repealed.

21 **SECTION 3318.** 343.31 (2) of the statutes is amended to read:

22 343.31 (2) The department shall revoke the operating privilege of any resident
23 person who is a licensee under this chapter or is a resident to whom another
24 jurisdiction has not issued an operator's license upon receiving notice of the
25 conviction of such person in another jurisdiction for an offense therein which, if

1 committed in this state, would have been cause for revocation under this section or
2 for revocation under s. 343.30 (1q) or which is identified in the rules under s. 343.02
3 (3) (b) as an offense for which a person is subject to revocation. Such offenses shall
4 include violation of any law of another jurisdiction that prohibits a person from using
5 a motor vehicle while intoxicated or under the influence of a controlled substance or
6 controlled substance analog, or a combination thereof; with an excess or specified
7 range of alcohol concentration; while under the influence of any drug to a degree that
8 renders the person incapable of safely driving; or while having a detectable amount
9 of a restricted controlled substance in his or her blood, as those or substantially
10 similar terms are used in that other jurisdiction's laws. ~~Upon receiving similar~~
11 ~~notice with respect to a nonresident, the department shall revoke the privilege of the~~
12 ~~nonresident to operate a motor vehicle in this state.~~ Such revocation shall not apply
13 to the operation of a commercial motor vehicle by a nonresident who holds a valid
14 commercial driver license issued by another state. This subsection does not apply
15 if the other jurisdiction in which the offense was committed suspended or revoked
16 the person's operating privilege in that other jurisdiction as a result of the conviction
17 and the period of suspension or revocation in that other jurisdiction has expired or
18 if, at the time of the conviction, the person was licensed in or resided in another
19 jurisdiction.

20 **SECTION 3319.** 343.31 (2m) of the statutes is repealed.

21 **SECTION 3320.** 343.31 (2r) of the statutes is amended to read:

22 343.31 (2r) The department shall suspend ~~a person's~~ the operating privilege
23 of a person who is a licensee under this chapter or is a resident to whom another
24 jurisdiction has not issued an operator's license upon receiving a record of conviction
25 showing that the person has been convicted of perjury or the making of a false

1 affidavit or the making of a false statement or certification to the department under
2 this chapter or any other law relating to the ownership or operation of motor vehicles.

3 **SECTION 3321.** 343.31 (2z) of the statutes is created to read:

4 343.31 (2z) (a) The department shall revoke, in the manner provided in sub.
5 (1), the operating privilege of a nonresident upon receiving a record of the person's
6 conviction of committing in this state any offense specified in sub. (1) if the person
7 is licensed by or resides in another jurisdiction that is not a member jurisdiction or
8 if the offense specified in sub. (1) is not an offense identified in the rules under s.
9 343.02 (3) (b).

10 (b) The department shall suspend, in the manner provided in sub. (2r), the
11 operating privilege of a nonresident upon receiving a record of the person's conviction
12 of committing in this state an offense specified in sub. (2r) if the person is licensed
13 by or resides in another jurisdiction that is not a member jurisdiction or if the offense
14 specified in sub. (2r) is not an offense identified in the rules under s. 343.02 (3) (b).

15 **SECTION 3322.** 343.31 (3) (a) of the statutes is amended to read:

16 343.31 (3) (a) Except as otherwise provided in this subsection or sub. (2m), (2s),
17 or (2x), all revocations or suspensions under this section shall be for a period of one
18 year.

19 **SECTION 3323.** 343.31 (3) (b) of the statutes is repealed.

20 **SECTION 3324.** 343.31 (3) (bg) of the statutes is created to read:

21 343.31 (3) (bg) The period of suspension or revocation under sub. (2) shall be
22 the same as if the person were convicted of the offense in this state.

23 **SECTION 3325.** 343.31 (3) (bm) (intro.) of the statutes is amended to read:

24 343.31 (3) (bm) (intro.) For any person who is a licensee under this chapter or
25 is a resident to whom another jurisdiction has not issued an operator's license and

1 who is convicted under a law of a federally recognized American Indian tribe or band
2 in this state in conformity with s. 346.63 (1):

3 **SECTION 3326.** 343.31 (3) (c) of the statutes is amended to read:

4 343.31 (3) (c) Any person who is a licensee under this chapter or is a resident
5 to whom another jurisdiction has not issued an operator's license, or who is subject
6 to revocation of the person's operating privilege under sub. (2z) (a), and who is
7 convicted under s. 940.09 of causing the death of another or of an unborn child by the
8 operation or handling of a motor vehicle shall have his or her operating privilege
9 revoked for 5 years. If there was a minor passenger under 16 years of age or an
10 unborn child, as defined in s. 939.75 (1), in the motor vehicle at the time of the
11 violation that gave rise to the conviction under s. 940.09, the revocation period is 10
12 years.

13 **SECTION 3327.** 343.31 (3) (d) (intro.) of the statutes is amended to read:

14 343.31 (3) (d) (intro.) Any person who is a licensee under this chapter or is a
15 resident to whom another jurisdiction has not issued an operator's license, or who
16 is subject to revocation of the person's operating privilege under sub. (2z) (a), and who
17 is convicted of knowingly fleeing or attempting to elude a traffic officer under s.
18 346.04 (3) shall have his or her operating privilege revoked as follows:

19 **SECTION 3328.** 343.31 (3) (e) of the statutes is amended to read:

20 343.31 (3) (e) Any person who is a licensee under this chapter or is a resident
21 to whom another jurisdiction has not issued an operator's license, or who is subject
22 to revocation of the person's operating privilege under sub. (2z) (a), and who is
23 convicted under s. 346.63 (2) shall have his or her operating privilege revoked for not
24 less than one year nor more than 2 years. If there was a minor passenger under 16
25 years of age in the motor vehicle at the time of the violation that gave rise to the

1 conviction under s. 346.63 (2), the minimum and maximum revocation periods are
2 doubled.

3 **SECTION 3329.** 343.31 (3) (f) of the statutes is amended to read:

4 343.31 (3) (f) Any person who is a licensee under this chapter or is a resident
5 to whom another jurisdiction has not issued an operator's license, or who is subject
6 to revocation of the person's operating privilege under sub. (2z) (a), and who is
7 convicted under s. 940.25 shall have his or her operating privilege revoked for 2
8 years. If there was a minor passenger under 16 years of age or an unborn child, as
9 defined in s. 939.75 (1), in the motor vehicle at the time of the violation that gave rise
10 to the conviction under s. 940.25, the revocation period is 4 years.

11 **SECTION 3330.** 343.31 (3) (i) of the statutes is amended to read:

12 343.31 (3) (i) If a person who is a licensee under this chapter or is a resident
13 to whom another jurisdiction has not issued an operator's license, or who is subject
14 to revocation of the person's operating privilege under sub. (2z) (a), and who is
15 convicted for a violation of s. 346.67 (1) where the accident involved great bodily
16 harm, the period of revocation is 2 years.

17 **SECTION 3331.** 343.31 (3) (j) of the statutes is amended to read:

18 343.31 (3) (j) If a person who is a licensee under this chapter or is a resident
19 to whom another jurisdiction has not issued an operator's license, or who is subject
20 to revocation of the person's operating privilege under sub. (2z) (a), and who is
21 convicted for a violation of s. 346.67 (1) where the accident involved death, the period
22 of revocation is 5 years.

23 **SECTION 3332.** 343.315 (2) (f) 7. of the statutes is amended to read:

24 343.315 (2) (f) 7. Operating a commercial motor vehicle when the person does
25 not have in his or her immediate possession the person's commercial driver license

1 document, including any special restrictions cards that, if the commercial driver
2 license is issued under this chapter, are issued under s. 343.10 (7) (d) or 343.17 (4),
3 unless the person produces in court or in the office of the law enforcement officer that
4 issued the citation, by the date that the person must appear in court or pay any fine
5 or forfeiture with respect to the citation, a commercial driver license document
6 issued to the person prior to the date of the citation and valid at the time of the
7 citation.

8 **SECTION 3333.** 343.315 (2) (fm) of the statutes is amended to read:

9 343.315 (2) (fm) A person is disqualified for a period of 60 days from operating
10 a commercial motor vehicle if convicted of violating s. 343.14 (5) or 345.17 or the law
11 of another jurisdiction for an offense therein which, if committed in this state, would
12 have been a violation of s. 343.14 (5) or 345.17, if the violation relates to an
13 application for a commercial driver license.

14 **SECTION 3334.** 343.315 (2) (h) of the statutes is amended to read:

15 343.315 (2) (h) Except as provided in par. (i), a person is disqualified for a period
16 of 90 days from operating a commercial motor vehicle if convicted of an
17 out-of-service violation, or one year if convicted of 2 out-of-service violations, or 3
18 years if convicted of 3 or more out-of-service violations, arising from separate
19 occurrences committed within a 10-year period while driving or operating a
20 commercial motor vehicle. A disqualification under this paragraph shall be in
21 addition to any penalty imposed under s. 343.44. In this paragraph, "out-of-service
22 violation" means violating s. 343.44 (1) (c) or a law of another jurisdiction for an
23 offense therein which, if committed in this state, would have been a violation of s.
24 343.44 (1) (c), by operating a commercial motor vehicle while the operator or vehicle

1 is ordered out-of-service under the law of this state or another jurisdiction or under
2 federal law.

3 **SECTION 3335.** 343.315 (2) (j) (intro.) of the statutes is amended to read:

4 343.315 (2) (j) (intro.) A person is disqualified for a period of 60 days from
5 operating a commercial motor vehicle if convicted of a railroad crossing violation, or
6 120 days if convicted of 2 railroad crossing violations or one year if convicted of 3 or
7 more railroad crossing violations, arising from separate occurrences committed
8 within a 3-year period while driving or operating a commercial motor vehicle. In this
9 paragraph, "railroad crossing violation" means a violation of a federal, state, or local
10 law, rule, or regulation, including the law of another jurisdiction, relating to any of
11 the following offenses at a railroad crossing:

12 **SECTION 3336.** 343.315 (3) (a) of the statutes is amended to read:

13 343.315 (3) (a) Notwithstanding s. 343.39, and subject to par. (bm), if a person's
14 license or operating privilege is revoked or suspended as the result of an offense
15 committed after March 31, 1992, which results in disqualification under sub. (2), the
16 department shall immediately disqualify the person from operating a commercial
17 motor vehicle for the period required under sub. (2). The person's authorization to
18 operate a commercial motor vehicle shall not be reinstated upon expiration of the
19 period of revocation or suspension unless the period of disqualification has also
20 expired. During any period of disqualification in which the person's license or
21 operating privilege is not revoked or suspended, the department may issue an
22 operator's license to the person for the operation of vehicles other than commercial
23 motor vehicles.

24 **SECTION 3337.** 343.315 (3) (b) of the statutes is amended to read:

1 343.315 (3) (b) If a person's license or operating privilege is not otherwise
2 revoked or suspended as the result of an offense committed after March 31, 1992,
3 which results in disqualification under sub. (2) (a) to (f), (h), (i), or (j), the department
4 shall immediately disqualify the person from operating a commercial motor vehicle
5 for the period required under sub. (2) (a) to (f), (h), (i), or (j). Upon proper application
6 by the person and payment of ~~a duplicate license fee~~ the fees specified in s. 343.21
7 (1) (L) and (n), the department may issue a separate license authorizing only the
8 operation of vehicles other than commercial motor vehicles. Upon expiration of the
9 period of disqualification, the person may apply for authorization to operate
10 commercial motor vehicles under s. 343.26.

11 **SECTION 3338.** 343.315 (3) (b) of the statutes, as affected by 2007 Wisconsin Act
12 ... (this act), is amended to read:

13 343.315 (3) (b) If a person's license or operating privilege is not otherwise
14 revoked or suspended as the result of an offense committed after March 31, 1992,
15 which results in disqualification under sub. (2) (a) to (f), (h), (i), or (j), the department
16 shall, subject to par. (bm), immediately disqualify the person from operating a
17 commercial motor vehicle for the period required under sub. (2) (a) to (f), (h), (i), or
18 (j). Upon proper application by the person and payment of the fees specified in s.
19 343.21 (1) (L) and (n), the department may issue a separate license authorizing only
20 the operation of vehicles other than commercial motor vehicles. Upon expiration of
21 the period of disqualification, the person may apply for authorization to operate
22 commercial motor vehicles under s. 343.26.

23 **SECTION 3339.** 343.315 (3) (bm) of the statutes is created to read:

24 343.315 (3) (bm) Upon receiving a record of conviction for any offense causing
25 a person to be disqualified from operating a commercial motor vehicle under sub. (2)

1 or a notice specified in sub. (2) (k), the department shall record the disqualification
2 if required by s. 343.23 (2) (am) and, subject to s. 343.03 (7) (b), do one of the following:

3 1. If the person is a licensee under this chapter or is a resident to whom another
4 jurisdiction has not issued an operator's license, the department shall issue an order
5 disqualifying the person and record the disqualification under s. 343.23 (1). The
6 department may take any other applicable administrative action against the
7 licensee or resident on the disqualification.

8 2. If the person is a nonresident, the department shall provide notice to the
9 person's home jurisdiction as required under s. 343.36 (3). Subject to s. 343.23 (2)
10 (am) 3., if the person is a nonresident, the department may not issue an order
11 disqualifying the person, record the disqualification under s. 343.23 (1), or take any
12 other administrative action against the person on the disqualification. The
13 department may record the disqualification under s. 343.23 (2m).

14 **SECTION 3340.** 343.315 (3) (d) of the statutes is amended to read:

15 343.315 (3) (d) ~~Disqualifications~~ Subject to sub. (4), disqualifications shall be
16 effective from the date of ~~conviction of the disqualifying offense~~ the order of
17 disqualification.

18 **SECTION 3341.** 343.32 (1) of the statutes is repealed.

19 **SECTION 3342.** 343.32 (1m) (a) of the statutes is repealed.

20 **SECTION 3343.** 343.32 (1m) (b) (intro.) of the statutes is amended to read:

21 343.32 (1m) (b) (intro.) The secretary shall suspend a person's the operating
22 privilege of a person who is a licensee under this chapter or is a resident to whom
23 another jurisdiction has not issued an operator's license for not less than 6 months
24 nor more than 5 years whenever notice has been received of the conviction of such
25 person under federal law or the law of a federally recognized American Indian tribe

1 or band in this state or the law of another jurisdiction for any offense therein which,
2 if the person had committed the offense in this state and been convicted of the offense
3 under the laws of this state, would have required suspension of such person's
4 operating privilege under s. 961.50. This paragraph does not apply if the other
5 jurisdiction in which the offense was committed suspended or revoked the person's
6 operating privilege in that other jurisdiction as a result of the conviction and the
7 period of suspension or revocation in that other jurisdiction has expired or if, at the
8 time of the conviction, the person was licensed in or resided in another jurisdiction.

9 The person is eligible for an occupational license under s. 343.10 as follows:

10 **SECTION 3344.** 343.32 (1s) of the statutes is amended to read:

11 343.32 (1s) The Notwithstanding ss. 125.085 (3) (bd) and 343.30 (6) (bm), the
12 secretary shall suspend the operating privilege of any person who is a licensee under
13 this chapter or is a resident to whom another jurisdiction has not issued an operator's
14 license and who has been convicted under state law or under a local ordinance which
15 is in conformity therewith or under a law of a federally recognized American Indian
16 tribe or band in this state which is in conformity with state law, or the law of another
17 jurisdiction for an offense therein which, if committed in this state, would have been
18 cause for suspension under this subsection, of altering the person's license, loaning
19 the person's license to another, or unlawfully or fraudulently using or permitting an
20 unlawful or fraudulent use of a license. This paragraph does not apply if the other
21 jurisdiction in which the offense was committed suspended or revoked the person's
22 operating privilege in that other jurisdiction as a result of the conviction and the
23 period of suspension or revocation in that other jurisdiction has expired or if, at the
24 time of the conviction, the person was licensed in or resided in another jurisdiction.

25 **SECTION 3345.** 343.32 (1v) of the statutes is created to read:

1 343.32 (1v) The secretary may suspend or revoke the operating privilege of any
2 person who is a licensee under this chapter or is a resident to whom another
3 jurisdiction has not issued an operator's license upon receiving notice of the
4 suspension or revocation in another jurisdiction of the person's operating privilege
5 for an offense therein which, if committed in this state, would have been cause for
6 suspension or revocation under any law of this state or which is identified in the rules
7 under s. 343.02 (3) (b) as an offense for which a person is subject to suspension or
8 revocation, or upon receiving notice of any circumstances occurring in another
9 jurisdiction which, if occurring in this state, would have been cause for
10 administrative suspension under s. 343.305 (7) (a). This subsection does not apply
11 if the period of suspension or revocation in the other jurisdiction has expired or if, at
12 the time of the offense or time that the circumstances occurred, the person was
13 licensed in or resided in another jurisdiction. This subsection does not apply with
14 respect to any suspension or revocation in another jurisdiction for failure to comply
15 with the order of, or appear before, a court of that other jurisdiction.

16 **SECTION 3346.** 343.32 (2) (a) of the statutes is amended to read:

17 343.32 (2) (a) The secretary may suspend a person's the operating privilege of
18 a person who is a licensee under this chapter or is a resident to whom another
19 jurisdiction has not issued an operator's license if the person appears by the records
20 of the department to be a habitually reckless or negligent operator of a motor vehicle
21 or to have repeatedly violated any of the state traffic laws, any local ordinance
22 enacted under ch. 349 or any traffic laws enacted by a federally recognized American
23 Indian tribe or band in this state if the tribal traffic laws violated strictly conform
24 to provisions in chs. 341 to 348 or, if the offense occurred on a federal military
25 installation located in this state, any federal law which is in strict conformity with

1 a state traffic law, or any law of another jurisdiction for an offense therein which, if
2 committed in this state, would have been cause for demerit point assessment under
3 this subsection. The secretary may not consider, for purposes of this paragraph, any
4 offense occurring in another jurisdiction if, at the time of any conviction for the
5 offense, the person was licensed in or resided in another jurisdiction. For the purpose
6 of determining when to suspend an operating privilege under this subsection, the
7 secretary may determine and adopt by rule a method of weighing traffic convictions
8 by their seriousness and may, subject to the limitations in this subsection, change
9 such weighted scale as experience or the accident frequency in the state makes
10 necessary or desirable.

11 **SECTION 3347.** 343.325 (4) of the statutes is amended to read:

12 343.325 (4) If a person whose suspension, revocation or disqualification was
13 stayed pursuant to sub. (2) is convicted of an offense for which revocation or
14 ~~disqualification~~ is mandatory under s. 343.31 or 343.315 an order of disqualification
15 is required under s. 343.315 (3) (bm) 1., during the pendency of the appeal of the
16 original conviction, the secretary shall forthwith revoke such person's operating
17 privilege or disqualify the person from operating a commercial motor vehicle on
18 account of the latter conviction, notwithstanding the appeal of either or both
19 convictions.

20 **SECTION 3348.** 343.33 (2) of the statutes is amended to read:

21 343.33 (2) Upon the hearing, the department or its a hearing examiner may
22 administer oaths, issue subpoenas for the attendance of witnesses and the
23 production of relevant books and papers and may require a reexamination of the
24 licensee. No law enforcement officer or other witness produced by the person who
25 has requested a hearing to testify on his or her behalf shall be paid a witness fee by

1 the department nor shall any law enforcement officer called to appear for the
2 department be paid any witness fee. All testimony shall be taken and transcribed.

3 **SECTION 3349.** 343.34 (1) of the statutes is amended to read:

4 343.34 (1) Whenever the secretary is satisfied that a person has violated a
5 restriction on the a license issued under this chapter and that it is in the interests
6 of public safety to suspend the license, the secretary shall suspend such license for
7 a period not exceeding one year unless the violation is cause for revocation.

8 **SECTION 3350.** 343.34 (2) of the statutes is amended to read:

9 343.34 (2) When a person who is a licensee under this chapter or is a resident
10 to whom another jurisdiction has not issued an operator's license has been convicted
11 under s. 343.16 (7) (b).

12 **SECTION 3351.** 343.345 of the statutes is amended to read:

13 **343.345 Restriction, limitation or suspension of operating privilege.**

14 The department shall restrict, limit or suspend a person's operating privilege if the
15 person is delinquent in making court-ordered payments of child or family support,
16 maintenance, birth expenses, medical expenses or other expenses related to the
17 support of a child or former spouse, or who fails to comply, after appropriate notice,
18 with a subpoena or warrant issued by the department of ~~workforce development~~
19 children and families or a county child support agency under s. 59.53 (5) and related
20 to paternity or child support proceedings, as provided in a memorandum of
21 understanding entered into under s. 49.857.

22 **SECTION 3352.** 343.345 of the statutes, as affected by 2007 Wisconsin Act
23 (this act), is amended to read:

24 **343.345 Restriction, limitation or suspension of operating privilege.**

25 The department shall restrict, limit or suspend a person's the operating privilege of