

## **NOTICE OF PROPOSED GUIDANCE DOCUMENT**

### **Lifetime Revocation**

Pursuant to Wis. Stat. s. 227.112, the Wisconsin Department of Transportation is hereby seeking comment on Lifetime Revocation s.343, a proposed guidance document.

### **PUBLIC COMMENTS AND DEADLINE FOR SUBMISSION**

Comments may be submitted to the Wisconsin Department of Transportation for 21 days by:

1. Department's website:

<https://appengine.egov.com/apps/wi/dot/guidance-docs?guidDocId=DMV7>

2. Mailing written comments to:

Division of Motor Vehicles  
Wisconsin Department of Transportation  
4822 Madison Yards Way  
PO Box 7336  
Madison, WI 53707-7336

### **WEBSITE LOCATION OF FINAL GUIDANCE DOCUMENT**

The final version of this guidance document will be posted at [wisconsin.dot.gov](http://wisconsin.dot.gov) to allow for ongoing comment.

### **AGENCY CONTACT**

[DOTDMVGuidanceDocs@DOT.WI.GOV](mailto:DOTDMVGuidanceDocs@DOT.WI.GOV)



## State of Wisconsin Department of Transportation

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# Lifetime revocation

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**Lifetime Revocation (2017 Wisconsin Act 172) is effective December 1, 2018.**

**Any alcohol related violations received on or after December 1, 2018, if convicted could result in a Lifetime revocation.**

2017 Wisconsin Act 172 requires the Wisconsin Department of Transportation (WisDOT) to revoke the operating privilege of a person permanently.

- When the person is convicted, revoked, or suspended for four or more operating while

intoxicated (OWI) offenses and the fourth OWI offense occurs within 15 years of the previous offense.

- When a person has two alcohol related conviction, suspension or revocation within a 25-year period and has two or more **qualifying convictions\***.
- A person who is permanently revoked under any of these provisions is not eligible for an occupational license.

**\*Qualifying conviction** is defined to mean either of the following:

- A conviction for second-degree reckless homicide, homicide by intoxicated use of a motor vehicle, or homicide by negligent operation of a motor vehicle.
- A conviction for a crime punishable as a felony under the Motor Vehicle Statute or a felony in the commission of which a motor vehicle is used.

A person may apply for reinstatement after 10 years of the revocation period have elapsed if the person meets the general requirements for license reinstatement and satisfies both of the following:

- The person has not been convicted of certain felonies or misdemeanors related to motor vehicle operation during the 10-year period immediately preceding the application for reinstatement.
- The person submits to, and complies with, an alcohol or drug assessment by an approved public treatment facility, not more than 45 days before applying for reinstatement.

**Act 172 creates a permanent or Lifetime revocation and has created the following statutes:**

- [§.343.31\(1m\)\(b\)](#) - If the number of convictions as counted under [§.940.09\(1\)](#) or [§.940.25](#) plus convictions as counted under [§.343.307\(1\)](#) equals 4 or more and the 4th conviction occurs within 15 years of the previous conviction the department shall revoke for the person's operating privilege permanently.
- [§.343.31\(1m\)\(c\)](#) - If the number of convictions as counted under [§.940.09\(1\)](#) or [§.940.25](#) plus convictions as counted under [§.343.307\(1\)](#) equal 2 or more within 25 years and the person has 2 or more **qualifying convictions\*\***, the department shall revoke the person's operating privilege permanently.

**\*\*Qualifying convictions** means any of the following:

- [§.343.31\(1m\)\(a\)1](#) - A conviction for a violation under [§.940.06](#), [§.940.09](#) or [§.940.10](#) involving the use of a vehicle.
- [§.343.31\(1m\)\(a\)2](#) - A conviction for a crime punishable as a felony under chapters 341 to 348 or a felony in the commission of which a vehicle is used.

More information regarding [2017 Wisconsin Act 172](#).

### **Driver Information Section**

P.O. Box 7983  
Madison, WI 53707-7983

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