

## Chapter MVD 11

## POINT VALUES FOR TRAFFIC VIOLATIONS

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**MVD 11.01 Causes for mandatory revocation of operator's license.**

(1) Whenever any person is convicted of any one of the offenses enumerated under section 343.31 (a) through (f), Wis. Stats., there shall be charged against his driving record 12 points.

(2) Whenever any person is convicted of violation of the restrictions on his occupational license under section 343.10 (6), Wis. Stats., or any local ordinance with same provisions there shall be charged against his record 12 points.

**History:** Cr., Register, July, 1956, No. 7, eff. 8-1-56; am. Register, August, 1957, No. 20, eff. 9-1-57.

**MVD 11.02 Causes for mandatory revocation of operator's license.**

(1) When revocation of license is directed by the court under section 343.30 (1), Wis. Stats., the point value charged against the record of the offender shall be in strict accordance with the charge for which conviction is made as shown in point schedule section MVD 11.03.

(2) When revocation of license is required under section 343.32 (1) (a), Wis. Stats., for conviction of an operator for an offense which caused a traffic accident resulting in death of another the point value charged against the offender shall be in strict accordance with the charge for which conviction is made as shown in point schedule section MVD 11.03 and 6 points shall be added for causing the death of another person.

(3) The point value charged against the record of any offender convicted of any one of the charges set forth under section 343.32 (1) (b), Wis. Stats., shall be 12.

(4) As the revocation required under section 343.32 (1) (d), Wis. Stats., is for a civil liability which must be met and proof of future financial responsibility furnished before reinstatement of driving privileges can be obtained no point value shall be charged against the record of the operator against whom the judgment is obtained as a result of the judgment.

(6) The point value charged against the record of any operator whose driving privilege is suspended under chapter 48.36 (2) (c), Wis. Stats., shall be 12.

**History:** Cr., Register, July, 1956, No. 7, eff. 8-1-56; am. (1); (2); (3); (4); r. (5); am. (6); Register, August, 1957, No. 20, eff. 9-1-57; am. (2) and (4), Register, December, 1958, No. 36, eff. 1-1-59; am. (2) and (6), Register, April, 1961, No. 64, eff. 5-1-61.

Register, April, 1961, No. 64

MVD 11.03 Point schedule. In accordance with the authority conferred under 343.32 (2) Wis. Stats. (the demerit point system having been adopted) the scale of demerit points are hereby set forth opposite the type of conviction (violation) in the following type case in determining habitually negligent operators having repeatedly violated state or local traffic laws for the purpose of revoking operating privileges (licenses).

<i>Type of Violation</i>	<i>Point Value</i>
(1) Arterial or Traffic Control Violation -----	3
(2) Blocking Traffic, Obstructing Traffic, Slow Moving Vehicle -----	2
(3) Conviction for any traffic violation during suspension or revocation period or when proof of financial responsibility is required without having furnished such proof -----	12
(4) Driving the Wrong Way on One Way Street --	1
(5) Driving Over Sidewalk -----	2
(6) Driving on Wrong Side of Highway and Driving on Wrong Side of Street -----	3
(7) Failure to give Appropriate Signal -----	3
(8) Failure to Report Reportable Accident -----	2
(9) Failure to Stop After Accident, and Hit and Run (If only property damage involved)	6
(10) Failure to Yield Right of Way and Following Vehicle too Closely -----	3
(10A) Failure to Yield Right of Way to Emergency Vehicle -----	3
(11) Improper Brakes and Improper Lights (includes clearance lights, without lights, spot light and head lights) -----	3
(11A) Failure to Dim Lights -----	3
(12) Prohibited Turn or Illegal Turn -----	3
(13) Inattentive Driving—(346.89 (1), Wis. Stats.) --	3
(14) (a) Operating with a license which has been expired for less than six months -----	2
(b) Operating without having obtained an operator's license or with a license which has been expired for 6 months or more -----	4
(c) Operating while operating privilege is suspended or revoked or when proof of financial responsibility is required and has not been furnished -----	12
(15) Parking on Highway in Traffic Lane -----	2
(16) (a) Illegal Passing -----	4
(b) Passing a school bus when red lights are flashing -----	4
(c) Deviating from a traffic lane -----	4
(17) Reckless Driving -----	6
(18) Racing on Public Highway -----	6
(19) Speeding	
(a) Up to 20 MPH in excess of lawful or posted speed -----	3

<i>Type of Violation</i>	<i>Point Value</i>
(b) 20 MPH or over in excess of lawful or posted speed -----	6
(d) Too Fast for Conditions, Imprudent Speed, Failure to have Vehicle Under Control -----	4
(20) All other moving traffic convictions, except the following: -----	2
(a) Failure to pay public service permit fee	
(b) Operating in excess of authority granted by public service commission	
(c) Failure to register vehicle	
(d) Improper license plates	
(e) Overload on license or overload on axle	
(f) Failure to transfer certificate of title	
(g) Unnecessary blowing of horn	
(h) Improper muffler and	
(i) Violation of boulevard ordinance	

(21) When an operator is convicted of an offense which caused a traffic accident resulting in personal injury to another person, the point value charged against the offense shall be in strict accordance with the charge for which the conviction was made as shown in the foregoing schedule and six additional points shall be charged for causing a personal injury accident.

(23) In determining the accumulated demerit points against an operator within 12 months, 24 months, or 36 months, the department shall use the date each violation was committed as the basis for such determination.

**History:** Cr. Register, July, 1956, No. 7, eff. 8-1-56; am. (13), Register, August, 1957, No. 20, eff. 9-1-57; cr. (21), Register, December, 1958; No. 36, eff. 1-1-59; r. and recr. intro. par.; am. (1), (4), (5), (6), (7), (10), (10A), (11), (12), (16), (17), (18), (19), (d); r. and recr. (14); cr. (16) (b) and (c); r. (19) (c); r. and recr. (20); cr. (23); Register, April, 1961, No. 64, eff. 5-1-61.

**MVD 11.04 Warnings.** The department may notify any operator of the point value charged against his record when the record shows six or more points to have been accumulated in a 12 month period.

**History:** Cr., Register, July, 1956, No. 7, eff. 8-1-56.

**MVD 11.05 Revocation of license.** (1) Demerit points accumulated when a person is not operating as a chauffeur shall not be counted against his chauffeur license but demerit points accumulated by a person when operating as a chauffeur shall be counted against both his chauffeur license and his regular license.

(2) The department may revoke the operating privileges of any person when his driving record shows he has attained or accumulated 12 points in 12 months or 18 points in 24 months or 24 points in 36 months.

(3) The department may revoke the chauffeur license of any person when his driving record shows he has attained or accumulated 12 points in 12 months or 18 points in 24 months or 24 points in 36 months for offenses committed while operating as a chauffeur.

**History:** Cr., Register, July, 1956, No. 7, eff. 8-1-56; r. and recr. Register, December, 1958, No. 36, eff. 1-1-59.

Register, April, 1961, No. 64

**MVD 11.06 Determination of point value at reinstatement.** The department upon issuing a reinstated operator's license shall reduce the accumulated point value to 6 points, provided reinstatement of such operating privilege is made within 12 months from the date of the latest violation. If at the time of such reinstatement, the demerit point value in the immediately preceding 12 month period is less than 6, then the lesser point value shall be carried forward on the record.

**History:** Cr., Register, July, 1956, No. 7, eff. 8-1-56; am. Register, April, 1961, No. 64, eff. 5-1-61.

**MVD 11.07 Reduction of point value for clear driving record.**

(1) For the first full year of operation without a traffic violation the total accumulated point value charged against an operator shall be reduced by one-third.

(2) For the second full year of operation without a traffic violation the remaining total accumulated point value charged against an operator shall be reduced by one-half.

(3) For the third full year of operation without a traffic violation the remaining accumulated point value charged against an operator shall be withdrawn.

**History:** Cr., Register, July, 1956, No. 7, eff. 8-1-56; am. (1), (2), and (3), Register, April, 1961, No. 64, eff. 5-1-61.

**MVD 11.08 History:** Cr., Register, July, 1956, No. 7, eff. 8-1-56; am. Register, December, 1958, No. 36, eff. 1-1-59; r. Register, April, 1961, No. 64, eff. 5-1-61.