

No. 78, S.]

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CHAPTER 38.

AN ACT to amend 85.08 (25c) of the statutes, relating to occupational motor vehicle operators' licenses, and providing a penalty.

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

85.08 (25c) of the statutes is amended to read:

85.08 (25c) (a) * * * Upon verified petition setting forth in detail the need of any person * * * convicted of violating any * * * law or * * * ordinance prohibiting a person from operating a motor vehicle while under the influence of intoxicating liquor, a judge of record or a judge of a county court or municipal court having criminal jurisdiction in the county of residence may order the commissioner * * * to issue an occupational license to such person provided that such person has not been convicted of any such offense within the preceding * * * 18 month period. * * * A copy of the petition shall be mailed to the * * * department with the * * * occupational order. No occupational license shall be ordered or issued until after 90 days following the date of the conviction * * *.

(b) An occupational license means authority to operate a motor vehicle *not to exceed 12 hours per day and then* only where such operation is an essential part of the occupation or trade. The order for issuance of an occupational license shall contain definite restrictions as to hours of the day, type of occupation, areas or routes of travel to be permitted under such license. If the order for an occupational license permits the convicted operator to operate vehicles other than those registered in the name of the person or company by which he is employed, the commissioner of the motor vehicle department shall not issue an occupational license to such person until such person has filed ac-

ceptable proof of his financial responsibility as specified in section 85.09. The period of restricted operation under an occupational license shall be for one year from the date of conviction.

(c) Where a restricted license is issued and is not revoked during the year the department shall return to the operator the license which was surrendered at the time of conviction. * * *

(d) In the event that an occupational licensee is convicted for operating in violation of his restrictions, *or of a serious traffic violation, or if the judge* * * * does not, upon the facts, see fit to permit such person to retain such occupational license, the commissioner * * * shall, upon receipt of notice thereof, revoke all operators' and motor vehicle licenses of such licensee. Such revocation shall be effective as of the date of such violation, conviction or withdrawal order and shall continue with the same force and effect as other revocations made by the commissioner under subsection (25). •

(e) Any person convicted for violation of any restriction of an occupational license shall in addition to the immediate revocation of such licenses be * * * *fined* * * * *not less than \$50 nor more than \$200* or * * * *imprisoned* for not more than 6 months or * * * both * * * .

Approved April 9, 1949.
