

OCCUPATIONAL LICENSE INFORMATION

MV3505 5/2010

Wisconsin Department of Transportation

An occupational license is a **restricted** driver license. Unlike a regular license, you are limited in where and when you can drive. You may only drive to and from work or church or other places indicated on the license and during specific times of the day. You may not use an occupational license for recreational purposes or to operate a commercial motor vehicle. Your total driving time is limited to 12 hours each day and no more than 60 hours for the entire week. If you operate outside those specific hours or for a purpose not permitted on the license, you may be arrested for operating after suspension or revocation.

If you need to travel through another state, you need to check to see if they allow operation with a Wisconsin occupational license. All states may not honor a Wisconsin occupational license.

WHO MAY BE ELIGIBLE

If you are a Wisconsin resident, you may be eligible to obtain an occupational license if your operating privilege was revoked or suspended under the following circumstances:

- A traffic offense under Ch. 343 Wis. Stats.
- A drug conviction under s.961.50 (except juveniles).
- Nonpayment of child support under s.767.303.
- An Habitual Traffic Offender (HTO) or Repeat Habitual Traffic Offender (RHT) under Ch. 351 Wis. Stats.

WHO IS NOT ELIGIBLE

An occupational license cannot be issued:

- If you are a juvenile who committed offenses under Ch. 938 Wis. Stats.
- If you are under suspension for failing to pay a forfeiture (such as a traffic ticket or municipal citation).
- If your license has been canceled (rather than revoked or suspended).
- If you have never held a driver license.
- If you are eligible to reinstate your driver license after revocation or suspension.
- If you have two or more revocation/suspension cases from separate incidents in a one-year period.
- If you have not served all mandatory waiting periods for an occupational license.

REQUIRED WAITING PERIODS

Some revocation/suspension cases require that you serve a mandatory waiting period before you are eligible for an occupational license. The waiting period begins on the effective date of your revocation/suspension case. If you have multiple revocation/suspension cases, you must serve all waiting periods. The waiting period may vary depending on your previous driving history and the reason for the current revocation/suspension. All revocation/suspension cases require a 15-day waiting period except the following:

- Demerit points – no waiting period.
- Underage alcohol operation – no waiting period.
- HTO or Repeat HTO (RHT) – after 2 years.

- Drug Convictions:
 - ▶ First – no waiting period.
 - ▶ Second – after 60 days.
 - ▶ Third or more – after 90 days.
- Nonpayment of child support – no waiting period.
- Wisconsin OWI type violations:
 - Blood Alcohol Content (BAC) – no waiting period.
 - Wisconsin operating while intoxicated (OWI or PAC) convictions:
 - ▶ First – no waiting period.
 - ▶ Second or more – after 45 days.
 - Causing injury while intoxicated – after 60 days.
 - Implied consent refusals:
 - ▶ First – after 30 days.
 - ▶ Second – after 90 days.
 - ▶ Third or more – after 120 days.
 - Negligent homicide while intoxicated or great bodily harm – after 120 days.

EMERGENCY SERVICE PROVIDER

If you are employed by a unit of government, public utility, medical service provider or provide services to one of these, you may be allowed to operate outside the hours listed on your occupational license. When operating at a time not listed on your occupational license, you must be providing life-sustaining services during an emergency. Emergency operation during unlisted hours is only allowed to and from home, work and any emergency site.

An emergency service provider must list less than 60 hours for non-emergency operation to allow for driving time during an emergency. Total hours of operation for both emergency (unlisted hours) and non-emergency (listed hours) cannot exceed 12 hours per day/60 per week.

If requested by law enforcement, you must be able to prove you are providing life-sustaining service during an emergency when operating during unlisted hours.

HOW TO APPLY

You may visit the Wisconsin Department of Transportation's Web page www.dot.wisconsin.gov to find out if you are eligible for an occupational license.

You may apply for an occupational license at the nearest DMV Customer Service Center (excluding DMV Express Offices). Two hours are needed to process an application. Plan to arrive at the DMV Customer Service Center at least two hours before the center is scheduled to close. You need to do the following:

- Complete a Wisconsin Driver License Application MV3001 and an Application for Occupational Operator License MV3027. If you are under 18 years old, a sponsor signature is required.
- Complete necessary tests, including vision screening.
- Provide proof of your identity, such as an ID with your picture on it or a document with your signature.

- Provide an SR22 insurance certificate.
- Pay a \$50 fee. **Filing an application and paying a fee does not guarantee issuance of an occupational license.**
- If you have two or more OWI convictions and are revoked for OWI, prove you have completed an assessment and are participating in a driver safety plan.
- If the court ordered you to install an ignition interlock device (IID) in any vehicle you operate, DMV must be provided with proof that the IID has been installed.
- If you have been revoked as an habitual traffic offender (HTO), the circuit court in your county of residence must approve the issuance of your occupational license.

AFTER YOU APPLY

DMV staff at the Customer Service Center reviews your driver record and application to determine if you are eligible for an occupational license. The staff at the Customer Service Center will immediately process most occupational applications.

If necessary, they will FAX your application to the DMV in Madison for a complete review of your driver record and application. There, a final determination is made on whether you are eligible for an occupational license. If you are not eligible, you will be notified the license will not be issued and why.

Depending upon the hours the Customer Service Center is open, you may receive your occupational license the same day. If it is near the Customer Service Center's closing time or if they need to FAX your application to the DMV in Madison, you may be asked to return the next day or the next time that station is open to have your photo occupational license issued.

WHAT TO DO IF YOUR APPLICATION FOR AN OCCUPATIONAL LICENSE IS DENIED

If you are denied an occupational license because you have 3 OWI type offenses within 5 years, or 24 or more demerit points within one year, and provided all required waiting periods are over, you can petition the circuit court in your county of residence for an occupational license. The petition should include a copy of your driver record, your denial letter from DMV, your occupational application and a nonrefundable fee. You can obtain a copy of your driver record from DMV by calling 608-261-2566 or writing to:

Division of Motor Vehicles
PO Box 7995
Madison, WI 53707-7995

If the court grants your request for an occupational license, take the court order to a DMV Customer Service Center. If you meet all other eligibility requirements, your occupational license will be issued.

If you are denied an occupational license because you have

two or more revocation/suspension cases from separate incidents within a one year period, you can petition the circuit court in your county of residence for an occupational license. **However, even if the court grants your request for an occupational license, DMV will again deny issuance of an occupational license. The law prohibits issuing an occupational license to a person with two revocation/suspension cases from separate incidents, within a one year period.**

HOW DO I MAKE CHANGES TO MY OCCUPATIONAL LICENSE

If you need to make any changes to the restrictions on your occupational license, fill out a new Wisconsin Driver License Application MV3001 and an Occupational Operator License Application MV3027 at a DMV Customer Service Center. A \$50 nonrefundable fee is required.

The \$50 fee will be waived one time to change your hours so you may complete your driver safety plan AND you did not list driver safety plan as one of the restrictions on your current occupational license. Any changes other than hours require a \$50 fee.

If your prior occupational application was approved by the circuit court in the county of your residence, the court must approve any changes. The nonrefundable fee is paid to the court.

HOW DO I GET A DUPLICATE OCCUPATIONAL LICENSE

If you lost your occupational license or need to change your name or address, you can get a duplicate occupational license. You do not need to fill out a new Occupational Operator License Application MV3027. You need to bring proof of your identity (such as an ID with your picture on it or a document with your signature) and complete a Wisconsin Driver License Application MV3001 for a duplicate license. There is a \$14 fee.

MANDATORY INSURANCE

Beginning June 1, 2010 no person may operate a motor vehicle in this State unless the owner or driver of the vehicle has liability insurance in effect for the vehicle being operated and carries proof of insurance whenever driving.

Law Enforcement may ask for proof of insurance at any traffic stop or accident. Failure to have insurance could result in up to a \$500 fine. Failure to have proof when requested could result in a \$10 fine.

You do not need proof of insurance when registering a vehicle or obtaining a driver license, unless DMV specifically requested proof of financial responsibility (SR-22) after a revocation or suspension. Refer to Wis. Stats 344.61-344.65 for full detail.

Questions?

Call the DMV at 608-266-2261 or send e-mail to driverinformation.dmv@dot.wi.gov.