

OCCUPATIONAL LICENSE INFORMATION

MV3505 2/2003

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. 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If you are a Wisconsin resident, you **may** be eligible to obtain an occupational license if your operating privilege was revoked or suspended under the following circumstances: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
- A Habitual Traffic Offender (HTO) or Repeat Habitual Traffic Offender (RHT) under Ch. 351
- A commercial driver license (CDL) revoked/suspended for a damage judgement or under the Safety Responsibility Law.

WHO IS NOT ELIGIBLE

An occupational license cannot be issued:

- If you are a juvenile who committed offenses under Ch. 938.
- If you are under suspension for failing to pay forfeiture (such as a traffic ticket or municipal citation).
- If your license has been cancelled (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 – after 90 days
- Non payment 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 – after 60 days
 - ✓ Third or more – after 90 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

Note: As of September 30, 2001, any two OWI-type violations, including those listed above, within any five-year period may require a one-year waiting period.

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.

24-HOUR COMMERCIAL OPERATION FOR CDL HOLDERS

If you have a CDL and need to drive a commercial motor vehicle outside the hours listed on your occupational license, you may request 24-hour commercial operation. If you request 24-hour commercial operation, you must record the hours for commercial operation in a duty status log. This log must be kept current at all times and shall be presented to a law enforcement officer upon request.

A person requesting 24-hour commercial operation must list less than 60 hours of noncommercial operation to allow for driving time recorded in the duty status log. Total hours of operation for both commercial as recorded in the duty status log and noncommercial (listed hours) cannot exceed 12 hours per day/60 per week.

HOW TO APPLY

You may call the DMV's automated telephone system at (608)261-0368 to find out if you are eligible for an occupational license or with any other questions.

You 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 test, 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.
- If DMV does not show your license as revoked or suspended, provide a conviction status report or a photocopy of the front and back of a court completed citation. You may contact the Compliance and Restoration Section to verify if this document is needed.
- Pay a \$40 nonrefundable application fee. **Filing an application and paying a \$40 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 (excluding motorcycles and commercial motor vehicles), provide an IID Installation form (MV3598) from an approved IID installer.
- If you have been revoked as a habitual traffic offender (HTO), the circuit court in your county of residence must approve the issuance of your occupational license.
- CDL applicants must show a valid Federal Medical card.

AFTER YOU APPLY

DMV staff at the Customer Service Center does a review of 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 Compliance and Restoration Section 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 Compliance and Restoration Section, 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 OCCUPATIONAL LICENSE IS DENIED

If you are denied an occupational license because you have of 3 OWI type offenses within 5 years or 24 or more demerit points within one year, 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 for DMV, your occupational application and a \$40 nonrefundable fee. You can obtain a copy of your driver record from DMV by calling (608) 261-2566 or writing to
DMV Records and Licensing Information Section
PO Box 7918
Madison, WI 53707-7918

There is a \$5 fee.

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 the county of your 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 \$40 nonrefundable fee is required.

The \$40 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 \$40 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 \$40 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 \$4 fee.

Questions? Call the DMV Compliance and Restoration Section at (608) 266-2261 or send e-mail to cnr.dmv@dot.state.wi.us.

REMINDER TO: all persons, Wisconsin residents and non-residents, who have had their driver's license suspended or revoked for failure to pay, underage alcohol, operating and auto while intoxicated, etc.

When your suspension/revocation period ends, you must **reinstate** your Wisconsin driving **privilege** with the Wisconsin Department of Transportation before you can legally drive in Wisconsin.

Reinstate your Wisconsin driving privilege by paying a reinstatement fee to the Wisconsin Department of Transportation – Motor Vehicle Division.

Motor Vehicle is located in Peshtigo, Wisconsin.

101 North Ogden Road

Hwy 141 S – turn right at Vandervest Harley-Davidson

Open Monday, Wednesday, Friday 8:30 a.m. to 4:30 p.m.

1/800/236-7368

Motor Vehicles offices in Niagara, Florence, Oconto, & Green Bay