

The information in this chapter is from the Wisconsin Department of Transportation and The Wisconsin Administrative Code Chapter Trans 102. For more detailed information on WI driver licensing, please visit the WI DOT/DMV web site at:

www.wisconsinDMV.gov

You are required to hold a valid driver's license to drive or operate a motor vehicle or a motor-driven cycle on Wisconsin public roadways. A driver's license is a responsibility not a right or privilege. By getting a driver's license you show that you are going to be a safe, defensive, and responsible driver. Your responsibility is to keep everyone, including yourself, safe while you operate the vehicle.

Wisconsin Driver's licenses have the following classes or types:

Class M License: allows you to operate a motorcycle

Class A, B, or C License: are for Commercial Driver License (CDL)

Class D License: allows you to operate a car, light truck, or moped. This is what you are attempting to get.

The Class D License has the following types:

1. Instruction Permit (temps)
2. Probationary
3. Regular
4. Occupational

The instruction permit (temps):

The instruction permit, or temps as most new drivers call them, is the first step towards becoming a fully licensed driver in WI. The instruction permit is valid for 12 months and may be renewed if needed.

Temps Testing - In order to get the instruction permit, you must pass the traffic law knowledge and highway signs tests. The traffic law knowledge test consists of 50 multiple choice questions and you must score 80% or higher (40 of 50 correct) to pass. The highway signs test consists of 15 multiple choice questions and you must score 80% or higher (12 of 15 correct) to pass. Each test is scored separate. If you fail one or both tests, you must wait at least 24 hours before re-taking. If you pass one and fail the other, you only re-take the test that you failed. Reading and understanding this manual will help you prepare for those tests.

To receive an Instruction Permit if you are **under 18 years of age, you must:**

- Be enrolled in a WI State approved behind-the-wheel drivers education course which begins within 60 days of the date that the WI state approved driving school has signed your MV3001 driver's license application.
- Be 15 years, six months of age or older.
- Pass vision screening.
- Have your parent or legal guardian sign your MV3001 as sponsor. A DMV authorized employee or a notary public must witness the sponsor's signature.
- Have passed the Traffic Law Knowledge and Highway Signs tests.
- Meet the medical and physical requirements.

- Pay the WI DMV the required fees. (*Instruction Permit is \$35.00 for a 12 month period*)
- Provide the WI DMV with proof of U.S. citizenship, legal immigration status or legal temporary visitor status in the U.S. You can provide that proof by:
 - certified copy of your U.S. birth certificate
 - valid U.S. Passport or Passport Card.
 - valid foreign passport with appropriate immigration documents.
- Provide the WI DMV with proof of your legal name and date of birth. You can provide that proof by:
 - certified copy of your U.S. birth certificate
 - valid U.S. Passport or Passport Card.
 - valid foreign passport with federal I-551 or I-94, arrival and departure record.
- Provide the WI DMV with proof of your identity, such as a:
 - Social security card with your signature on.
 - Valid Wisconsin or out-of-state ID card with your photograph on.
 - U.S. Military ID card with your photograph on.
- Provide the WI DMV with proof of your Social security Number by:
 - Social Security Card that is signed in ink.
 - W-2 form including your name, address and Social Security Number
- Have valid operating status. Your driving privilege is not suspended or revoked in WI or any state.

Note: Notification of birth registration, hospital birth certificates, and baptismal certificates are not acceptable. To get a certified copy of your birth certificate, contact the Register of Deeds in the county you were born in. If you were born in Wisconsin, you can also contact Vital Records, P. O. Box 309, Madison, WI 53701 or web site at www.dhs.wisconsin.gov/vitalrecords/birth.htm. There is a charge for ordering.

Note: You may be required to show proof of Wisconsin residency. For more information, visit the DMV Web site. All documents presented as proof must be original. Photocopies are not acceptable. Visit the DMV Web site at www.wisconsin.dmv.gov to find out what other identification documents are acceptable.

Note: Wisconsin is issuing both REAL ID-compliant and non-compliant driver licenses. The cards look similar. The cost for either card is the same. Currently either card is valid for federal purposes. REAL ID-compliant cards meet federal REAL ID requirements.

At some point, a REAL ID document will be required for identification purposes at airports and to enter federal buildings. You will find more information about REAL ID on the Division of Motor Vehicles (DMV) web site www.wisconsin.dmv.gov.

Note: Currently you can provide your Social Security Number without presenting proof of it to apply for a driver license that is not compliant with REAL ID requirements. If you are not eligible for a Social Security Number, you must sign a Social Security Number non-eligibility certification statement.

Note: All documents presented as proof must be original. Photocopies of documents are not acceptable. All documents presented as proof will be returned to you after processing.

Restrictions of the Instruction Permit (temps)

You must only drive when you are accompanied by a person with **two years driving experience** who holds a valid **regular** (not probationary or occupational) license and who sits in the front passenger seat and is one of the following:

- ❖ a qualified driving instructor 19 years of age or older. (Up to three others may ride along if the car is equipped with dual controls), **or**
- ❖ a parent, guardian or spouse 19 years of age or older (your immediate family members may ride along in the back seat as long as there is a functioning seatbelt for them), **or**
- ❖ a person 21 or older. (If you, the driver, are under 18, this person must be designated in writing by your parent or guardian prior to accompanying you while driving a vehicle.)

Note: If you are at least 16 years of age, in addition to the licensed accompanying driver, one other licensed person 25 years of age or more with at least 2 years driving experience who is not your immediate family may occupy a seat in the vehicle other than the front seat.

Any traffic convictions while holding the instruction permit will result in holding the instruction permit for an additional 6 months from the conviction date, or until you reach the age of 18 years, whichever comes first.

WI LAW – prohibits drivers with an instruction permit or probationary license from using a cell phone or texting while driving except to report emergencies to local police, fire, or rescue agencies.
Section 346.89(4) Wis. Stats.

THE PROBATIONARY LICENSE

A Probationary license is the first license issued to new drivers regardless of age which permits them to operate a motor vehicle alone. It is valid for two years from your next birthday. Points are doubled for the second and subsequent convictions for traffic violations during your probationary license holding time.

To qualify for a Probationary license, all applicants under the age of 18 years must meet the Driver License Requirements listed on Instruction Permit requirements page and also meet the following requirements:

- present proof of completing an approved driver education class, **and**
- have had an Instruction Permit for a minimum of six months, **and**
- have accumulated 30 hours of behind-the-wheel driving experience, 10 of which must be at night, **and**
- have had no moving traffic violations resulting in a conviction for the 6 months prior to the date of application for this license, **and**
- have your parent or adult sponsor certify (on the driver license application) the completion of 30 hours of driving experience, 10 of which must be at night, **and**
- pass a driving skills test, **and**
- pay the required fees.

Note: Up to 5 hours of behind-the-wheel driving experience with a qualified instructor may be double counted. For example, 3 hours will count as 6 hours. Any additional driving time after 5 hours with a qualified instructor will only count as 1 hour for each 1 hour driven.

Restrictions of the Probationary License (GDL – Graduating Driver License)

If you are under 18, for the first 9 months of holding your probationary license you will have restrictions on who can ride with you and when you are permitted to drive:

- From 5 a.m. to midnight, you can drive alone and travel anywhere. In addition, any number of your immediate family members (including legal guardian) and the following people can ride with you:
 - ❖ one person who holds a valid regular (non-probationary) license with at least 2 years of licensed driving experience and who is one of the following:
 - a qualified instructor or spouse 19 or older, or
 - a person 21 or older
 - one other person
- From midnight to 5 a.m.
 - ❖ If driving between home, school, and/or work you can drive alone. The same people as listed above can be with you.
 - ❖ If driving anywhere else, you must have one of the following people seated beside you:
 - a parent or guardian
 - one person who holds a valid regular (non-probationary) license with 2 years of licensed driving experience and who is one of the following:
 - a qualified instructor or spouse 19 or older, or
 - a person 21 or older
 - ❖ In addition, you can have any number of your immediate family members and one other person ride with you as long as each person has an operational safety belt.
- Restrictions will be extended 6 months if:
 - ❖ you are convicted of a moving traffic violation (including failure to fasten seat belt), or
 - ❖ you violate any of the restrictions, or
 - ❖ your license is revoked or suspended for any reason.

WI LAW – requires all drivers to carry their valid driver's license with them whenever operating a motor vehicle on Wisconsin roadways.

DRIVER LICENSE RENEWAL - Your probationary license will be valid for 2 years from your next birthday. You may renew your probationary license up to 90 days before it expires. Upon renewal you will be issued a regular license that will be valid up to 8 years.

DRIVER LICENSE REPLACEMENT - If your license is lost or stolen, you must obtain a duplicate license. For more information, visit the Division of Motor Vehicles (DMV) Web site at: www.wisconsin.dmv.gov

DRIVING IN OTHER STATES WITH YOUR TEMPS (IP) – Instruction Permit holders who wish to operate a motor vehicle in a state other than Wisconsin are required to abide by the rules and laws of the states in which they travel. You need to check with each state that you wish to drive in.

Traffic Convictions and Point Values

As a driver, you agree to follow the traffic and vehicle rules and laws. When you are convicted of violating a rule or law, points will be assessed against your driver's license. Below is a list of the conviction and the points assessed for that conviction.

0 points for:

Altering Driver License	Improper Muffler
Curfew Violation	Improper Plates
Deface or Obstruct Official Sign	License Not on Person
Failure to Complete Course	Littering Highway
Failure to Fasten Seat Belt	Loaning of License
Failure to Notify of Address or Name Change	Parking on Highway
Failure to Transfer Title	Projecting Loads on Side of Vehicle
Falsified Accident Report	Restrictions on Parking & Stopping
Falsified Application	Transporting Children in Cargo Areas of Motor Vehicle
Flashing Yellow (caution signal) Violation	Unnecessary Noise (ordinance violation)
Following Emergency Vehicle	Unregistered Vehicle
Forge or Alter Proof of Insurance	

2 points for:

Backing Illegally	Illegal Riding on Motorcycle/Moped – Operator
Crossing Fire Hose	Improper Equipment
Defective Speedometer	Obstructed View or Control
Driving over Walk	Obstructing Traffic

3 points for:

Driving against Traffic (one way street)	Operating after Revocation
Failure to Dim Lights	Operating w/o Driver License
Failure to Give Signal	Operating While Disqualified
Failure to Obey Traffic Sign or Signal	Operating while Suspended
Following too Closely	Operating with Multiple Licenses
GDL Curfew Violation	Passing Illegally
GDL Passenger Violation	Railroad Failure to Stop
Illegal Turn	Railroad Grade Violation - Insufficient Space
Improper Brakes	Speeding (1-10 mph over limit)
No or Improper Lights	Violation of Restriction

4 points for:

Deviating from Lane of Traffic	Speeding Intermediate (11-19 mph over limit)
Driving on Wrong Side of Highway	Texting While Driving
Failure to keep Vehicle under Control	Too Fast for Conditions
Failure to Stop for School Bus	Underage Alcohol Operation
Failure to Yield Right of Way	Unnecessary Acceleration (ordinance violation)
Imprudent Speed	Use Telephone While Driving with Prob/Inst Permit
Inattentive Driving	

6 points for:

Attempt to Elude Officer	Prohibited Alcohol Concentration
Fail to obey RR crossing restrictions	Racing
Failure to Report Accident - Operator	Railroad Grade Violation - Fail to Stop
Operating while Intoxicated causing Injury	Speeding Excess (20 mph or more over limit)
Operating under influence of Intoxicant/Controlled Substance	Reckless Driving

Your driver record will start with 0 points. Once you are convicted of violating traffic laws, the points will be put on your driver record. Once your driver record accumulates 12 points within a 12 month period (not calendar year), you will lose your privilege to drive for a certain period of time. The period of time you lose your driving privilege will be determined by the number of points you received:

12 – 16 points = 2 month suspension

17 – 22 points = 4 month suspension

23 – 30 points = 6 month suspension

30 or more points = 1 year suspension

Instruction Permit (temps) and Probationary License holders will receive double the point value for each conviction after the first conviction. Points are dropped from your driver record after 5 years from the conviction date of each violation. Once you go 12 months with no convictions, you will have zero points assessed against your driver record.

Note: The 9-month term of the passenger and time-of-day restriction stops while your operating privilege is suspended or revoked. It resumes again when your operating privilege is reinstated or you turn 18 years of age.

When you accumulate 6 points within 12 months, the WI DOT will send you a warning letter to let you know. You may also take a Point Reduction Class once every 3 years to have 3 points removed from your driver record.

You don't have to accumulate 12 or more points to lose your driver license. You may lose the license for:

- ❖ Refusing to be tested for alcohol or drugs if you are asked to do so by a police officer.
- ❖ Leaving the scene of an accident in which you are involved, without identifying yourself.
- ❖ A conviction for driving under the influence of alcohol or drugs.
- ❖ Failing to appear for a re-examination when requested to do so by the DMV.
- ❖ Attempting to change the information on your driver license.
- ❖ Failing to notify the DMV of a reportable crash in which you are involved.
- ❖ Giving false information when you apply for a driver license.
- ❖ Failing to settle a financial judgment made against you for damages resulting from a motor vehicle crash.
- ❖ Using a motor vehicle to commit a felony or causing the death of someone in a motor vehicle crash.
- ❖ Letting someone else use your driver license.
- ❖ Using someone else's driver license.

Habitual Offender

If you are convicted of 4 or more major traffic violations or 12 or more minor violations within 5 years, the DMV will declare you a habitual offender. (For information about points and major vs. minor violations, visit the DMV Web site.) Your license will be revoked for a period of 5 years. Habitual offenders are not eligible for an occupational license for 2 years after revocation.

Occupational License

If your license is suspended or revoked, visit the DMV Web site or call (608) 261-0368 to see if you qualify for an occupational license. If you are eligible, you will need to provide proof of financial responsibility. This is done by filing an SR22 form to prove you have insurance, or showing that you have other financial means to cover any damage resulting from any future traffic crash. An occupational license allows you to drive for no more than 12 hours a day and/or 60 hours a week.

Reinstating a Revoked or Suspended License

A revoked license can be reinstated after:

- ❖ The period of revocation is over, and
- ❖ You file proof of financial responsibility with the Division of Motor Vehicles, and
Note: Proof must be filed for 3 years from the date you are eligible to reinstate.
- ❖ You bring proof of identity (a skills test may be required if you have been suspended or revoked for 8 years or more), and
- ❖ You pay a reinstatement fee.

A suspended license can be reinstated at the end of the suspension period after a reinstatement fee is paid.

Out of State Transfers

If you are under 18 and hold an instruction permit from another state or country, in order to get a probationary license you will be required to meet the same conditions as a Wisconsin resident.

If you surrender a license from another state or country, some of the requirements for a probationary license may be waived. Visit the DMV Web site for more information.

WI LAW – requires new Wisconsin residents with an out-of state license to apply for a Wisconsin driver license within 60 days of becoming a resident of Wisconsin.

Exception: The following people who are non-residents of Wisconsin may drive with a valid license from their home state or country while living in Wisconsin, as long as they are at least 16 years old and their privilege to operate a motor vehicle in Wisconsin is not suspended, revoked, cancelled or disqualified:

- ❖ Members of the Armed Forces on active duty or members of foreign military on temporary duty with the Armed Forces, as well as their spouse and children.
- ❖ Students who are here up to one year to further their education. After one year, they must meet the same driver license requirements as a Wisconsin resident.
- ❖ Employees of out-of-state companies who are here temporarily to receive or give job instruction, or for other business purposes.
- ❖ Foreign tourists, who are here for up to one year.

Change of Address – Drivers licenses renewal notices and other important information is sent to the address on file with the WI DOT/DMV. If you move, you must notify the WI DOT/DMV within ten days. You may notify the DMV of address changes over the Internet at: <http://www.dot.wisconsin.gov/drivers/drivers/address-change.htm>