

Chapter MVD 11

POINT VALUES FOR TRAFFIC VIOLATIONS

|           |                                     |           |   |
|-----------|-------------------------------------|-----------|---|
| MVD 11.03 | Point schedule                      | MVD 11.06 | Determination of point value at reinstatement     |
| MVD 11.04 | Warnings                            | MVD 11.07 | Reduction of point value for clear driving record |
| MVD 11.05 | Suspension or revocation of license |           |   |

**History:** Chapter MVD 11 as it existed on June 30, 1966 was repealed and a new chapter MVD 11 was created effective July 1, 1966.

**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 suspending or revoking operating privileges (licenses).

| <i>Type of violation</i>  | <i>Point value</i> |
|---|--------------------|
| (1) Arterial sign; traffic control signal; officer's signal or any other traffic control sign 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                  |
| (6) Driving on wrong side of highway or driving on wrong side of street -----   | 3                  |
| (7) Failure to give appropriate signal -----  | 3                  |
| (9) Failure to stop after accident, or hit and run (if only property damage involved) -----   | 6                  |
| (10) Failure to yield right of way or following vehicle too closely -----   | 3                  |
| (10A) Failure to yield right of way to emergency vehicle ----   | 3                  |
| (11) Driving with improper brakes or improper lights (includes clearance lights, without lights, spot light, head lights, taillights-signal lights) -----                 | 3                  |
| (11A) Failure to dim lights -----   | 3                  |
| (12) Making a prohibited turn or illegal turn -----   | 3                  |
| (13) Inattentive driving—(section 346.89 (1), Wis. Stats.)  | 3                  |
| (14) (a) Operating with a license which has been expired for less than 6 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                  |
| (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                  |

| <i>Type of violation</i>  | <i>Point value</i> |
|---|--------------------|
| (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                  |
| (b) 20 MPH or over in excess of lawful or posted speed -----                              | 6                  |
| (c) 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) The foregoing point schedule shall also cover similar ordinance violations even though the language of the ordinance adapting may vary.

(22) Demerit points shall not be assigned against the record of any person under age 18 whose operating privilege has been restricted, suspended or revoked under section 48.36 Wis. Stats. except as provided under Wisconsin Administrative Code section MVD 11.06 (2) (a).

(23) (a) Causes for restriction, suspension or revocation of operator's license. When restriction, suspension or 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.

(b) As the revocation required under section 344.25 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.

(24) (a) The demerit points charged against the record of any person who holds a probationary license or any unlicensed person who because of his limited experience or age would have been issued a probationary license had he made proper application and met all other requirements for license shall be double the demerit point value shown for conviction of violations set forth under subsections (1) through (20) on the second and all subsequent convictions.

(b) Any person who has had his operating privilege revoked while licensed under a probationary license shall at the time of issue of any reinstated license and first renewal thereof be continued on a probationary license.

(c) Any person who has had his operating privilege restricted or suspended or who has accumulated more than 6 demerit points in the 12 month period immediately preceding his application for renewal of a probationary license shall be reissued a probationary license.

(25) 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, June, 1966, No. 126, eff. 7-1-66.

**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, June, 1966, No. 126, eff. 7-1-66.

**MVD 11.05 Suspension or revocation of license.** (1) Demerit points accumulated when a person is not operating as a chauffeur shall not be counted against his chauffeur license unless specifically required by law 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 suspend or 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 except any person who holds a probationary license or any unlicensed person who would have been issued a probationary license had he made application and met all other requirements for license and who has not had his operating privilege previously suspended or revoked shall have his operating privilege suspended.

(3) The department may suspend or 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 or when the law requires assignment of points against his chauffeur's license.

**History:** Cr. Register, June, 1966, No. 126, eff. 7-1-66.

**MVD 11.06 Determination of point value at reinstatement.** (1) 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 in the record.

(2) (a) The department shall assign 6 demerit points against the driving record of any person convicted of any offense which requires the mandatory revocation of operating privilege under sections 343.32 (1) (a) and (b) and 48.36 (2) (c) Wis. Stats. when a reinstated operator's license is issued to him within 1 year from date of such revocation.

(b) The department shall assign 6 demerit points against the driving record of any person upon issuing an occupational license or limited chauffeur's license to such person.

(3) (a) The department upon return of a probationary license which has been suspended shall reduce the accumulated point value to 6 points. If at the time of return the demerit point value in the immediately preceding 12 month period is less than 6, then the lesser point value shall be carried forward in the record.

(b) The department upon return of any license which has been suspended by order of the court under 343.30 (1) except a probationary license shall reduce the demerit points to 9 points. If at the time of such return the demerit point value in the immediately preceding 12 month period is less than 9, then the lesser point value shall be carried forward in the record.

**History:** Cr. Register, June, 1966, No. 126, eff. 7-1-66.

**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, June, 1966, No. 126, eff. 7-1-66.