

Chapter Trans 102

PHOTO OPERATOR'S LICENSE AND IDENTIFICATION CARD

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Trans 102.01 Purpose and scope. (1) As authorized by ss. 110.06, 227.014, 343.14, 343.17 and 343.20, Stats., the purpose of this chapter is to administratively interpret ss. 343.14, 343.17, 343.19, 343.20, 343.21, 343.22 and 343.50, Stats., relating to issuance of a photo operator's license and identification card.

(2) This chapter pertains to any person applying for a Wisconsin original, renewal, or duplicate operator's license or identification card, except for persons applying for licenses issued under ss. 343.08, 343.10, 343.12, 343.125 and 343.126, Stats.

Note: Forms used in administering this rule are MVD-3392 data card, MVD-3390 examination worksheet, MVD-3393 pocket envelope, MVD-3394 renewal information insert, MVD-3001B application, MVD-3001 application, MVD-3166 license form, MVD-3166A special restriction attachment, MVD-3006 renewal license notice, and MVD-3006B identification card renewal notice.

History: Cr. Register, September, 1982, No. 321, eff. 10-1-82.

Trans 102.02 Definitions. As used in this chapter:

(1) "Centrally issued" means the finished licenses or identification cards mailed from the central office in Madison.

(2) "Laminated license or identification card" means the photo license or photo identification card of the applicant and application data, sealed within plastic and fused to the surface of the document.

(3) "License type" means the distinguishing notation on the operator's license to readily identify one license from another.

(4) "Operator's license" means a document which authorizes a person to drive or have actual physical control of a motor vehicle.

(5) "Rephoto" means a replacement photograph with fee as prescribed in s. Trans 102.09 (3).

(6) "Retake" means another photograph without fee taken when the previous photograph is not clear, complete, or becomes lost or damaged in processing as prescribed in s. Trans 102.09 (1).

History: Cr. Register, September, 1982, No. 321, eff. 10-1-82.

Trans 102.03 Photograph exemptions. (1) As provided by s. 343.14 (3), Stats., a license without photograph shall be issued when:

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(a) A Wisconsin resident is out of state and is not able to return for a renewal or duplicate for one of the following reasons:

1. The person is stationed outside the state in the military service, or
2. Is attending school in another state, or
3. Is working out of state on a job assignment, or
4. A person out of state on vacation.

(b) The person's religion does not allow a photograph to be taken. To qualify for the exemption, the following shall be furnished to the department.

1. A certified or notarized statement by a member of the clergy of his or her religion verifying the applicant is a member of the congregation and that photographing is prohibited by the religion, and
2. A copy of the certificate of tax exempt status from the Internal Revenue Service for that congregation.

(2) Within 30 days of return to Wisconsin, the applicant who has received the photograph exemption license as prescribed in sub. (1) (a), shall apply for a license containing a photograph, and pay the fee required in s. 343.21 (1) (f), Stats., for a duplicate license.

History: Cr. Register, September, 1982, No. 321, eff. 10-1-82.

Trans 102.04 Design of photo license and identification card. (1) The operator's license and identification card shall be a one part document.

(2) The document shall consist of 2 sides and contain information to conform with s. 343.17, Stats. (a) The front side shall:

1. Contain the applicant's photograph on the left side of the card.
2. Provide a space for restriction code numbers.
3. Be marked to show license type, if a license, and marked identification card only, if an identification card.
4. Not require a photograph when issued to applicants who qualify for photograph exemptions as provided for in s. Trans 102.03. The words "valid without photograph" shall appear in the space normally used for the photograph.

(b) The back side shall:

1. Provide space for numerical restriction codes.
2. Contain a restriction attachment form when the restrictions are lengthy and cannot be provided for by a restriction code number.
3. Provide a space for the organ donor sticker.

Note: Forms MVD 3166A special restriction attachment and photograph of MVD-3392 data card.

History: Cr. Register, September, 1982, No. 321, eff. 10-1-82.

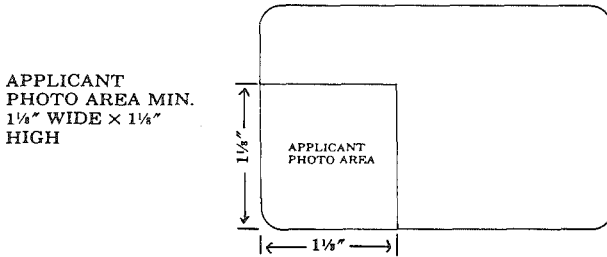
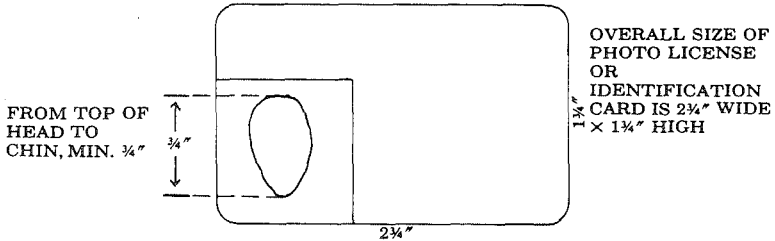
Trans 102.05 Dimensions and general design of operator's license and identification card. The dimension and general design of the operator's license and identification card shall conform with the following: Register, September, 1982, No. 321

ator's license and identification card are shown in figures 1 - 2 - 3 - 4 following.

History: Cr. Register, September, 1982, No. 321, eff. 10-1-82.

FIGURE 1

Minimum Photo Dimensions



OPERATOR'S LICENSE (or the words Identification Card only).

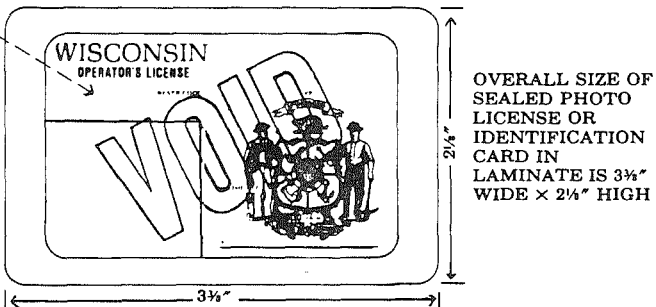
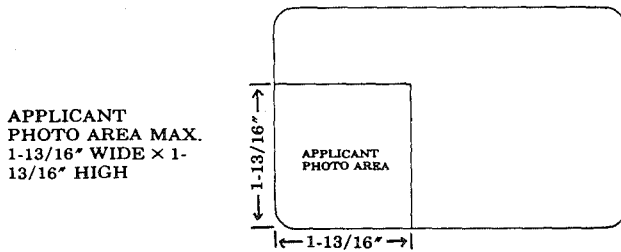
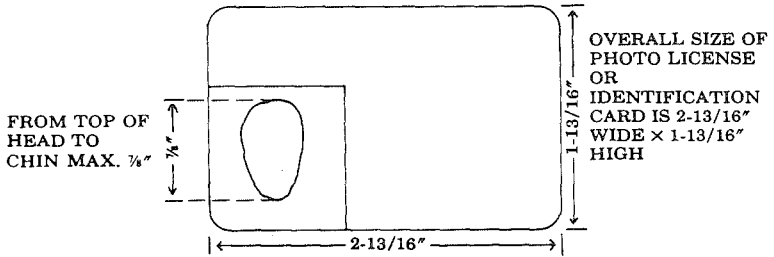


FIGURE 2

Maximum Photo Dimensions



OPERATOR'S LICENSE
(or the words
Identification Card
only).

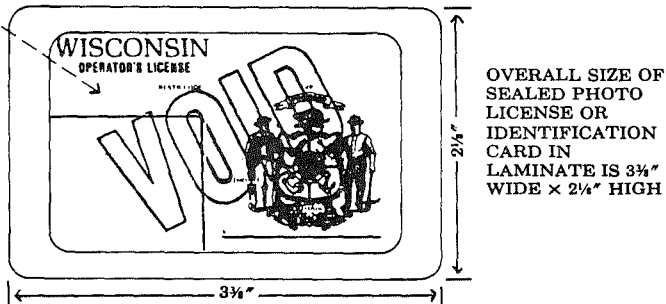


FIGURE 3
Laminate Specifications

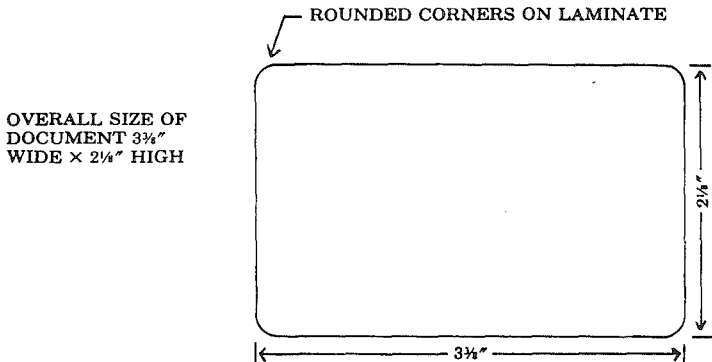
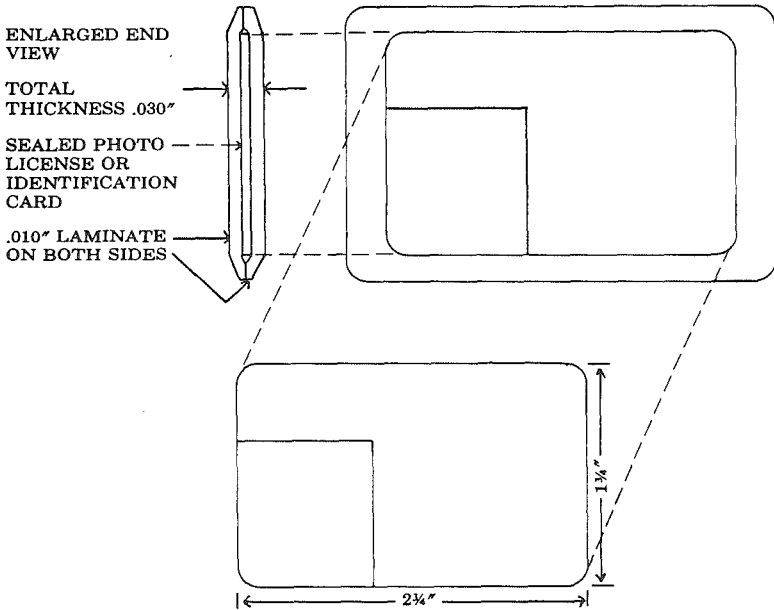




FIGURE 4

Backside Laminare Imprinting

OPERATOR'S LICENSE LAMINATE IMPRINTING (BACK)

RESTRICTION CODE		7. Proof of financial responsibility.	
1. Corrective glasses or contact lenses.	9. Complete hand controls		
2. Hearing aid in vehicle equipped with outside rear view mirror.	10. Left outside mirror.		
3. Automatic transmission.	11. Right outside mirror.		
4. Automatic turn signals.	12. Adequate seat adjustment.		
5. Daylight driving only.	9. Additional restrictions, Attachment Card required.	13. Buses not painted school bus colors.	
14. Under 10,000 lbs			
ANATOMICAL GIFT STATEMENT - Upon my death I wish to donate:			
<input type="checkbox"/> Only the following organ or parts _____ Specify the organ(s) or part(s).			
<input type="checkbox"/> Any needed organ or parts. <input type="checkbox"/> My body for anatomical study if needed.			
Signed _____		Witness _____	
Parents must sign if licensee is a minor Witness _____			
Physician should immediately contact one of the following transplant centers: Madison - (608) 262-2122 Milwaukee - (414) 257-5543 Eyes, (414) 257-5405			
TO CANCEL THIS GIFT CROSS OUT THE GIFT STATEMENT		Body or	
TO AMEND GIFT APPLY FOR A DUPLICATE LICENSE		Organs	

IDENTIFICATION CARD LAMINATE IMPRINTING (BACK)

ANATOMICAL GIFT STATEMENT - Upon my death I wish to donate:	
<input type="checkbox"/> Only the following organ or parts _____ Specify the organ(s) or part(s).	
<input type="checkbox"/> Any needed organ or parts. <input type="checkbox"/> My body for anatomical study if needed.	
	Signed _____
Witness _____	Witness _____
Parents must sign if applicant is a minor.	
Physician should immediately contact one of the following transplant centers: Madison - (608) 262-2122 Milwaukee - (414) 257-5543 Eyes, (414) 257-5405 Body or Organs	
TO CANCEL THIS GIFT CROSS OUT THE GIFT STATEMENT	
TO AMEND GIFT APPLY FOR A DUPLICATE IDENTIFICATION CARD	

(The back laminate will be made of a material that will accept written information without rubbing off)

Trans 102.06 Instruction permit issuance. Instruction permits issued under s. 343.07, Stats., shall be issued without a photograph. This provision is adopted pursuant to s. 343.17 (2), Stats.

Note: Form MVD-3392 data card.

History: Cr. Register, September, 1982, No. 321, eff. 10-1-82.

Trans 102.07 Operator's license or identification card marking. As provided in ss. 343.17 (2) and 343.50 (3), Stats., each type of license, or an identification card, shall be marked to be readily distinguished from the others.

(1) For a regular license the document shall be marked operator's license "regular".

(2) For a probationary license the document shall be marked operator's license "probationary".

(3) For a special restricted license the document shall be marked operator's license "special restricted".

(4) For an identification card the document shall be marked "identification card only".

Note: Forms MVD-3392 data card and MVD-3166A special restriction attachment.

History: Cr. Register, September, 1982, No. 321, eff. 10-1-82.

Trans 102.08 Expiration of operator's license. (1) As provided in s. 343.20 (1), Stats., an original operator's license may be issued for any period of a fraction of a year in excess of the ordinary effective period of such license. The fee is established in s. 343.21 (1) (b), Stats. All original licenses and reinstated licenses with photograph issued under this chapter shall expire two years from the applicant's next birthday as provided in s. 343.20 (1), Stats.

(2) As provided in s. 343.20 (1), Stats., renewal photograph or the photograph exemption operator's license as prescribed in s. Trans 102.03, shall expire four years after the date of expiration of the previous license. The fee is established in s. 343.21 (1) (c), Stats.

(3) Non-photograph renewal licenses issued under this chapter shall expire in the transition period prescribed in s. Trans 102.12 (3).

Note: Forms MVD-3392 data card and MVD-3166 license form.

History: Cr. Register, September, 1982, No. 321, eff. 10-1-82.

Trans 102.09 Photograph retake and rephoto specifications. (1) As determined by the department, a no fee photograph retake shall be made when the photograph of the applicant is indistinguishable, unclear, incomplete, or becomes lost or damaged in the film and card processing procedure.

(2) Applicants who fall into the retake specifications described under sub. (1) shall be required to have a retake photograph taken by the department before their operator's license or identification card can be issued.

(3) Any applicant not satisfied with the photograph after receipt of a license or identification card may request a rephoto. If the photograph

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does not meet the retake requirements in sub. (1), the applicant shall make application and pay the fee for a duplicate.

Note: Forms MVD-3001 application, MVD-3001B, and MVD-3392 data card.

History: Cr. Register, September, 1982, No. 321, eff. 10-1-82.

Trans 102.10 Special photo requirements. To provide for a full facial image, the following shall be required:

(1) Except as provided in sub. (2), hats, caps, or other head coverings may not be worn by the applicant when the photograph is taken.

(2) If a turban or similar head covering is worn by the applicant due to religious belief, the covering shall be pushed from the forehead until a full facial image is shown.

(3) A photograph shall be taken with or without glasses, at the applicant's preference. Sunglasses shall be removed. Light sensitive glasses that do not adjust sufficiently to clearly show the eyes shall also be removed.

(4) Hair shall be brushed away from the eye area for the photograph.

History: Cr. Register, September, 1982, No. 321, eff. 10-1-82.

Trans 102.11 Fees. (1) The fee for an original regular, probationary, or special restricted operator's license with photograph shall be the fee prescribed in s. 343.21 (1) (b), Stats.

(2) The fee for the renewal of a license with a photograph shall be the fee prescribed in s. 343.21 (1) (c), Stats.

(3) The fee for renewal of an operator's license issued without photograph as prescribed in s. Trans 102.12 (3), shall be the fee as established in s. 343.20 (1m), Stats.

(4) The fee for the rephoto as described in s. Trans 102.09 (3) shall be the fee prescribed in s. 343.21 (1) (f), Stats., for a duplicate.

History: Cr. Register, September, 1982, No. 321, eff. 10-1-82.

Trans 102.12 Transition period. Transition period means the first four years of operation under the photo license system from beginning effective date of this chapter. Issuance of both photograph and non-photograph renewal operator's licenses to phase in the operation shall take place in the first year.

(1) As provided for in ss. 343.14 (3) and 343.20 (1), Stats., all renewal operator's licenses with photograph, or the photograph exemption as prescribed in s. Trans 102.03, shall be issued to be valid for four years after the expiration date of the previous license.

(2) Applicants who require the vision examination for renewal, as prescribed in s. 343.16 (1) (a) 2., Stats., shall receive the operator's license described in sub. (1). One-half of renewal licenses issued under this chapter for the first year of the transition period shall be the photo license.

(3) As provided in s. 343.14 (4), Stats., the renewal operator's license without photograph shall be issued to those applicants who are not required to take the examination prescribed in s. 343.16 (1) (a) 2., Stats.

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The two year license without photograph shall be issued for the purpose of gaining a uniform rate of renewals and shall be discontinued after the first year of the transition period.

Note: Forms MVD-3392 data card, MVD-3166 license form and MVD-3394 renewal information insert.

History: Cr. Register, September, 1982, No. 321, eff. 10-1-82.

Trans 102.13 Special provisions. (1) When an application for a photo operator's license is made by an applicant, the date the photograph is taken shall be at the discretion of the department.

(2) Persons shall be notified by the department when a retake photograph is necessary for those reasons described in s. Trans 102.09 (1). Failure to comply within 30 days of notification shall result in the cancellation of the operator's license.

(3) There shall be no negative film file maintained. Persons requiring a duplicate photo operator's license or identification card shall return to the department for duplicate application and new photograph.

Note: Form MVD-3392 data card, MVD-3001, MVD-3001B, and MVD-3393 Pocket Envelope.

History: Cr. Register, September, 1982, No. 321, eff. 10-1-82.

*Amend Cr. Trans 102.14
CFO - 3-14-83*

transportation. The 30-day notice period may be waived by the division [department] if an acceptable replacement undertaking is filed in accordance with this chapter.

History: Cr. Register, November, 1977, No. 263, eff. 12-1-77; renum. from MVD 2.04, Register, February, 1981, No. 302, eff. 3-1-81.

Trans 176.05 Evidence of self-insurance. (1) In accordance with s. 194.42, Stats., the department of transportation may, by order, exempt any common motor carrier of property or of passengers, or other carrier of passengers by motor bus, or contract motor carrier from the liability security requirements imposed under s. 194.41, Stats., and ss. Trans 176.01 to 176.04 if the carrier:

(a) 1. Complies with the requirements set forth in s. 194.42, Stats., and
2. Files an application to qualify as a self-insurer with the department of transportation; or

(b) Complies with the requirements under sub. (2).

(2) Any motor carrier engaged in interstate commerce only or jointly in interstate and intrastate commerce on Wisconsin highways who is qualified as a self-insurer under the rules and regulations of the interstate commerce commission, may qualify as a self-insurer under this section by filing with the department of transportation a certified copy of a currently effective interstate commerce commission order authorizing such motor carrier to self-insure under applicable federal law and regulations.

(3) Applications to qualify as a self-insurer shall be made on forms provided by the department of transportation. (Appendix VI).

History: Cr. Register, November, 1977, No. 263, eff. 12-1-77; renum. from MVD 2.05 and am. (1) (intro.), Register, February, 1981, No. 302, eff. 3-1-81.

Trans 176.06 Minimum limits of liability security. (1) The minimum limits of liability security for bodily injury and property damage liability required under this chapter are:

(a) For-hire property carriers:

	OCT. 1, 1982 THROUGH JUNE 30, 1984	ON AND AFTER JULY 1, 1984
1. Vehicles transporting hazardous substances, as defined in 49 C.F.R. 171.8 transported in cargo tanks, portable tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons; or in bulk Class A and B explosives, poison gas (Poison A), liquified compressed gas; or large quantity radioactive materials as defined in 49 C.F.R. 173.389	\$1,000,000	\$5,000,000.
2. Vehicles transporting oil listed in 49 C.F.R. 172.101, hazardous waste, hazardous materials and hazardous substances defined in 49 C.F.R. 171.8 and listed in 49 C.F.R. 172.101, but not mentioned in subd. 1	\$ 500,000	\$1,000,000.
3. Vehicles of under 10,000 pounds gross vehicle weight transporting non-hazardous substances	\$ 300,000	\$ 300,000.
4. Vehicles of 10,000 pounds or more gross vehicle weight transporting non-hazardous substances	\$ 500,000	\$ 750,000.

(ag) For purposes of par. (a):

1. "Hazardous material" means a substance or material which has been determined by the U.S. secretary of transportation to be capable of

- (f) Name of authorized representative of the insurer.
- (2) A filing made under this subsection shall be in force for 30 days from the date it was received by the department.
- (3) An emergency filing received under this subsection shall impose upon the insurer the same liability as if the certificate had been filed under normal procedures and any action taken by the department will be the same as if a certificate was on file.
- (4) No extensions of, or additional emergency filing by the same insurer, will be accepted for the same insured unless a certificate has been received covering the previous emergency filing.

History: Cr. Register, February, 1981, No. 302, eff. 3-1-81.

DEPARTMENT OF TRANSPORTATION

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FIGURE 4

Backside Laminate Imprinting

OPERATOR'S LICENSE LAMINATE IMPRINTING (BACK)

RESTRICTION CODE

1. Corrective glasses or contact lenses	9. Complete hand controls	
2. Hearing aid or vehicle equipped with outside rear view mirror	10. Left outside mirror	
3. Automatic transmission	11. Right outside mirror	
5. Daylight driving only	12. Adequate seat adjustment	
7. Proof of financial responsibility	00. Additional restrictions Attachment Card required	13. Buses not painted school bus colors
		14. Under 10,000 lbs

ANATOMICAL GIFT STATEMENT - Upon my death I wish to donate:

Only the following organ or parts _____
Specify the organ(s) or part(s)

Any needed organ or parts My body for anatomical study if needed

Signed _____ Witness _____

Parents must sign if licensee is a minor

Physician should immediately contact one of the following transplant centers
Madison - (608)262-2122 [Milwaukee-(414)257-5405 Body or Organs]

TO CANCEL THIS GIFT CROSS OUT THE GIFT STATEMENT Milwaukee-(414)
TO AMEND GIFT APPLY FOR A DUPLICATE LICENSE 257-5543 Eyes

IDENTIFICATION CARD LAMINATE IMPRINTING (BACK)

ANATOMICAL GIFT STATEMENT - Upon my death I wish to donate:

Only the following organ or parts _____
Specify the organ(s) or part(s)

Any needed organ or parts My body for anatomical study if needed

Signed _____

Witness _____ Witness _____

Parents must sign if applicant is a minor

Physician should immediately contact one of the following transplant centers
Madison - (608)262-2122
Milwaukee - (414)257-5543 Eyes (414)257-5405 Body or Organs

TO CANCEL THIS GIFT CROSS OUT THE GIFT STATEMENT
TO AMEND GIFT APPLY FOR A DUPLICATE IDENTIFICATION CARD

(The back laminate will be made of a material that will accept written information without rubbing off)

Trans 102.06 Instruction permit issuance. Instruction permits issued under s. 343.07, Stats., shall be issued without a photograph. This provision is adopted pursuant to s. 343.17 (2), Stats.

Note: Form MVD-3392 data card.

History: Cr. Register, September, 1982, No. 321, eff. 10-1-82.

Trans 102.07 Operator's license or identification card marking. As provided in ss. 343.17(2) and 343.50(3), Stats., each type of license, or an identification card, shall be marked to be readily distinguished from the others.

(1) For a regular license the document shall be marked operator's license "regular".

(2) For a probationary license the document shall be marked operator's license "probationary".

(3) For a special restricted license the document shall be marked operator's license "special restricted".

(4) For an identification card the document shall be marked "identification card only".

Note: Forms MVD-3392 data card and MVD-3166A special restriction attachment.

History: Cr. Register, September, 1982, No. 321, eff. 10-1-82.

Trans 102.08 Expiration of operator's license. (1) As provided in s. 343.20(1), Stats., an original operator's license may be issued for any period of a fraction of a year in excess of the ordinary effective period of such license. The fee is established in s. 343.21(1)(b), Stats. All original licenses and reinstated licenses with photograph issued under this chapter shall expire 2 years from the applicant's next birthday as provided in s. 343.20(1), Stats.

(2) As provided in s. 343.20(1), Stats., renewal photograph or the photograph exemption operator's license as prescribed in s. Trans 102.03, shall expire 4 years after the date of expiration of the previous license. The fee is established in s. 343.21(1)(c), Stats.

(3) Non-photograph renewal licenses issued under this chapter shall expire in the transition period prescribed in s. Trans 102.12(3).

Note: Forms MVD-3392 data card and MVD-3166 license form.

History: Cr. Register, September, 1982, No. 321, eff. 10-1-82.

Trans 102.09 Photograph retake and rephoto specifications. (1) As determined by the department, a no fee photograph retake shall be made when the photograph of the applicant is indistinguishable, unclear, incomplete, or becomes lost or damaged in the film and card processing procedure.

(2) Applicants who fall into the retake specifications described under sub. (1) shall be required to have a retake photograph taken by the department before their operator's license or identification card can be issued.

(3) Any applicant not satisfied with the photograph after receipt of a license or identification card may request a rephoto. If the photograph Register, January, 1984, No. 337