

# Wisconsin Department of Transportation

## Division of Motor Vehicles

### Driver Training School

## INSTRUCTOR GUIDELINES



This study guide is intended for potential instructors for Driver Training Schools. The items included have been taken from the larger more extensive Driver Training School Guidelines that also provides information on starting your own school and other types of operations. Creating this smaller version will allow prospective instructors the ability to concentrate on instructor material solely while they are preparing for their exam. If the applicant is unsuccessful in their testing attempt, the reference sheet provided by the service center references the original Driver Training School & Instructor guidelines, NOT this smaller version.

The chapters have been kept at the beginning of each block as a reference point back to the full Guidelines if you wish a more detailed overview of certain topics. Although this smaller version is for instructors only you will see some references to ownership duties and responsibilities that instructors should be aware of.

### Chapter One: General Driver Training School and Instructor Information

#### Purpose:

The purpose of these guidelines is to clarify Wisconsin State Statute 343, Subchapter VI "Licensing of Driver Schools and Instructors," Wisconsin Administrative Transportation Code 105 "Licensing of Driver Training Schools and Instructors," and Wisconsin Department of Transportation Policy all of which regulate the licensing and operation of private driver training schools.

These guidelines are intended to be used as a resource to assist owners in opening a driver training school and providing guidance to both, owners and instructors in successfully operating and maintaining a driver training school in accordance with the regulations listed above.

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## What is a Driver School?

A “Driver School” means a business that gives instruction, for compensation, in the operation of motor vehicles

[WI Stat 343.60\(1\)](#)

## Exceptions to a Driver School:

A driver school does not include any of the following:

- A high school or technical college that teaches driver training as part of its regular school program and whose course of study in driver training meets the criteria for a driver education course and has been approved by the DPI or the TCSB.
- An institution of higher learning that teaches driver training as part of its teacher-training program.
- A motorcycle training school that offers a basic or experienced rider training course approved by the department.
- Any driver training school that offers training exclusively in the operation of vehicles designed and manufactured for off-highway operation.
- An instructor.

[WI Stat 343.60\(1\) \(a\)-\(e\)](#)

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## What is an Instructor:

“Instructor” means any person who is employed by a driver school licensed under this chapter ([343.60](#)) and who, for compensation, gives instruction in the operation of a motor vehicle.

[WI Stat 343.60\(3\)](#)

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## Common Abbreviations and Definitions:

|      |  |
|------|--|
| BTW  | Behind-The-Wheel                           |
| DEC  | Driver Education Completion Application    |
| DMV  | Division of Motor Vehicles                 |
| DPI  | Wisconsin Department of Public Instruction |
| DTS  | Driver Training School                     |
| EAP  | Educational Approval Program               |
| FYR  | Failure-To-Yield                           |
| FEIN | Federal Employee Identification Number     |
| IP   | Instruction Permit                         |
| ROW  | Right-of-Way                               |
| SSN  | Social Security Number                     |
| VIN  | Vehicle Identification Number              |
| WAMS | Wisconsin Access Management System         |

## Definitions/Common Abbreviations:

1. **Authorized Medical Practitioner** – may consist of any of the following:

1. Physician licensed to practice medicine in any state
2. Advanced practice nurse licensed to practice nursing in any state
3. Physician assistant licensed or certified to practice in any state
4. A chiropractor licensed to practice chiropractic’s in any state
5. Christian Science practitioner residing in this state and listed in the Christian Science Journal.

[WI Admin Code Trans 105.007\(1\)](#)

2. **Bond**

- Schools shall file a bond or acceptable alternative ([MV3755](#)) with the WisDOT based on size and performance at original application and upon renewal. If a school is unable to meet its obligations as stated in the contract/agreement the customer shall apply to the bond company. Points are assessed based on frequency and severity as specified in WI Admin. Trans Code [Trans 105.11](#). Certification of the bond must be filed with the WisDOT at renewal of license.

### **3. Cooperative Driver Testing Program (CDTP)**

- The WisDOT may enter into a Cooperative Driver Testing Program agreement with the driving school to conduct knowledge and highway signs tests developed by the WisDOT, administered as provided by rule, and designed to evaluate the applicant's knowledge of instruction procedures, motor vehicle and traffic laws, safety equipment essentials, and functions of essential automotive equipment.

[WI State 343.61\(5m\)](#)  
[WI Admin Code Trans 105.015](#)

#### **Customer**

- An individual who is 18 years or older who is applying to or is enrolled at a Driver Training School for instruction in driving a motor vehicle.

#### **Driver School Point System**

- The WisDOT assesses points against a driver school or instructor that has violated any provision in the WI statutes [343.60](#) – [343.72](#) or any rules interpreting those statutes that constitute grounds for suspension or revocation of their license.

[WI Admin Code Trans 105.11](#)

#### **Fraudulent Practices**

- Fraudulent practices include, but are not limited to, any conduct or representation tending to give the impression that a license to operate a motor vehicle or any other license, registration or service granted by the secretary or WisDOT may be obtained by any means other than the means prescribed by law or by furnishing or obtaining the means by illegal or improper means; or requesting, accepting, exacting or collecting of money for such purpose.

[WI State 343.60\(2\) \(a\) \(b\)](#)

#### **Motor Vehicle Repair Shop**

- A natural person, corporation, partnership or other business association or entity engaged in the motor vehicle repair business but does not include a shop that repairs motor vehicles for a single business entity or for 2 or more entities subject to common control (must offer motor vehicle repair services to the general public.)

[WI Admin Code Trans 105.06\(11\) \(a\)](#)

#### **Progressive Enforcement Actions**

- A four-level process for enforcing regulations as specified in WI Stat [343.60](#) – [343.72](#) based on assessed points against a driver school or instructor.

[WI State 343.69\(2\)](#)  
[WI Admin Code Trans 105.12\(1\) \(a\)-\(d\)](#)

#### **Driver School Classroom**

- Any facility approved by the WisDOT and used to conduct driver training but does not include a motor vehicle.

[WI Stat 343.60\(1g\)](#)

#### **Driver School Office**

- The location at which the driver school business is conducted and approved by the WisDOT. It does not include any facility used only as a driver school classroom.

[WI Stat 343.60\(1m\)](#)

#### **Student**

- An individual under 18 years of age who is applying to or is enrolled at a driver school for instruction in driving a motor vehicle.

[WI Admin Code Trans 105.007\(4\)](#)

#### **Substantiated**

- In reference to a complaint, substantiated means that the complaint is written, was submitted to the school or instructor at issue, was not resolved within ten business days by the school or instructor, and directly involves a matter regulated by [WI Stat 343.62-343.75](#) or [WI Admin Code Trans 105](#), with probable cause to believe that violation occurred

[WI Admin Code Trans 105.007\(5\)](#)

**Vehicle**

- A 4-wheeled self-propelled device meeting federal motor vehicle safety standards with a minimum of capacity of 4 persons.

[WI Admin Code Trans 105.007\(6\)](#)

**Vehicle less than 3 years old (as defined by the WisDOT’s Dept. of General Counsel)**

- In determining if a vehicle is less than three years old, use the following guidelines: if a vehicle is a 2003 model year vehicle, it becomes 3 years old on December 31.

**Additional Reference Material:**

In addition to this guide, all owners and instructors must familiarize themselves with the following:

- Wisconsin State Statues 343, Subchapter VI “Licensing of Driver Schools and Instructors”
- Wisconsin Administrative Transportation Code 105 “Licensing of Driver Schools and Instructors”
- p. WisDOT website: <http://wisconsindot.gov/Pages/dmv/teen-driver/dr-trn-sch/driver-training-school.aspx>

## Chapter Two: Driver Training Schools

**Requirements for Licensing Based on Type of Instruction:**

| Required for Driver School License  | Under age 18               | Adults Only | Truck Driver | Safety Organization (Failure to Yield Right of Way) |
|---|----------------------------|-------------|--------------|---|
| Customer (student) Contract/Agreement                                     | Yes                        | Yes         | Yes          | Yes   |
| Fee Schedule*   | Yes                        | Yes         | Yes          | Yes   |
| Customer (Student) Record Card ( <a href="#">MV3767</a> )                 | Yes                        | Yes         | Yes          | No  |
| Driver School Application and Fee ( <a href="#">MV3110</a> )              | Yes                        | Yes         | Yes          | Yes   |
| Course Summary*   | Yes                        | No          | EAP Approved | Yes   |
| Office Certification ( <a href="#">MV3683</a> )                           | Yes                        | Yes         | Yes          | No  |
| Driver Training School Classroom Certification ( <a href="#">MV3684</a> ) | Yes<br>(No for B-T-W only) | No          | No           | No  |
| Driver Training Vehicle Record ( <a href="#">MV3264</a> )                 | Yes                        | Yes         | No           | No  |

|   |     |     |     |     |
|---|-----|-----|-----|-----|
| Insurance                                       | Yes | Yes | Yes | No  |
| Bond  | Yes | Yes | Yes | Yes |
| Licensed Instructors ( <a href="#">MV3112</a> ) | Yes | Yes | Yes | No  |

\*Form must be developed by the school and submitted to the WisDOT for approval. Standardized forms are not available from the WisDOT

## Contact Information

### Class D, CDL and Safety Organizations

#### Driver Training Schools:

4822 Madison Yards Way  
 Madison WI 53707  
 608-264-7495  
[DotDrvrTrnSchool@dot.wi.gov](mailto:DotDrvrTrnSchool@dot.wi.gov)

## Chapter Three: Pre-Application

### Conflict of Interest:

Screen applicants' current employment for possible conflict of interest.

See: Conflict of Interest Chart – Addendum B

### Prohibited:

No person may operate a driver school, advertise, solicit bids for business, or provide services unless the person holds a valid driver school license issued by the WisDOT

[WI Stat 343.61\(1\)](#)

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## Chapter Four: Completing the Application Process

### Requirements of Vehicles used in Behind the Wheel

All driver training vehicles must be registered with the department with a brief description of each, including the make, model, and registration number, and shall be kept in safe working condition, as established by the department by rule.

[WI Stat 343.72\(11\)](#)

#### Required Equipment

Any vehicle used for behind-the-wheel training must:

- Be in good working condition
- Have approved dual controls not limited to a separate brake for the instructor located on the right side of the car so the instructor can safely operate the controls.

[WI Stat 343.72\(12\)](#)  
[WI Admin Code Trans 105.06\(10\)](#)

- Have a right outside mirror positioned so that the instructor can view traffic from the rear.  
[WI Admin Trans Code 105.06\(10\)](#)
- Have a sign visible to other vehicles from behind stating that the vehicle is a driver school vehicle. A sign only stating "Student Driver" is insufficient.

[WI Stat 343.72\(10\)](#)

## Americans with Disability Act

As with any business, driver schools must meet federal standards to provide reasonable accommodations to persons with disabilities. Driver training cars may be equipped with special equipment for customers/students with disabilities in addition to the standard equipment requirements.

If needed to provide specialized services, non-standard vehicles will be reviewed on a case-by-case basis.

For any questions regarding customers with disabilities, ACT (ADA) contact Great Lakes ADA and accessible IT Center at 1-800-949-4232 or visit [www.adagreatlakes.org](http://www.adagreatlakes.org)

## Required Hours of Instruction

### Classroom

In order to be eligible for approval, instruction shall consist of 30 clock hours in the classroom, extending over a minimum of 3 weeks for each student at no more than 2 clock hours per day.

A break is permissible between the first and second hour. Time specified for breaks does not count towards the 30-clock hour requirement. During a two-hour class, if a fifteen-minute break is given between the session, the student should be at the location for 135 minutes.

A course is not approved when students begin the class on alternate days. All students must be present for every session except if a student is absent for any legitimate reason, the absence and the make-up session must be marked on the student's record.

[WI Admin Code Trans 105.07\(1\) \(b\) 3](#)

### Behind the Wheel

A licensee may not begin behind-the-wheel training with a new student unless certified proof of completion of an approved classroom phase is on file with the agreement in the licensee's office. However, this does not apply if the student is either enrolled in an approved behind-the-wheel phase at a different school or has completed the approved course.

[WI Admin Code Trans 105.07\(3\)](#)

### Number of people in a driver training car

Up to four students may be present along with the certified instructor. The instructor and driver are the only individuals allowed in the front seats. Three observing students may be present in the rear seats of the vehicle as long as seat belts for each are available

[WI Stat 343.07\(1G\)\(a\)1](#)

Behind-the-wheel instruction must contain 6 clock hours of actual driving and 6 clock hours observing another student/customer operate the vehicle. Only 1 hour of driving and 2 hours of observation are allowed per day. The course must extend over a minimum of 3 weeks.

[WI Admin Code Trans 105.07\(2\) \(b\)](#)

Additional driving time may be used to replace observation time at the rate of 1 hour of driving replacing 2 hours of observation. The contract/agreement must clearly show the comparison cost

[WI Admin Code Trans 105.07\(2\) \(b\) 2](#)

- Driving time may also be replaced by time using a driving simulator at the rate of 4 hours simulator training equaling 1 hour of behind-the-wheel training. Provided all training is with the same school and instructor. Only three hours of driving time can be substituted by time in the driving simulator
- Separate lesson summaries must be approved for each time of BTW instruction based on the chart below:

| Driving Hours | Observation Hours |
|---------------|-------------------|
| 6             | 6                 |
| 7             | 4                 |
| 8             | 2                 |
| 9             | 0                 |

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## Concurrent Classroom and Behind-the-Wheel

The earliest a student can begin behind-the-wheel training is if the student has an instruction permit issued and is completing both classroom and behind-the-wheel concurrently at the same school.

[WI Admin Code Trans 105.07\(2\) \(a\)](#)

Observation hours may be accrued concurrently with classroom instruction as long as the total number of observation hours per day does not exceed the 2-hour maximum

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## Background Check

A background check will be completed by the WisDOT upon receipt of application materials prior to determination of eligibility. Background checks will be conducted for each individual listed on the application including: owners, partners, managers, associates, directors and instructors.

Background checks will be performed at initial application and during instructor and school renewals.

[WI Stat 343.61\(2m\) \(b\)](#)

[WI Admin Code Trans 105.035](#)

See: Driver School owner(s)/manager(s) and instructor(s) background checking chart (**ADDENDUM B**)

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## Licensing Determination

Before mailing, check the application to make sure that:

- All required sections of the application are accurately completed
- All training and examination requirements have been completed
- All required forms, records, course summary, vehicle inspection, insurance, certificate or bond or the bond alternative, and other supporting documents have been submitted for review.
- Enclose a check or money order for all applicable fees payable to: Registration Fee Trust.

The length of time required for a determination is based on the completeness of the application. A determination of eligibility for a driver school and/or a driver instructor license will be made within 5 business days once the application materials are complete and accurate.

[WI Admin Code Trans 105.09\(2\)](#)

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## Licensing Denials

The department may not issue or renew a driver school license if any of the following applies:

[WI Stat 343.61\(2m\)](#)

- The applicant or licensee or any officer, director, partner or other person directly interested in or actively involved in the driver school business was a former holder of, or actively involved in a driver school business operating under, a license issued under this section or a similar license issued by another jurisdiction or was directly interested in or a party actively involved in another driver school which held a license under this section or a similar license issued by another jurisdiction or was the former holder of an instructor license issued under [WI Stat 343.62](#), and any such license was revoked or suspended

[WI Stat 343.61\(2m\)\(a\)](#)

- The applicant or licensee or any officer, director, stockholder, partner or any person directly interested in or actively involved in the driver school business has been convicted of a felony, or any other disqualifying offense as established by rule by the department, in this state, or in another jurisdiction, including a conviction under the law of a federally recognized American Indian tribe or band in this state, for an offense that if committed in this state would be a felony or disqualifying offense, unless the person so convicted has been officially pardoned.

[WI Stat 343.61\(2m\) \(b\)](#)

- The applicant or licensee does not have a driver school office

[WI Stat 343.61\(2m\) \(c\)](#)

- The applicant or licensee is not the owner of the driver school

[WI Stat 343.61\(2m\) \(d\)](#)

- The applicant or licensee fails to provide a FEIN or SSN or a statement under oath that the individual does not have a SSN.

[WI Stat 343.61\(2m\) \(e\)](#)

- The applicant has made a material false statement or concealed a material fact in an application.

[WI Stat 343.61\(2m\) \(f\)](#)

- Failure to secure and/or maintain insurance and bond as required

[WI Admin Code Trans 105.10](#)

[WI Stat 343.61\(3m\) \(a\) \(b\)](#)

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## Hearing

If the WisDOT denies an application for original issuance or renewal of a driver school license or revokes, suspends, cancels, or restricts any such license, the WisDOT shall notify the applicant or licensee in writing of the action by sending notice of the action by registered or certified mail to the last known address of the licensee or applicant.

Any person who is aggrieved by a decision of the WisDOT may, within 10 days after the date of receiving notice of the WisDOT's action, request a review of the action by the division of hearings and appeals in the department of Administration under chapter 227.



This does not apply to denials, cancellations, restrictions, suspensions, or revocations of licensees due to delinquent court-ordered support payments or delinquent taxes.

[WI Stat 343.69\(1\)](#)

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## Chapter Five: Operating a Licensed Driver Training School

### Optional Services

#### Cooperative Driver Testing Program – Students

##### Cooperative Driver Testing Program for Students

Any licensed driver school may be authorized by the department to provide testing, limited to knowledge and sign tests, for students of the driver school who are under the age of 18 and for driver school instructors. Authorized driver schools providing such testing shall meet the standards and follow procedures established by the department.

[WI Stat 343.61\(5m\)](#)

[WI Admin Code Trans 105.015](#)

#### Cooperative Driver Testing Program – Instructors

##### Cooperative Driver Testing Program for Instructors

The applicant completes a knowledge test developed by the department and administered as provided by rule, and designed to evaluate the applicant's knowledge of instruction, procedures, motor vehicle and traffic laws, safety equipment requirements, and functions of essential automotive equipment, and the applicant passes the test with a score of at least 80%. An applicant who fails to receive a passing score may be reexamined except that an applicant who fails to pass the test after 2 successive attempts may not be reexamined until one year has elapsed since the date of the last test.

A driver school that has accumulated 2 or more points in the past 24 months under [WI Admin Code Trans 105.11](#) may not enter into a testing program with the department. The agreement is voluntary and can be terminated by either the department or the driver school.

[WI Stat 343.61\(5m\)](#)

[WI Admin Code Trans 105.015\(1\) \(2\) \(3\)](#)

The department may by rule provide for an alternative requirement for the issuance of an instructor license in lieu of taking and passing the test under this subdivision. A school that is participating in the cooperative driver testing program under WI Stat [343.16\(1\)\(c\)](#) may provide the knowledge and highway signs test as required to its own instructors.

[WI Admin Code Trans 105.015\(3\)](#)

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#### Continuing Education / Traffic Safety Workshop

Renewal requires completion of at least one approved traffic safety related workshop or conference of a minimum of 4 hours per licensing period.

[WI Admin Code Trans 105.07\(7\)](#)

Driver training schools may offer their own continuing education course every 2 years for instructors. Driver training schools must receive approval for the course from the Department prior to hosting a workshop. Please submit an outline to the Department via e-mail, fax or US Postal Mail detailing the agenda for the workshop. Please include all requirements in the outline prior to submitting it to the Department for review and approval. Outlines are kept on file with all school records.

- Minimum 4 hours in length
- Date, time, location (address) and facilitator / organization hosting
- Number of instructors attending
- All topics must pertain to traffic safety. These topics may include but are not limited to the following:
  - New types of Roadway design and their effects on young drivers.
  - Driver interactions with Law enforcement
  - School bus and pedestrian safety

## Advertising

No person may operate a driver school, advertise, solicit bids for business, or provide services unless the person holds a valid driver school license issued by the department.

[WI Stat 343.61\(1\)](#)

No driver school may represent that completion of a course of instruction will guarantee that the student will pass the driving skills test administered by the WisDOT.

[WI Stat 343.72\(5m\)](#)

Licensees may not publish, advertise, or create the impression that a license is guaranteed or assured. The display of a sign such as a “Licensed Secured Here” is forbidden.

[WI Stat 343.72\(7\)](#)

Licensees not authorized to teach students less than 18 years of age may not advertise in a manner that states or implies that such services are provided.

[WI Admin Code Trans 105.06\(6\)](#)

Licensees may advertise only by the school name shown on the license.

[WI Admin Code Trans 105.06\(7\)](#)

## Vehicle Requirements on-going- Inspections

All vehicle requirements that are part of the original application for a driver school license continue to apply.

All driver training vehicles must be registered with the department with a brief description of each, including the make, model, and registration number, and shall be kept in safe working condition, as established by the department. The department shall promulgate rules authorizing them to place any driver training vehicle out of service for a vehicle equipment violation or for failure to file, with the department, proof of insurance for the vehicle.

[WI Stat 343.72\(11\)](#)

Each vehicle used for behind-the-wheel instruction must be inspected and certified that it meets established safety standards, documented by the completion of a Driver Training Vehicle Record ([MV3264](#)) within 30 days of being put into service. An authorized representative of the department may make random inspections to assure compliance with department requirements.

[WI Stat 343.72\(11\)](#)

Vehicles less than 3 years old or less than 100,000 miles may be inspected by a department examiner at any DMV service center.

### Vehicles – More than 3 years old or 100,000 miles

The vehicle must:

- Be certified to meet all manufacture specifications for the vehicle type, model, and year, within 30 days of being put into service.
- Have the inspection completed by a motor vehicle repair shop. A “motor vehicle repair shop” means a natural person, corporation, partnership or other business association or entity engaged in the motor vehicle repair business but does not include a shop that repairs motor vehicles for a single business entity or for 2 or more entities subject to common control. (this is interpreted as if the shop only

does repair work on the vehicles owned only by their business or businesses, not for the general public, the inspection would not be acceptable)

- Have an annual inspection certified by an authorized service facility. The inspection shall be done before the annual anniversary date of the certification that the vehicle was put into service. The safety certification shall be on the Driver Training Vehicle Record ([MV3264](#)).

[WI Admin Code Trans 105.06\(11\)](#)

### Unsafe Vehicles

If the department deems a vehicle of any age unsafe, the vehicle shall be ordered out of service until it is repaired. If the only vehicle in the school fleet is ordered out of service, the school may not perform behind the wheel instruction until the vehicle is certified as safe. Use of a vehicle after being ordered out of service shall result in demerit points being assessed.

[WI Admin Code Trans 105.06\(12\)](#)

### Required Equipment

- Be in good working condition
- Approved dual controls include but are not limited to separate brake for the instructor located on the right side of the car so the instructor can safely operate the controls
- A right outside mirror positioned so that the instructor can view traffic from the rear
- Sign(s) must be visible from the rear of the vehicle stating that it is a driving school vehicle or listing the name of the school. The sign "student Driver" alone is not sufficient. The sign must be displayed whenever the vehicle is being used for driver education.

[WI Admin Trans Code 105.06\(10\)](#)

[WI Admin Trans Code 105.06\(10\)](#)

[WI Stat 343.72\(10\)](#)

### Replacing a Vehicle by Purchase or Lease

A driver school must supply information to the department immediately upon the purchase or lease of each driver school training car.

[WI Admin Code Trans 105.06\(8\)](#)

The information required is a brief description of the vehicle including the: make, model, and vehicle identification number (VIN). The vehicle must be inspected within 30 days of being put into service.

[WI Stat 343.72\(11\)](#)

[WI Admin Code Trans 105.06\(11\) \(a\)](#)

### **Random Inspections**

An authorized departmental representative may visit classroom sessions and ride in driver training cars during instruction for the purpose of evaluating the teacher's preparation, knowledge of the subject matter, teaching ability, and determining if the approved course is being followed. An authorized representative of the department may make random inspections to assure compliance with vehicle requirements.

[WI Admin Code Trans 105.02\(6\)](#)

[WI Admin Code Trans 105.06\(10\)](#)

### **Contract/Agreement**

No driver school or instructor may provide lessons, lectures, tutoring or other services relating to instructions in the operation of a motor vehicles unless a written agreement in a form approved by the Department has been signed by the student's parent or guardian if under 18 years of age or by the customer if 18 years of age or older.

[WI Stat 343.71\(1m\) \(b\)](#)

The driver school is to give the original copy of the contract/agreement to the customer or parent/guardian and keep a duplicate copy on file.

[WI Stat 343.71\(1m\)\(b\)](#)

No licensee may agree to give unlimited driver lessons, nor represent or agree orally or in writing or as part of an inducement to sign any agreement, to give instructions until the student obtains an operator's license.

[WI State343.71\(2m\)](#)

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### Fee Schedule – Changing

Fees for driver school services may not exceed those listed on the fee schedule on file at the department. The fee schedule may be amended at any time provided such changes are filed with the department not later than the effective date.

[WI Admin Code Trans 105.06\(9\)](#)

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### Receipts

A driver school must issue receipts for all fees collection.

[WI Admin Code Trans 105.06\(1\)](#)

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### Records Entries

Within 3 business days of signing a contract/agreement between the school and the student, the following information must be recorded in the Student Record:

- Student's last name, first name, and middle initial;
- Student's date of birth
- Student's home address
- The contract or agreement number

[WI Admin Code Trans 105.05\(2\) \(b\)](#)

Within 3 business days after the last instruction or other service has been received by the student, the total number of hours of lessons, lectures, tutoring, and other instruction of services of any kind relating to motor vehicle operation instructions must be recorded.

[WI Admin Code Trans 105.05\(2\) \(c\)](#)

### Schools that are participating in the Cooperative Driver Testing Program

The knowledge and highway sign scores for all tests attempted shall be entered in the student record within 1 business day.

[WI Admin Code Trans 105.05\(3\)](#)

### Behind the Wheel

It may be helpful for a driver school to record each customer's instruction permit number and expiration date as part of the customer's school record.

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### Instructor is no Longer Employed with the Driver Training School

If an instructor is no longer employed with a driver school, the instructor shall surrender his or her license to the driver school. The driver school shall destroy the instructor's license and notify the department in writing to cancel the license.

## Lesson Plans

Complete lesson plans are to be kept on file at the driver school office but not submitted to the department in lieu of the Course Summary.

[WI Admin Code Trans 105.07\(1\) \(b\) 3](#)

When preparing lesson plans, along with any other references, refer to the WI Drivers Handbook for detailed information.

All licensees must ascertain from state license examiners the route over which road tests are given and no licensee may instruct in those areas, except that driver schools may operate on a division of motor vehicle skills test route if comparable training location opportunities are not otherwise available in the locale.

[WI Stat 343.72\(6\)](#)

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## Completion Certificates

No driver school may represent that completion of a course of instruction will guarantee that the student will pass the driving skills test administered by the department. A driver school may only represent by means of a certificate of completion that the student has satisfactorily completed the required course.

[WI Stat 343.72\(5m\)](#)

It is the responsibility of the driver training school to:

- Enter in completions for students under 18 years of age upon completion of both the classroom and behind-the-wheel instruction and when all required fees have been paid.

[WI Admin Code Trans 105.07\(1\) \(c\)](#)

All Driver Education completions should be submitted via the Driver Education Completion Application.

For more information on the DEC application, please contact Driver Training Schools at 608-264-7495.

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## Driver School Point System

The department may assess points against a driver school that has violated any provision or rule that constitute grounds for the suspension, revocation, or denial of their license. The department will evaluate the offense and shall send a warning letter prior to an advisory letter. The school may respond within 10 days.

[WI Admin Code Trans 105.11](#)

Points assessed against an instructor shall also be assessed against the driver training school.

See: Driver School and Instructor Point System Chart (**ADDENDUM C**)

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## Progressive Enforcement Actions

A process of enforcing regulations in [WI Stat 343.60](#) – [343.72](#) and rules interpreting these statutes

The process is based on the total number of demerit points assessed within the past 24 months and consists of four levels.

- Level 1. An advisory letter may be sent to the driver school or instructor asking for corrective action.
- Level 2. The department may conduct an on-site inspection or audit. An advisory letter shall be sent. If a situation is unresolved after time specified in the advisory letter, the Department may issue a conditional license under [WI Stat 343.61](#) or [343.62](#) restricted to classroom instruction only. Vehicles used by the driver school may also be ordered out of service, if the violation is related to the vehicle inspection. The restricted license may remain in effect until the situation is resolved.
- Level 3. A warning letter will be sent. The licenses may be revoked, suspended or denied for 90 days.

- Level 4. The licenses shall be revoked, suspended, or denied for 4 months to one year, based on point accumulation.

[WI Admin Code Trans 105.12](#)

See: Progressive Enforcement Actions-(**ADDENDUM D**)

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## Complaints

Driver school customers, parents or other interested parties may contact our office with substantiated complaints. In general, a standard policy of resolving complaints fairly is followed.

[WI Stat 343.69\(2\)](#)

When contact is made with our office regarding a complaint against a driver training school or instructor, the complainant will need to complete a Complaint Form for Driver Training Schools/Instructors ([MV3756](#)) detailing the nature of the complaint and must provide evidence substantiating the claim. All complaints are to be submitted on the form.

When a written complaint is received, the department will notify the driver school involved in writing. Any complaint against an instructor should be discussed with the school owner when it is received from the department.

See: Progressive Enforcement Actions (**ADDENDUM D**)

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## Revocations – Suspensions – Cancellations – Denial of Renewal

The department may suspend, revoke, or cancel any driver school license issued under [WI Stat 343.61](#) or under [WI Stat 343.62](#) or subject to [WI Stat 343.61](#) and [343.62](#), refuse to renew a driver school license if, during any period, any of the following applies:

- The licensee has made a material false statement or concealed a material fact in connection with the application for a license or the renewal of a license.  
[WI Stat 343.66\(1\) \(a\)](#)
- The licensee or any partner, member, manager, or officer of the licensee has been convicted of a felony, or any other disqualifying offense as established by rule by the department, in this state, or in any other jurisdiction, including a conviction under the law of a federally recognized American Indian tribe or band in this state, for an offense that if committed in this state would be a felony or disqualifying offense, unless the person so convicted has been officially pardoned.  
[WI Stat 343.66\(1\) \(b\)](#)
- The licensee has failed to comply with any of the requirements of WI Stat [343.60](#) – [343.72](#) or rules promulgated under those sections.  
[WI Stat 343.66\(1\) \(c\)](#)
- The licensee or any partner, member, manager or officer of the licensee has been guilty of fraud or fraudulent practices in relation to the business conducted under the license or in relation to securing for himself or herself or another a license to operate a motor vehicle, or guilty of inducing another person to resort to fraud or fraudulent practices in relation to securing for himself or herself or another the license to operate a motor vehicle.  
[WI Stat 343.66\(1\) \(d\)](#)
- The licensee has knowingly employed, as an instructor, a person who does not meet the requirements under WI Stat [343.62](#).  
[WI Stat 343.66\(1\) \(e\)](#)
- The licensee has failed to maintain insurance as required by the department under [WI Stat 343.61\(3m\)\(a\)](#)  
[WI Stat 343.66\(1\) \(f\)](#)

The secretary shall deny, restrict, limit or suspend any driver school license issued under [WI Stat 343.61](#) or under WI Stat [343.62](#) or refuse to renew a driver school applicant or licensee is an individual who is delinquent in making court-ordered payments of child or family support, maintenance, birth expenses, medical expenses or other expenses related to the

support of a child or former spouse, or who fails to comply, after appropriate notice, with a subpoena or warrant issued by the Department of Workforce Development or a county child support agency under [WI Stat 59.53\(5\)](#) and related to paternity or child support proceedings, as provided in a memorandum of understanding entered into under [WI Stat 49.857](#).

[WI Stat 343.66\(2\)](#)

The secretary shall suspend or revoke a driver school license issued under [WI Stat 343.61](#) or an instructor's license issued under [WI Stat 343.62](#), if the Department of Revenue certifies under [WI Stat 73.0301](#) that the licensee is responsible for delinquent taxes. A licensee whose driver school license or instructor's license is suspended or revoked for delinquent taxes is entitled to a notice under [WI Stat 73.0301\(2\)\(b\)1.](#) and a hearing under [WI Stat 73.0301\(5\)\(a\)](#) but is not entitled to any other notice or hearing.

[WI Stat 343.66\(3\)](#)

If a driver's school or instructor's license is revoked, canceled, or suspended, the licensee shall surrender all driver school and instructor licenses to the department and no portion of the license fee shall be refunded.

[WI Stat 343.66\(4\)](#)

See: Progressive Enforcement Actions (**ADDENDUM D**)

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## Hearings

If the department denies an application for original issuance or renewal of a driver school license or revokes, suspends, cancels, or restricts any such license, the department shall notify the applicant or licensee in writing of the action by sending notice of the action by registered or certified mail to the last known address of the licensee or applicant.

Any person who is aggrieved by a decision of the department may, within 10 days after the date of receiving notice of the department's action, request review of the action by the division of hearings and appeals in the Department of Administration under chapter 227.

This does not apply to denials, cancellations, restrictions, suspensions, or revocations of licensees due to delinquent court-ordered support payments or delinquent taxes.

[WI Stat 343.69 \(1\)](#)

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## School Closing – Going out of Business

### Surrender School License

A driver school that is no longer in business or who receives an order of suspension, revocation or refusal to renew must return to the department:

- The driver school license
- Instructor licenses for all instructors employed by the school
- A copy of the last Completion Certificate (MV3192) issued
- Any remaining Completion Certificates (MV3192), which have not been issued.

[WI Admin Code Trans 105.04\(2\)](#)

### Instructor(s) to Surrender License

Instructors cannot continue to be an instructor when they are not employed by a school. Instructors will be sent information about the school closing and that they are required to surrender their licenses.

[WI Admin Code Trans 105.04\(5\)](#)

### Maintain Records

A driver school that is no longer in business should maintain all records for a period of 4 years from the date of school closure. The school must file with our office the name, address, and telephone number of a person who can be contacted regarding the schools records.

[WI Admin Code Trans 105.05\(2\) \(a\)](#)

### Refund of School License Fee

Any fees paid to the department for any denied application or license that is revoked, canceled, or suspended are non-refundable.

## School Re-Opens

### School Re-Opens

If a school later re-opens, it must file a new application and re-submit all supporting forms, records, course summary, inspections, insurance, bond. If any form of this business has changed such as instructors, owners, or classrooms, fees would be due for these. Full fees are required if it has been more than 2 years since the school has been active.

## Chapter Six: Licensing Instructors

### Requirements by Type of Instruction

No person, including a person holding a driver school license, may act as an instructor in a driver school unless the person holds a valid instructor's license issued by the WisDOT. No driver school may employ any person as an instructor unless the person holds a valid instructor's license issued by the WisDOT.

[WI Stat 343.61\(1\)](#)

| Requirements  | Under 18 years | Over 18 years Only | Truck Driver |
|---|----------------|--------------------|--------------|
| Application and Fee ( <a href="#">MV3112</a> Section A)   | Yes            | Yes                | Yes          |
| Training (40-hour, DPI certified, or 9 credits in DE)     | Yes            | No                 | No           |
| Medical Certification ( <a href="#">MV3112</a> Section B) | Yes            | Yes                | Yes          |
| Tests ( <a href="#">MV3112</a> Section D)                 |                |                    |              |
| Knowledge Test  | Yes            | Yes                | Yes          |
| Road Test   | Yes            | Yes                | Yes          |
| Instructor Test   | Yes            | Yes                | No           |
| Oral Test   | Yes            | Yes                | Yes          |
| High Way Signs Test                                       | Yes            | Yes                | Yes          |
| Brake Reaction Test                                       | Yes            | Yes                | No           |
| Vision  | Yes            | Yes                | Yes          |
| Hearing   | Yes            | Yes                | Yes          |

### Conflict of interest

Applicants' current employment may cause a conflict of interest.

Instructors who move to another school must do the following:

- Send in or destroy the old instructor license
- Notify the Department.



- Have the instructor license reissued to the new school by submitting a driver instructor application to the Department.

Instructors can work for an unlimited amount of driver training schools.

See: Conflict of Interest Chart (Addendum A)

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## Qualifications

### Preliminary Qualifications

- Be 19 years of age or older
- Hold a valid, regular (non-probationary) driver license that is valid for the classes in which the instructor will provide training
- Have 2 years of licensed driving experience

[WI Stat 343.62\(4\) \(a\) 3](#)

- Have a satisfactory driving record.

[WI Stat 343.62\(4\) \(a\) 8](#)

- If ever licensed outside of Wisconsin, review a driver record abstract from each state

A person's driving record shall not be considered satisfactory to hold an instructor's license if that person:

- Has accumulated more than 6 demerit points during a 1-year period as determined by the department. The department shall deny the instructor's license until one-year lapses from the date of the most recent violation that resulted in the person's accumulation of more than 6 demerit points.
- Has been involved in 2 or more accidents in a 1-year period where the crash report indicates that such person may have been causally negligent. If there is no traffic citation resulting in a conviction associated with the crash, the person is not considered negligent.
- Has had his or her operator's license revoked, suspended or cancelled for a traffic violation other than a parking violation, at any time during the past 4 years, based on the conviction date or upon the effective date of the withdrawal of operating privileges, whichever is earlier.

[WI Admin Code Trans 105.03\(1\)](#)

### Qualifications

- Must pass all required examinations: instructor test, knowledge test, oral test, road test and medical exam. Proof of passing examinations must be submitted. For additional information see: Licensing Instructors – examinations
  - Provide a social security number or an affidavit stating that the applicant does not have a social security number
- [WI Stat 343.62\(4\) \(a\) 6](#)
- Satisfactorily complete 40 clock hours of classroom instruction in a safety and driver education as given by an approved driving school instructor training program
- [WI Admin Code Trans 105.07\(5\)](#)
- Does not have a disqualifying conviction according to the Driver School Owner(s)/Manager(s) and Instructor(s) background checking chart (addendum H)

[WI Stat 343.62\(4\) \(a\) 9](#)

[WI Admin Code Trans 105.035](#)

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## Completion of Application (MV3112)

A license that is issued by the department in reliance on a statement submitted is invalid if any statement is false.

[WI Stat 343.62\(2am\) \(b\)](#)

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## Fee – License

The fee for an instructor's license is \$50 (24 months) and may be prorated if the license is issued for less than 24 months. (The fee submitted on an original application will be \$2/month from the month of application until the expiration of the Driver School License.)

## Training Exemption – 40-hour course

Instructors who at the time of application are certified to teach driver education secondary schools or technical colleges by current rules of the DPI or TCSB or instructors of customers 18 years of age or older

[WI Admin Code Trans 105.07\(5\) \(c\)](#)

## Examinations for License

Tests are required of all applicants for original instructor's license and whose licenses have lapsed for one or more years.

[WI Admin Code Trans 105.02\(1\)](#)

Required tests are dependent on the type of instruction being taught for Class A, B, C, or D license.

[WI Admin Code Trans 105.02\(1\)](#)

If an applicant fails any test after 2 successive attempts, the applicant must wait 1 year from the date of the last test to retest.

[WI Stat 343.62\(4\) \(a\) 2](#)

The department may require retesting of currently licensed instructors either as part of a routine retesting program or when it has reasonable cause to doubt the continued competency of any individual instructor.

[WI Admin Code Trans 105.02\(1\)](#)

### Driver Instructor Test

This test must be taken at a DMV service center and may be administered orally. No appointment is necessary. The test will evaluate the applicant's comprehension level of [WI Stat 343.60 – 343.72](#) and [WI Admin Chapter Trans 105](#). An applicant must receive a minimum score of 80% to pass.

### Knowledge Test

This test may be taken at any DMV service center (no appointment necessary) or at the instructor's school if participating in the CDTP.

The test is designed to evaluate the applicant's knowledge of motor vehicle and traffic laws, safety equipment requirements, and functions of essential automotive equipment. A passing score is 80%.

[WI Stat 343.62\(4\) \(a\) 1](#)

### Oral Test

The applicant must describe to an examiner all safety equipment and essential automotive equipment in the vehicle. An appointment is necessary and can be scheduled with the district headquarters office.

[WI Stat 343.62\(4\) \(a\) 1](#)

### Road Test

The road test must be completed in a vehicle similar to the one that will be used for instruction. The applicant shall take the road test administered by the department. The road test shall be scored in the same manner as tests given for the type of operator's licenses the applicant will instruct and shall also include an actual demonstration of procedures and techniques used for instructing drivers.

[WI Stat 343.62\(4\) \(a\) 2](#)  
[WI Admin Code Trans 105.02\(1\)](#)

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## Medical Requirements

### Class D Instructors

#### Medical Examination

An applicant for an instructor's license shall have a medical statement completed within the 24 months prior to the application date by an authorized medical practitioner on a form supplied by the department ([MV3112](#), section B). If

the applicant has a medical condition that impacts safe operation, the department may request medical documentation more frequently based on [WI Admin Code Trans 112](#).

[WI Admin Code Trans 105.02\(4\)](#)

An authorized medical practitioner is any of the following licensed to practice in any state:

- Physician licensed to practice medicine in any state
- Advanced practice nurse licensed to practice nursing in any state
- Physician assistant licensed or certified to practice in any state
- A chiropractor licensed to practice chiropractic in any state
- Christian Science practitioner residing in this state and listed in the Christian Science Journal

[WI Stat 343.62\(4\) \(a\) 4](#)

[WI Admin Code Trans 105.007\(1\)](#)

**NOTE:** Federal Medical certificates do not substitute the requirements found in section B of the [MV3112](#) for instructors who will be instructing in a class D vehicle.

## CDL Instructors

A CDL training instructor is required to have a valid Federal Medical card, unless they are grandfathered or otherwise exempt from the Federal Medical standards.

### Vision and Hearing

- Visual acuity requirements are 20/40 in either eye and at least 20/100 in the other eye
- Field of vision must be 70% or more in both eyes
- Color perception must be normal
- Meet the depth perception standard of 20% stereopsis
- Hearing must be adequate with or without hearing aid

### Denials

License will be denied unless a complete application is received, all examinations (skills and medical) have been successfully completed, satisfactory driving record and criminal background check.

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## Classroom Only License

An instructor who has held an instructor's license for both behind-the-wheel and classroom training but is no longer eligible for an operator's license because of a medical condition, may upon request to the department, by the school, obtain a classroom-only license.

[WI Admin Trans Code 105.02\(2\)](#)

The department may not issue an instructor's license that is restricted to classroom instruction to applicants who do not meet some of the requirements specified by the department unless the applicant satisfies standards established by the department relating to the ability of the applicant to communicate clearly and concisely, and to control the classroom environment and behavior and establishing any further certification require by the department.

[WI Stat 343.62\(4\) \(a\) 9\(b\)](#)

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## Adults Only Instructors

Licensees may employ instructors who are licensed to teach adults only, so long as those instructors are not involved directly or indirectly in the instruction of persons under 18 years of age.

[WI Admin Trans Code 105.07\(4\) \(c\)](#)

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## Expiration

An instructor's license expires on the date stated on the license, but not later than 24 months after the date on which the license is issued.

[WI Stat 343.62\(3\) \(a\) 2](#)

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## Renewal of License (MV3112)

Complete Sections A and B unless the license has expired for 1 or more years. An instructor's license must be renewed every 24 months. Renewal requires a new Driver Instructor Application ([MV3112](#)) be completed and submitted with a fee of \$50 to the department. The driving school must also be renewed prior to the issuance of an instructor's license.

Renewal requires completion of at least one approved traffic safety related workshop or conference of 4-6 hours per licensing period.

[WI Admin Code Trans 105.07\(7\)](#)

Applicants whose license has expired for 1 year or more must complete all tests required for an original application.

[WI Admin Trans Code 105.02\(1\)](#)

Applicants whose license has been expired for 4 or more years must meet and complete all the required tests and the same training requirements as that of a new instructor.

[WI Admin Trans Code 105.07\(6\)](#)

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## Duplicate of Lost or Stolen License; Reissued License

Instructor needs to submit to the department application ([MV3112](#)) and fee of \$5

[WI Stat 343.62\(3\) \(b\)](#)

[WI Admin Code Trans 105.04\(1\)](#)

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## Criminal Convictions

When determining the fitness of a person to hold an instructor license, the department shall consider all relevant arrests and convictions and will make further examinations and checks as determined necessary.

The department will conduct background checks during the initial application and at every renewal to determine eligibility for a license.

[WI Admin Code Trans 105.035](#)

See: Driver School Owner(s)/Manager(s) and Instructor(s) Background Checking Chart (**ADDENDUM B**)

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## Audits

An authorized department representative may visit classroom sessions and ride in driver training cars during instruction for the purpose of evaluating the teacher's preparation, knowledge of the subject matter, and teaching ability, and determining if the approved course is being followed.

[WI Admin Code Trans 105.02\(4\)](#)

[WI Admin Code Trans 105.06\(10\)](#)

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## Demerit Point system

The department may assess points against an instructor that has violated any provision or rule that constitutes grounds for the suspension, revocation, or denial of their license. The department will evaluate the offense and before recording points, notify the instructor of the reason for the proposed action. The instructor may respond within 10 days from the date of notification.

[WI Admin Code Trans 105.11](#)

If points are assessed as the result of a complaint regarding an instructor, the demerit points will be issued to both the instructor and the school.

[WI Admin Code Trans 105.12\(1\) \(b\)](#)

See: Driver School and Instructor Point System Chart (**ADDENDUM C**)

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## Progressive Enforcement Actions

A process of enforcing regulations in WI Stat [343.60](#) – [343.72](#) and rules interpreting these statutes

See: Progressive Enforcement Actions (**ADDENDUM D**)

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## Suspensions and Revocations

A person's driving record shall not be considered satisfactory to hold an instructor's license if that person:

- Has accumulated more than 6 demerit points during a 1-year period, as determined by the department, the department shall suspend the instructor's license for a period of 1 year. The period of suspension shall be measured from the date that the department receives notice of the most recent conviction or date of withdrawal whichever is earlier.
- Has been involved in 2 or more accidents in a 1-year period where the crash report indicates that such person may have been causally negligent. If there is no traffic citation resulting in a conviction associated with the crash, the person is not considered negligent.
- Has had his or her operator's license revoked, suspended or cancelled for a traffic violation other than a parking violation, at any time during the past 4 years, based on the conviction date or upon the effective date of the withdrawal of operating privileges, whichever is earlier.

[WI Admin Code Trans 105.03\(1\)](#)

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## Hearing

If the department denies an application for original issuance or renewal of an instructor's license, or revokes, suspends, cancels, or restricts any such license, the department shall notify the applicant or licensee in writing of the action by sending notice of the action by registered or certified mail to the last known address of the licensee or applicant.

Any person who is aggrieved by a decision of the department under this subsection may, within 10 days after the date of receiving notice of the department's action, request review of the action by the division of hearings and appeals in the Department of Administration under chapter 227.

This does not apply to denials, cancellations, restrictions, suspensions, or revocations of licensees due to delinquent court-order payments or delinquent taxes

[WI Stat 343.69\(1\)](#)

[WI Admin Code Trans 105.09\(3\)](#)

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## No Longer Employed by a School

If an instructor is no longer employed by a driver school, the instructor shall surrender his or her license to the driver school. The driver school must destroy the instructor's license and notify the department in writing to cancel this license.

[WI Admin Code Trans 105.04\(5\)](#)

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## Changing Schools

If an instructor changes employment from one school to another, the instructor license must be surrendered to the school who must notify the department. The instructor must submit a new Instructor Application ([MV3112](#)) based on employment at a new school and pay the fee of \$5.00 made payable to: Registration Fee Trust.

[WI Admin Code Trans 105.04\(5\)](#)

## Chapter Seven: Working with Students and Customers

### Agreement

A driver school may not instruct any customer/student until a contract/agreement in a form approved by the department has been completed and signed by all parties.

[WI Stat 343.71\(1m\) \(b\)](#)

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### Attendance

Each new class should begin as a group with all students present. Except for legitimate emergencies, all students should be present for each successive session. If absent, the student's record must indicate "absent" and the date.

[WI Admin Code Trans 105.07\(2\) \(a\)](#)

### Make – Up Sessions

If the entire group is absent or a session is cancelled, the session must be re-scheduled.

#### Students must make up any missed sessions

Possible methods for make-up sessions include:

- A substantial written assignment on a topic covered in the missed session. The written assignment should include the date missed, topic covered, date submitted, and the student's name. The assignment should be held at least one year for review.
- Equal time in a private lesson or attending a class with another group that is covering the material missed.
- The student's record should be noted with the date and instructor for the make-up session.

[WI Admin Code Trans 105.07\(2\) \(a\)](#)

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### Behavior

A student may be dismissed from the class for disruptive behavior.

The school may refuse to refund all or part of the fee if there is a statement to that effect in the contract/agreement.

It may be beneficial to clearly define the school's policy regarding behavior of students/customers.

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### Concurrent Classroom and Behind-The-Wheel

Classroom instruction and behind-the-wheel instruction may be given concurrently only if both phases are given by the same school.

[WI Admin Code Trans 105.07\(2\) \(a\)](#)

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### Home Office

Students may not be in the office unless accompanied by a parent or guardian.

[WI Admin Code Trans 105.01\(5\) \(a\)](#)

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## Instruction Permit

### Application ( [MV3001](#) )

- The student's information (page 2) needs to be filled out in its entirety before an instructor can certify the student is enrolled in driver's education and will begin behind-the-wheel lessons within 60 days of the date signed on the [MV3001](#).
- Only the current [MV3001](#) form will be accepted by the DMV. To ensure you have the current form or to obtain the current form, visit the [WisDOT Website](#).

### Sponsorship Required for less than 18 years of age

Withdrawal of Sponsorship – In order to withdraw sponsorship, the student's current sponsor must fill out and submit an [MV3118](#).

Other current forms and publications regarding teen drivers can be found on the [WisDOT website](#).

- General information found on the Parents and Sponsors of Teen Driver Page Include:
  - [Getting a Driver License](#)
  - [GDL \(graduated driver's license\) – FAQs](#)
  - [GDL – How and Why it Works \(text version\)](#)
  - [GDL – Requirements and Restrictions](#)
  - [GDL – Teen Risk](#)
  - [Instruction Permit, Probationary License and Regular License](#)
  - [Nation Teen Driver Safety Week](#)
  - [Parent-Teen Safe Driving Contract](#)
  - [Points and Convictions](#)
  - [Supervised Driving Log](#)
  - [Violations Prohibiting Issuance of Original Probationary License](#)
  - [Young Driver Sponsorship](#)
- Related Pages
  - [Cell Phone – Driving and the law – Know the Facts](#)
  - [Class D Road Test Study Guide](#)
  - [Driver Behaviors](#)
  - [Driver Handbooks and Manuals](#)
  - [Driver Training Schools](#)
  - [Facts and Figures](#)
  - [GDL Saves Lives](#)
  - [Schedule a Road Test Appointment](#)
  - [Wisconsin Crash Facts](#)

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## Behind-The-Wheel Only Instruction

### Under 18 years of age

For behind-the-wheel only instruction, a licensee may not begin behind-the-wheel training with a new student unless certified proof of completion of an approved classroom course is on file with the agreement in the licensee's office. However, this does not apply if the student is either enrolled in an approved behind-the-wheel phase at a different school or has completed the approved course.

[WI Admin Code Trans 105.07\(2\) \(b\) \(3\)](#)

## Completion Certificate

A Driver School Certification completion certificate is issued to students who satisfactorily complete the required instruction in both the classroom and behind-the-wheel training and all financial obligations of his or her contract via DEC.

[WI Admin Code Trans 105.07\(1\) \(c\)](#)

## DEC Completion

The Driver Education Completion (DEC) Application allows you to communicate directly with the Division of Motor Vehicles. You will use DEC to submit student's driver education completions (classroom and behind the wheel, classroom only/behind the wheel only via transfers), student drops and failure to yield right of way completions.

After January 1<sup>st</sup>, of 2014, Driver School Completion Certificates shall be submitted via the Driver Education Completion Application. All driver training schools and instructors who need access to DEC will need to do the following in order to obtain access:

1. Complete the DEC memorandum of understanding (MOU) – See addendum G
2. Create a WAMS account - <https://on.wisconsin.gov/WAMS/home>
3. Complete the Driver Education Completion User Enrollment form.

Once all three steps have been successfully completed, the driver training school/instructor will be notified via e-mail when they are able to start submitting completions via DEC.

## Wisconsin Graduated Driver - Supervised Driving Log

Wisconsin Graduate Driver Licensing Supervised Driving Log

[HS-303/7/2006](#) (Form located in the Motorists' Handbook)

### Students under 18 years of age

Parents must certify that their student has obtained a minimum of 50 hours of supervised driving, with at least 10 hours at night. This form is provided for the parent's convenience to keep tracking of driving time and experience. Each hour of supervised driving experience, while accompanied by a qualifying instructor, may be considered as 2 hours of driving experience, with a maximum of 5 instructor-supervised hours to be counted in this manner.

To learn other relevant information regarding teen drivers please visit the [Parents and Sponsors of Teen Drivers](#) Page located on the WisDOT website.

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## License Requirements

Motorists' Handbook is available in English, Spanish, and Abridged

- [English: BDS 126](#)
- [Spanish BDS 119](#)
- [Abridged BDS 124](#)

## Status of Driving Privileges

A student may not obtain an instruction permit if driving privileges are revoked, suspended or cancelled.

In some cases, the period of the suspension or revocation does not begin until after making an application for a license or permit.

Taking a student / customer out for behind-the-wheel lessons without their instruction permit is illegal.

If a problem driver status is suspected, the student may check driving status on the department's website:

- [WI Interactive Driver License/ID Guide](#)
-



## Replacement of Instruction Permit

The original instruction permit is valid for 12 months. A person can renew the permit for an additional 12 months, or replace a lost or stolen permit, by completing a Driver License Application ([MV3001](#)) and paying the required fee.

If under 18 years of age, the student must provide the same information as required for the original instruction permit

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## Non-Completion of Course

A student under 18 years of age may either voluntarily surrender an instruction permit, or it may be cancelled by the department.

If a student under 18 years of age drops the course before completion and does not enroll with another school, or surrender the instruction permit to the department, the driver school will notify the department and the instruction permit will be cancelled.

To obtain another instruction permit prior to the age of 18, when the instruction permit has been cancelled, the student must:

- Complete a new Driver License Application ([MV3001](#))
- Prove re-enrollment in a driver education course
- Take required test
- Pay a reinstatement fee

To obtain another instruction permit prior to the age of 18, when the instruction permit has been surrendered, the student must:

- Complete a new Driver License Application ([MV3001](#))
  - Prove re-enrollment in a driver education course
  - Pay a duplicate fee
- 

## School Closing – Customer/Student Options

If a licensed driver training school closes, students have the following options:

1. Begin the driver training at a new school if the terminating school does not provide documentation to the new school of what instruction was completed.

OR

2. If less than 18 years of age, receive credit for completed hours of driver training instruction when documentation of instruction is provided by the terminating school to the new school. The student shall complete the remaining training with another school to meet the required driver education requirement.

[WI Admin Code Trans 105.04\(3\) \(a\) 1, 2](#)

If the driver school does not refund the fees for the training paid for but not provided, the customer or his or her parent or legal guardian may contact the entity that provided the bond requirements under [WI Admin Code 105.10](#) for a refund of fees.

[WI Admin Code Trans 105.04\(3\) \(b\)](#)

## Addendums

### Addendum A - Conflict of Interest Chart

|  |
|--|
| USE THIS GUIDE TO DETERMINE IF THERE IS A CONFLICT OF INTEREST |
|--|

|  | MAKING APPLICATION FOR-CONFLICT OF INTEREST (YES OR NO)        |  |   |  |
|--|--|--|---|--|
| CURRENTLY EMPLOYED BY  | 3rd Party Tester (Regulated by Bureau of Field Services (BFS)) | Traffic Safety School, Multiple Offender, Group Dynamics (instruction offered through the Technical Colleges and regulated by DOT) | Basic Motorcycle Rider (BRC), Experienced Rider Course (ERC), (instruction offered through the Technical Colleges and regulated by DOT) | Driver Training School Owner or Instructor – Class D, CMV - Truck, Class M, (regulated by DOT) |
| STATE PATROL (Per State Patrol, always check with employer)          | YES  | NO (WI ADMIN CODE TRANS 106)   | NO IF TEACH ONLY-CANNOT ADMISTER TESTS  | YES OWNER OR INSTRUCTOR  |
| Bureau of Field Services (BFS)                                       | YES (WI ADMIN TRANS CODE 115.03)                               | NO (WI ADMIN TRANS CODE 106)   | NO (WI ADMIN TRANS CODE 129)  | YES OWNER OR INSTRUCTOR  |
| Department of Transportation (DOT), Division of Motor Vehicles (DMV) | YES (WI ADMIN TRANS CODE 115.03)                               | NO (WI ADMIN TRANS CODE 106)   | NO (WI ADMIN TRANS CODE 129)  | YES OWNER OR INSTRUCTOR  |
| HIGHSCHOOL   | NO   | NO (WI ADMIN TRANS CODE 106)   | NO (WI ADMIN TRANS CODE 129)  | NO   |
| TECHNICAL COLLEGE  | NO   | NO (WI ADMIN TRANS CODE 106)   | NO (WI ADMIN TRANS CODE 129)  | NO   |
| COOPERATIVE EDUCATIONAL SERVICES AGENCY (CESA)                       | NO   | NO (WI ADMIN TRANS CODE 106)   | NO (WI ADMIN TRANS CODE 129)  | NO   |
| 3RD Party Tester (regulated by BFS)                                  | NA   | NO   | NO  | NO – Class D & M<br>YES – CMV - Truck  |

### Addendum B - Driver School Owner(s)/Manager(s) and Instructor(s) Background Check Chart

| Convictions that Disqualify for Life |   |
|--------------------------------------|---|
| Statute                              | Description                                 |
| 940.01                               | 1 <sup>st</sup> degree intentional homicide |
| 940.03                               | Felony murder                               |
| 940.05                               | 2 <sup>nd</sup> degree intentional homicide |
| 940.225(1) to (3m)                   | Sexual assault                              |
| 940.305                              | Taking hostages                             |

|                      |  |
|----------------------|--|
| 940.31               | Kidnapping   |
| 941.32               | Administering dangerous or stupefying drug   |
| 944.34               | Keeping a place of position  |
| 946.01               | Treason  |
| 946.02               | Sabotage   |
| 946.03               | Sedition   |
| 948.02 (1) and (2)   | Sexual assault of a child  |
| 948.025              | Engaging in repeated acts of sexual assault of the same child                      |
| 948.03               | Physical abuse of a child  |
| 948.04               | Causing mental harm to a child   |
| 948.05               | Sexual exploitation of a child   |
| 948.055              | Causing a child to view or listen to sexual activity                               |
| 948.06               | Incest with a child  |
| 948.07               | Child enticement   |
| 948.075              | Use of a computer to facilitate a child sex crime                                  |
| 948.08               | Soliciting a child for prostitution  |
| 948.098              | Sexual assault of a student age 16 or older by a school instructional staff person |
| 948.10               | Exposing genitals or pubic area to child   |
| 948.11(2)(a) or (am) | Exposing a child to harmful material or harmful descriptions or narrations         |
| 948.12               | Possession of child pornography  |
| 948.13(2)            | Child sex offender working with children   |
| 944.06               | Incest   |
| 940.22(2)            | Sexual exploitation by a therapist   |

| <a href="#">Convictions within the Past 10 Years from Date of Application</a> |  |
|---|--|
| Statute   | Description  |
| 948.21  | Abandonment of a child – neglecting a child  |
| 948.23  | Concealing death of a child (at birth)   |
| 948.30  | Abduction of another’s child, constructive custody   |
| 948.35  | Solicitation of a child to commit a felony   |
| 961.42(1)   | Keep or maintain any place for drug use, manufacture, keeping or delivering                    |
| 961.41(1)(1)(1)(j)  | Manufacture, Distribution or delivery of drugs   |
| 961.41(1m)(a) to (1m)(j)  | Possession with intent to manufacture, distribute or deliver drugs                             |
| 961.41(4)(am)   | Distribution or delivery or attempt to deliver or distribute an imitation controlled substance |
| 961.455   | Using a child for illegal drug distribution or manufacturing                                   |
| 961.46  | Distribution of controlled substances to persons under age 18                                  |
| 944.17  | Sexual gratification   |
| 944.30  | Prostitution   |
| 944.31  | Patronizing prostitutes  |
| 944.32  | Soliciting prostitutes   |
| 944.33  | Pandering  |
| 944.21  | Disarming a peace officer  |
| 943.201   | Unauthorized use of individual’s personal identifying information or documents                 |
| 940.02  | 1 <sup>st</sup> degree reckless homicide   |
| 940.06  | 2 <sup>nd</sup> degree reckless homicide   |
| 940.09  | Homicide by intoxicated use of vehicle or firearm  |
| 943.32  | Robbery  |
| 948.09  | Sexual intercourse with a child age 16 or older  |

**Convictions within the Past 5 Years from Date of Application**

| Statute                    | Description  |
|----------------------------|--|
| 944.15                     | Public fornication   |
| 944.20                     | Lewd and lascivious behavior   |
| 944.21                     | Obscene material or performance  |
| 944.23                     | Making lewd, obscene or indecent drawings  |
| 944.25                     | Sending obscene or sexually explicit electronic messages   |
| 944.25(1)                  | Injury by intoxicated use of a vehicle   |
| 941.26                     | Possession of machine guns or other weapons  |
| 941.28                     | Possession of short-barreled shotgun or rifle  |
| 941.29                     | Possession of firearm by felon   |
| 941.295                    | Possession of electric weapon  |
| 941.296                    | Use or possession of a handgun and an armor-piercing bullet during crime   |
| 941.298                    | Firearm silencer   |
| 941.30                     | Recklessly endangering safety  |
| 941.31                     | Possession of explosives   |
| 941.325                    | Placing foreign objects in edibles   |
| 943.02                     | Arson of buildings, damage of property by explosives   |
| 943.03                     | Arson of property other than buildings   |
| 943.04                     | Arson with intent to defraud   |
| 943.06                     | Molotov cocktails  |
| 944.10                     | Burglary   |
| 943.28                     | Loan sharking  |
| 943.30                     | Threats to injure or accuse of crime   |
| 94.38 (1) or (2)           | Forgery  |
| 946.415                    | Failure to comply with officer's attempt to take a person into custody   |
| 946.43                     | Assaults by prisoners  |
| 946.44                     | Assisting or permitting escape   |
| 946.47                     | Harboring or aiding felons   |
| 946.48                     | Kidnapped or missing persons; false information  |
| 946.60                     | Destruction of documents subject to subpoena   |
| 946.65                     | Obstructing justice  |
| 947.015                    | Bomb scare   |
| 961.41 (1n)                | Possession of piperdine  |
| 961.41 (3g)(f)             | Possession – gamma-hydroxybutyric acid, gamma-butyrolactone, ketamine or flunitrazepam                             |
| 961.41 (1x)                | Conspiracy   |
| 961.41 (2)(a) to (d)       | Counterfeit substances   |
| 961.41(3g)                 | Possession of controlled substance   |
| 961.43 (1)(2)              | Acquiring or obtaining possession of controlled substance by fraud or forgery – counterfeit substance or packaging |
| 961.67                     | Possession or disposal of waste from manufacture of methamphetamine  |
| 940.10                     | Homicide by negligent operation of a vehicle   |
| 940.19(2), (4), (5) or (6) | Battery, substantial battery or aggravated battery   |
| 940.195                    | Batter to a pregnant woman or unborn child   |
| 940.21                     | Mayhem   |
| 941.38                     | Criminal gang member solicitation and contact  |
| 940.23                     | Reckless injury  |
| 940.285                    | Abuse of vulnerable adults   |

|         |  |
|---------|--|
| 940.295 | Abuse and neglect of patients and residents                                |
| 948.40  | Contributing to the delinquency of a minor                                 |
| 948.55  | Leaving or storing a loaded firearm within reach or easy access of a child |
| 948.605 | Possession of a firearm in a school zone                                   |

| <b>Convictions within the Past 2 Years from Date of Application</b> |   |
|---|---|
| Statute   | Description                                     |
| 940.12  | Assisting suicide                               |
| 941.01  | Negligent operation of a motor vehicle          |
| 941.20  | Endangering safety by use of a dangerous weapon |
| 941.37  | Obstructing emergency or rescue personnel       |
| 943.07  | Criminal damage to railroads                    |
| 941.11  | Unsafe burning of a building                    |

### **Addendum C - Driver School and Instructor Point System Chart**

WI STATE STATUTE [343.60](#) - [343.72](#), WI ADMIN TRANS RULE [105.11](#)

The Department may assess points against a driver school or instructor that has violated any provision or rule that constitute grounds for the suspension, revocation, or denial of their license. The Department will evaluate the offense and may send a warning letter prior to an advisory letter. The school or instructor must respond within 10 days.

| Points | Offense  | Consequence  |
|--------|--|--|
| 6      | Having one's school or instructor's license withdrawn.   | The licenses issued shall be revoked, suspended or denied for 4 months to one year, based on point accumulation. |
| 6      | Having 6 or more substantiated customer complaints within a license period (2 years)   | The licenses issued shall be revoked, suspended or denied for 4 months to one year, based on point accumulation  |
| 6      | Providing documentation or information to the department on any matter regulated by subchapter VI of Chapter 343 or Trans 105 which contains a false statement as to any material matter | The licenses issued shall be revoked, suspended, or denied for 4 months to one year based on point accumulation  |
| 6      | Permitting actions that could harm the customer physically or financially  | The licenses issued shall be revoked, suspended or denied for 4 months to one year, based on point accumulation. |
| 6      | Performing work duties after consuming any alcohol, controlled substance or any other drug that impairs ability to drive a motor vehicle   | The licenses issued shall be revoked, suspended or denied for 4 months to one year, based on point accumulation. |
| 6      | Failing to comply with DMV warning letter  | The licenses issued shall be revoked, suspended or denied for 4 months to one year, based on point accumulation. |
| 6      | Substantiated complaint from a parent, legal guardian, customer of inappropriate conduct or actions with the customer  | The licenses issued shall be revoked, suspended or denied for 4 months to one year, based on point accumulation. |

|   |  |   |
|---|--|---|
| 6 | Violating ss. 343.60 to 343.72 that significantly harm highway safety                                  | The licenses issued shall be revoked, suspended or denied for 4 months to one year, based on point accumulation.  |
| 6 | Instructing at a driver training school without the proper license                                     | The licenses issued shall be revoked, suspended or denied for 4 months to one year, based on point accumulation.  |
| 4 | Not complying with renewal criteria within 30 days of written request by DMV                           | A warning letter will be sent. The licenses issued shall be revoked, suspended or denied for 90 days.   |
| 4 | Having 5 substantiated customer complaints   | A warning letter will be sent. The licenses issued shall be revoked, suspended or denied for 90 days.   |
| 4 | Continuing to use a vehicle that is out of service for driver training                                 | A warning letter will be sent. The licenses issued shall be revoked, suspended or denied for 90 days.   |
| 4 | Have not filed school insurance and/or bond with the department  | A warning letter will be sent. The licenses issued shall be revoked, suspended or denied for 90 days.   |
| 4 | Failing to resolve audit violations or discrepancies in the time specified                             | A warning letter will be sent. The licenses issued shall be revoked, suspended or denied for 90 days.   |
| 4 | Filing complaints about another school that are not substantiated                                      | A warning letter will be sent. The licenses issued shall be revoked, suspended or denied for 90 days.   |
| 4 | Insolvency or bankruptcy   | A warning letter will be sent. The licenses issued shall be revoked, suspended or denied for 90 days.   |
| 4 | Failing to timely pay debts owed to the state  | A warning letter will be sent. The licenses issued shall be revoked, suspended or denied for 90 days.   |
| 4 | Violating 343.60 to 343.72, stats., that result in unfair advantage to a school or harm another school | A warning letter will be sent. The licenses issued shall be revoked, suspended or denied for 90 days.   |
| 2 | Having 4 substantiated customer complaints within the license period                                   | The department may conduct an on-site inspection/audit. Letter will be sent. If situation is unresolved the department may issue a conditional license, restricting only classroom instruction. |
| 2 | Not filing required vehicle inspections with the department  | The department may conduct an on-site inspection/audit. Letter will be sent. If situation is unresolved the department may issue a conditional license, restricting only classroom instruction. |
| 2 | Not notifying the department when students are no longer enrolled                                      | The department may conduct an on-site inspection/audit. Letter will be sent. If situation is unresolved the department may issue a conditional license, restricting only classroom instruction. |
| 2 | Having a significant discrepancy in business records   | The department may conduct an on-site inspection/audit. Letter will be sent. If situation is unresolved the department may issue a conditional license, restricting only classroom instruction. |
| 2 | Providing a student with a signed MV3001 document prior to receipt of a signed contract or agreement.  | The department may conduct an on-site inspection/audit. Letter will be sent. If situation is unresolved the department may issue a conditional license, restricting only classroom instruction. |
| 2 | Violation of 343.60 to 343.72, stats., that do not harm the customer or impact highway safety          | The department may conduct an on-site inspection/audit. Letter will be sent. If situation is unresolved the department may issue a conditional license, restricting only classroom instruction. |
| 1 | Three substantiated customer complaints within a license period  | An advisory letter will be sent to driving school/instructor asking for corrective action.  |

|   |  |  |
|---|--|--|
| 1 | Violation of 343.61(4)(d), Stats., relating to office location and facility location | An advisory letter will be sent to driving school/instructor asking for corrective action. |
|---|--|--|

**Note:** All administrative licensing suspensions, revocations, denials or conditional licenses issued may be appealed under [Chapter 227](#) statutes.

### Addendum D - Progressive Enforcement Actions

Before recording points, the department shall notify the school or instructor of the reason for proposed action. The school or instructor may respond within 10 days. Upon due consideration the department shall act and may do the following:

- Record points assessed to driver school under [Trans 105.11](#)
- Record points assessed to instructors, including points assessed by a driver school the instructor has worked for or owned previously. Points assessed to instructor may also be assessed to a school
- Issue a conditional license when appropriate
- Record less than the assessed points

Then, based on the points assessed to the driver school(s) and or instructor(s) under [Trans 105.11](#) in the past 24 months, the following enforcement actions shall apply:

- **Level one** enforcement action – one point assessed
  - An advisory letter may be sent to the driving school or instructor, asking for corrective action
- **Level two** enforcement action – 1-3 points assessed
  - The department may conduct an on-site inspection/audit
  - An advisory letter shall be sent
  - If situation is not resolved in 10 days, the department may issue a conditional license under ss. [343.61](#) or [343.62](#), restricting to classroom instruction only
  - Vehicle may be ordered out of service if violation is related to the vehicle inspection
  - The restricted license will remain in effect until situation is resolved
- **Level three** enforcement action – 4 -5 points assessed
  - A warning letter will be sent
  - Licenses issued under ss. [343.61](#) or [343.62](#) shall be revoked, suspended or denied for 90 days.
- **Level four** enforcement action – 6 or more points
  - The license issued under ss. [343.61](#) or [343.62](#) shall be revoked, suspended or denied for 4 months to 1 year based on point accumulation.

### Interpreting Driving Records for the Purpose of Determining Eligibility

Driving Schools should screen applicants for Instructor Licenses to ensure that they have a satisfactory driving record as required by WI Stats [343.62\(4\)\(a\)8](#). and defined by WI Admin Code [Trans 105.03](#)

**An Instructor is not eligible for an instructor license if the instructor has:**

- 1) Accumulated more than 6 demerit points in a one-year period, measured from the dates of the violations which resulted in the accumulation of demerit points, in the year preceding application, the department

shall deny the instructor's license until one-year elapses from the date of the most recent violation that resulted in the person's accumulation of more than 6 demerit points.

2) Been involved in 2 or more accidents in a one-year period where the crash report indicates that such person may have been causally negligent (*if there is no traffic citation resulting in a conviction associated with the crash, the person is not considered negligent.*) The department shall deny the instructor's license until one-year elapses from the date of the most recent accident where the crash report indicates that such person may have been causally negligent.

3) Had his or her operator's license revoked, suspended or cancelled for a traffic violation other than a parking violation, at any time during the past 4 years, based on the conviction date or upon the effective date of the withdrawal of operating privileges, whichever is earlier. In this case the department will deny the instructor's license until 4 years has passed since the reinstatement from the last affected withdrawal.

### Supplement D – 40 Hour Instructor Training Course (class D instructors only)

Driving Schools can request approval to provide the 40-hour course used to train driver education instructors – Submit a course outline with a table of contents to the Department detailing the following:

- Subjects covered and teaching method.
- Time allotted for each subject.
- Textbooks, videos, handouts or other resources used.

#### **Course Outline and Lesson Plans – Should be prepared with the following guidelines:**

- 40-hour minimum training time listed.
- Approximately 50% of the hours in the classroom and 50% in the driver education vehicle.
- The outline should be set up chronologically in the order that it will be presented. The actual time spent on each segment must equal or exceed the time specified in the outline that is approved and on file in our office.
- The outline should show major topics of instruction with sub-headings and time assigned to each. Further breakdown should be listed, as necessary, in order to have training blocks of no more than 2 hours.
- No more than 6 hours of the training can be observation of another instructor conducting a lesson. It must be clearly indicated in the lesson plan if any of the training time listed is observation.
- The course should include a review of [Wisconsin Statute 343.60-343.75](#) and [Wisconsin Administrative Code Chapter Trans 105](#) that govern the licensing and conduct of driver schools and instructors.
- The course should include a review of the [Driving Training School and Instructor Guidelines](#) issued by our department as well as the [Wisconsin Motorist Handbook](#).