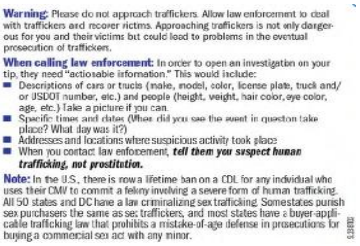
Wisconsin CDL School Guidelines

July 2026

Everyday Heroes Needed

Human trafficking is modern-day slavery, where traffickers use force, fraud and coercion to control their victims. It can occur in many locations, including truck stops, hotels, restaurants, rest areas, brothels, strip clubs, private homes, etc. Any minor engaged in commercial sex is a victim of human trafficking.

Truckers are the eyes and ears of our nation's highways and are already making calls that save lives. They are Everyday Heroes . . . like Kevin Kimmel, whose call rescued a 20-year-old woman being sold, beaten, tortured and repeatedly raped in the back of an RV parked at the back of a truck stop, or Joe Aguayo, who saw a young trafficking victim who'd been drugged, beaten, raped and abandoned along a remote road, with her head shaved and nothing but a towel for covering. Because professional drivers often find themselves in locations frequented and exploited by human traffickers, they're in a unique position to recognize the signs of human trafficking and make the call that can lead to victim recovery and perpetrator arrests.



Warning: Please do not approach traffickers. Allow law enforcement to deal with traffickers and recover victims. Approaching traffickers is not only dangerous for you and their victims but could lead to problems in the eventual prosecution of traffickers.

When calling law enforcement: In order to open an investigation on your tip, they need "actionable information." This would include:

- Descriptions of cars or trucks (make, model, color, license plate, truck and/or USDOT number, etc.) and people (height, weight, hair color, eye color, age, etc.) take a picture if you can.
- Specific times and dates (When did you see the event in question take place? What day was it?)
- Addresses and locations where suspicious activity took place
- When you contact law enforcement, ***tell them you suspect human trafficking, not prostitution.***

Note: In the U.S., there is now a lifetime ban on a CDL for any individual who uses their CMV to commit a felony involving a severe form of human trafficking. All 50 states and DC have a law criminalizing sex trafficking. Some states punish sex purchasers the same as sex traffickers, and most states have a buyer-applicable trafficking law that prohibits a mistake-of-age defense in prosecutions for buying a commercial sex act with any minor.

Truckers Against Trafficking (TAT) has been working with members of the transportation industry since 2009 to provide the needed training and tools to enable members of these key industries to both recognize and report human trafficking when they see it happening. TAT has wallet cards with red flags to look for, questions to ask if you suspect someone is a victim and actionable information to report. Ths wallet card is avail-able by app, from the appropriate app store, or by emailing info@truckersagainsttrafficking.org for a version to carry in your wallet. Additionally, TAT provides a powerful, 26-minute video on its website (www.truckersagainsttrafficking.org), with, when watched along with taking and passing a short test, certifies drivers as TAT-Trained, a designation which can go on your resume.

Scan this QR code to download on Apple devices

Scan this QR code to download on Android devices

Make the Call, Save Lives.
Call 911 to report human trafficking!
For victim services call the national hotline:
1-888-373-7888 (US)
1-833-900-1010 (Canada)
www.truckersagainsttrafficking.org

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.

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)

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)

Common Abbreviations and Definitions:

BTW	Behind-The-Wheel
CLP	Commercial Learners Permit
DMV	Division of Motor Vehicles
DTS	Driver Training School
FEIN	Federal Employee Identification Number
SSN	Social Security Number
VIN	Vehicle Identification Number

Definitions/Common Abbreviations:

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)

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.

WI Stat 343.61(3m) (b)
WI Admin Code Trans 105.10(2)-(5)

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)

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)

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. Consider adding 17 year old obtaining CDL info

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 Instructor**
- **WisDOT website:** CDL Instruction | Find A Driver Training School (arcgis.com)

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 (MV3767)	Yes	Yes	Yes	No
Driver School Application and Fee (MV3110)	Yes	Yes	Yes	Yes
Course Summary*	Yes	No	ELDT Compliant	Yes
Office Certification (MV3683)	Yes	Yes	Yes	No
Driver Training School Classroom Certification (MV3684)	Yes (No for B-T-W only)	No	No	No
Driver Training Vehicle Record (MV3264)	Yes	Yes	No	No
Insurance	Yes	Yes	Yes	No
Bond	Yes	Yes	Yes	Yes
Licensed Instructors (MV3112)	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

Chapter Three: Pre-Application

School Name Approval:

A driver school name must be approved in advance before an application is submitted. A School name will be denied if it is determined that it is duplicative, confusing or fraudulent.

WI Admin Code Trans 105.06(14)

The use of the words, "Wisconsin" or "State" in any firm name is prohibited

WI Stat 343.61(4) (c)

Home Office:

A driver school office in a home residence may be conditionally self-certified if the office is visited and approved by the WisDOT prior to filing a school license application, and all the following requirements apply:

- Be a separate room with direct access to the exterior if students will be present (schools licensed prior to January 1,2007 are exempt)
- Zoning verification allowing an office in a non-traditional business location
- Not allow students in the office unless accompanied by a parent or sponsor

WI Admin Code Trans 105.01(5)

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)

Conflict of Interest:

Screen applicants' current employment for possible conflict of interest.

See: Conflict of Interest Chart – Addendum B

Chapter Four: Completing the Application Process

Driver School Application Form (MV3110)

A Driver School Application (MV3110) needs to be completed and submitted with the required fees. All questions on the application must be answered. Questions not answered or required documentation that is missing will delay the issuance of the school license.

Refer to the Driver Training School Checklist (MV3757), Sections A-E, to ensure all required documentation is submitted with the application.

This form is used to make application for an original, renewal or duplicate school license and to identify the age group that will be instructed

- Adults only (18 years of age and over)
- Under 18 only
- Both, Adults and those Under 18
- Commercial Motor Vehicle (CMV)

When applying for an original school license, the following items must be submitted with the application forms:

- Application Form (MV3110)
- Copy of insurance policy (standard liability and vehicle)
- Bond

- Application(s) for instructors (MV3112)
- Contract/agreement (school must develop)
- Fee Schedule (school must develop)
- Copy of form used to record student records (school must develop)
- Driver Training School Office Certification (MV3683)
    a. If students will be present include a diagram of the office on the reverse side per WI Stat 343.61(2)(a)3
- Course Summary for each type of lesson being offered

Information required in the application may include, but is not limited to:

- Name of applicant
- Present address of applicant
- Previous addresses of applicant in the last five years
- Description of applicant and description of facilities
- Training or experience instructing drivers
- The names of instructors and a list of driver training cars, if applying for a driver school license
- Any other information deemed relevant to the decision to grant or deny a license

WI Admin Code Trans 105.01(1)

Proof of Insurance

A driver school shall maintain a standard liability insurance policy in the name of the school, with the minimum insurance coverage specified by the WisDOT rule. The insurance policy shall require the insurer to notify the WisDOT not less than 30 days before the policy expires or is materially changed or cancelled.

WI Stat 343.61(2) (a) 4
WI Stat 343.61(3m) (a)
WI Admin Code Trans 105.10(1)

School Employees

Names of all persons authorized to sign agreements.

WI Admin Code Trans 105.01(h)

Before mailing, check the application to make sure that:

- All required sections of the application are accurately completed
- All training and examinations requirements have been completed
- All required forms, records, course summary, vehicle inspection, insurance, certificate of bond, or the bond alternative, and other supporting documents have been submitted for review.

FEIN or SSN

In the case of an individual (a sole proprietorship) enter the Social Security Number as the FEIN. In the case of a person who is not an individual, enter a Federal Identification Number (FEIN). In the case of an individual who does not have a social security number, a statement made or subscribed under oath or affirmation that the individual does not have a social security number. The form of the statement shall be prescribed by the Department of Workforce Development. A license that is issued by the department in reliance on a statement submitted is invalid if the statement is false.

WI Stat 343.61(2)(a)(1)(1m)(2)

Fee for License

School License

The fee for a 24-month license is $190 and may be main accordingly if issued for less than 24 months. The monthly fee for a prorated school license is $7.92.

WI Stat 343.61(3)

Office Certification Form (MV3683)

Whether located in a business area or home, the office must have:

- Adequate lighting, temperature control and ventilation
- Zoned properly for business use
- At least 1500 feet from any DMV road test site, unless town's population is 15,000 people or less.
- Sufficient space with the equipment and personnel to properly maintain and store records required by WI Stat 343.71
- Must not consist of a tent, temporary stand, house trailer, hotel room, room in a rooming house or temporary address

WI Admin Code Trans 105.01(4)
WI Admin Code Trans 105.06(5)

Home Office

Additional Requirements for a home office include:

- Be visited and approved by a WisDOT representative prior to self-certification
- Be a separate room with direct access to the exterior (schools licensed prior to January 1, 2007 are exempt) if students will be present
- Zoning verification allowing an office in a non-traditional business location
- Not allow students in the office unless accompanied by a parent of sponsor

WI Admin Code Trans 105.01(5)

Telephone

A driver school shall have a listed telephone number for the driver training school in the school's name. It cannot consist solely of a telephone answering service

WI Admin Code Trans 105.06(2) (e)

Branch Offices

A school may have more than one office location. All forms and fees required for opening a new office apply to each branch office including:

- Driver School Application (MV3110)
- Driver Training School Office Certification (MV3683)
- Fee for school license applies to each branch

All records for the branch office must be kept in that space.

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**

Insurance – Liability and Vehicle

A driver school shall maintain a standard business liability insurance policy and vehicle insurance in the name of the school with the minimum of insurance coverage specified by department rule.

WI Stat 343.61(3m)

The insurance policy must be in the name of the school or state, "Doing Business As (DBA)" and the name of the school. The Vehicle Identification Number (VIN) of each covered vehicle must be listed on the certificate of insurance.

The Department must be listed as the certificate holder or interested party as follows:

WISDOT
PO Box 7920
Madison WI 53707-7920

Certification of vehicle and business liability insurance must be filed with the Department. The insurance carrier must notify the department not less than 30 days before the policy expires or is materially changed or cancelled.

WI Admin Code Trans 105.10(1) (d) (e)

Vehicle

The insurance certificate must show the effective date of the policy. A driver school shall do the following:

- Hold minimum insurance of not less than $500,000 because of bodily injury to or death of one person in any one accident, and subject to that limit for one person, to a limit of not less than $500,000 because of bodily injury to or death of 2 or more persons in any one accident and, if the accident has resulted in injury to or destruction of property, to a limit of not less than $50,000 because of injury to or destruction of property of others in any one accident.

WI Admin Code Trans 105.10(1) (a)

The amount of insurance required will be adjusted every 5 years in accordance with Trans Code.

WI Admin Code Trans 105.10(1) (b)

Business

- Maintain a standard liability insurance of not less than $500,000.

WI Admin Code Trans 105.10(1) (c)

Bond Application (MV3764)

A driver school shall file with the department a bond in the amount established by the department.

WI Stat 343.61(3 m) (b)
WI Admin Code Trans 105.10(2-5)

The purpose of the bond is to permit the customer to apply to the bond company if obligations of the training contract cannot be met. The school shall file a bond or acceptable alternative based on size and performance. The size of the school and points assessed during the last previous license period shall be used to calculate the bond amount. Refer to "Driver School and Instructor Point System Chart" for additional information **(ADDENDUM C)**

WI Admit Code Trans 105.10 (2) (3)

The initial bond is based on 0 demerit points and the number of students:

- 0 – 300 students = $5,000
- 301 – 1100 students = $10,000
- 1101 or more = $15,000

WI Admin Code Trans 105.10(2-5)

Bond Alternative Form (MV3755)

In lieu of purchasing a bond, a driver school may send a cashier's check in the amount of the bond to the department with a completed Driver Training School Bond Alternative form (MV3755).

Deposits will be held for 18 months after the closing of a driver school period. Interest will not be paid on deposits made to the department.

Monies paid out from the bond must be repaid by cashier's check to department to return the bond to the original amount.

WI Admin Code Trans 105.10(2-5)

Contract/Agreement

Application shall be accompanied by a copy of the contract/agreement which constitutes the complete agreement for instruction of students/customers.

WI Admin Code Trans 105.01(3)

A copy of the contract/agreement must be submitted to the WisDOT for approval with the original application and will be kept on file. Since the contract/agreement is unique to each driving school, a standardized form is not available from the WisDOT.

To be approved, the contract/agreement form required to be filed by WI Stat 343.71 (1m) (b) shall:

- Be consecutively numbered
- Indicate the date of application
- Identify the name of the school
- Indicate the type(s) of lessons, lectures, tutoring or instruction to be given
- Fee to be charged or the word none if no charge
- The statement, "*This constitutes the entire agreement between the school and the customer or student and no verbal statement or promises will be recognized*"
- Signature of the customer
- If the student is under the age of 18, signature of the student's parent or guardian
- Address of student
- Signature of owner of school or his or her authorized representatives

WI Admin Code Trans 105.05(4)

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

WI Stat 343.71 (1m) (b)

A contract/agreement may not guarantee the issuance of a Wisconsin driver license.

WI Stat 343.72(7)

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

WI Stat 343.71(2m)

No Agreement may contain a "no refund" clause. It may include the following: "The school will not refund any tuition or part of tuition if the school is ready, willing and able to fulfill its part of the agreement."

WI Stat 343.71(3m)

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

Fee Schedule

Each school must develop its own fee schedule. A standard form is not available from the WisDOT.
Application for a driver school license shall be accompanied by a schedule of maximum fees and charges per hour for instruction of students.

WI Admin Code Trans 105.01(2)

Student Record

Each school must develop a form (paper and/or computer) to record student information. A standard form is available on the WisDOT website at Driver Training School – Student Record Card. A copy of the form developed by the school must be submitted for approval with the school driver license application.

The records shall be in the form of an individual student record for each person listed in the records required by WI Stat 343.71(1M).

Each record shall indicate:

- Name – Last, first and middle initial
- Home address
- Date of birth
- Contract/agreement number
- Dates, types, duration and fees charged for lecture, tutoring, period of instruction or other service relating to instructions in the operation of motor vehicles
- Name and license number of the instructor having given each lesson or period of instruction or service relating to instruction in the operation of motor vehicles, and identification of the vehicle in which any behind-the-wheel instruction was given.

WI Admin Code Trans105.05 (3)

- Schools participating in the Cooperative Driver Testing Program (CDTP) under WI Admin Code Trans 105.015 shall also record the knowledge and highway signs scores for all tests attempted on the student record.

WI Stat 343.71(1m) (a)

Course Summary

Submit a course summary/outline (suggest no more than 2 pages) for each course offered (classroom, road, range etc). Send only the Course Summary to the department with the Driver Training School Application and keep the lesson plans on file at the school office. Each summary shall specify a minimum of one main topic or more for each hour of instruction. All courses must meet FMCSA regulations.

Instructor

At least one licensed instructor must be listed for all license types. Each Instructor must submit a separate Driver Instructor Application (MV3112).

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 department. No driver school may employ any person as an instructor unless the person holds a valid instructor's license issued by the department.

WI Stat 343.62(1)

The school is responsible for checking a potential applicant's driving record. To check a driving record:

- Request applicant to provide a copy of their driving record from the department.

Information on how to obtain a copy of their record can be found at:

Obtaining Vehicle or Driver Record Information

There is a $7.00 fee per record check. See: Instructors – Qualifications

See: Interpreting Driving Records for the Purpose of Determining Eligibility **(ADDENDUM E)**

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)**

Licensing Determination

Before mailing, check the application to make sure that:

- All required sections of the application are accurately completed
- All examination requirements have been completed
- All required forms, records, course summary, 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)

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)

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)

Chapter Five: Operating a Licensed Driver Training School

Driver School License (Display)

The licensee shall display the certificate in the licensee's driver school office but is not required to display the certificate in any driver school classroom.

WI Stat 343.61(4)

License Renewal

The required fee for any driver school license or for any annual renewal thereof is $95.00. A driver school license expires on the date stated on the license, but not later than 24 months after the date on which the license is issued. The department may institute any system of initial license issuance that it considers advisable for the purpose of gaining a uniform rate of renewals.

WI Stat 343.61(3)(a) 1, 2

Bond

Certification of bond must be filed with the department at renewal of the school license.

WI Admin Code Trans 105.10(5)

School License Duplicate

If any driver school license is lost, the department shall issue a replacement upon receipt of a completed application (MV3110) satisfactory proof of eligibility, satisfactory proof of loss, and a $10 fee.

WI Stat 343.61(3) (c)

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)

Insurance – Current business and Vehicle Liability

A driver school shall maintain standard business liability and vehicle insurance policies in the name of the school, with the minimum insurance coverage specified by rule by the department. Currently at $500,000/$500,000/$50,000 for vehicle and $500,000 for business liability, the insurance policy shall require the insurer to notify the department no less than 30 days before the policy expires or is materially changed or canceled.

WI Stat 343.61(3m) (a)
WI Admin Code Trans 105.10(1) (a)

The insurance policy must be in the name of the school or state, "Doing Business as (DBA)" and the name of the school. WisDOT, 4822 Madison Yards Way, P.O Box 7920, Madison WI 53707-7920 must be listed as the certificate holder or interested party. The insurance company may submit an insurance certificate listing the Vehicle Identification Number (VIN) of each covered vehicle.

Beginning of January 2007, the amount of the vehicle insurance will be adjusted every 5 years by multiplying the requirements amounts by the percentage increase of the consumer price index.

WI Admin Code Trans 105.10(1) (b)

The insurance carrier is to notify the department not less than 30 days before the policy expires or is materially changed or canceled.

WI Admin Code Trans 105.10(1) (e)

Bond – Amount Renewal of License

The amount of bond is based on the number of demerit points accrued during the previous licensing period and the number of students who completed last renewal period.

Number of points in 24 Months	0	1 – 2	3 – 6	7 or more
School size based on signed completion slips for the period.				
0 – 300	$5,000	$10,000	$15,000	$30,000
301-1100	$10,000	$15,000	$20,000	$45,000
1101 or more	$15,000	$20,000	$25,000	$60,000

WI Admin Code Trans 105.10(2-5)

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

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)

The driver training school is required to keep a file of every contract/agreement required by WI Stat 343 for a minimum of 4 years.

WI Admin Code Trans 105.05(2) (a)

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)

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)

Receipts

A driver school must issue receipts for all fees collection.

WI Admin Code Trans 105.06(1)

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)

Range

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.

Records – Availability

The records required by WI Stat 343.71 shall be made available for inspection at all reasonable times to an authorized representative of the department. These records include contracts, receipts, and student record cards.

WI Admin Code Trans 105.05(1)

A file containing a copy of every agreement

WI State 343.71(1m)(b)

These records shall be kept for 4 years in a readily accessible format.

WI Admin Code Trans 105.05(2) (a)

Records – Lost or Destroyed

The loss, mutilation, or destruction of required records shall be immediately reported to the department by affidavit stating:

- Date of loss or destruction
- Circumstances

If the circumstances of the loss warranted a report to a local law enforcement agency or fire department, indicate to whom and when the loss was reported.

WI Admin Code Trans 105.05(6)

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)

School Changes

School License

The department shall charge a $10 fee for any change to a license certificate, including a change in the location of a driver school office.

WI Stat 343.61(3)(d)

School Employees

If there is a change in authorized employees after the license has been issued, the school must submit on school letterhead a statement that the employee is no longer authorized. Or an updated Driver School Application (MV3110) stating that a new employee is being added.

WI Admin Code Trans 105.01(1)(h)

Address

Any change in address of any driver school office or driver school classroom must be reported to and approved by the department. A driver school may maintain driver school classrooms at locations other than the driver school office.

WI Stat 343.61(4) (b)

Submit a new Driver School Application (MV3110) and a new Office Certification form (MV3683) and/or new Classroom Certification form (MV3684). There is a $10.00 fee payable as a check or money order issued to: Registration Fee Trust. Each new office space or classroom must meet all requirements to be approved.

WI Stat 343.61(3) (c)

Ownership

Submit a new Driver School Application (MV3110), with required fee, and a bill of sale showing the Transfer of ownership. Include all other agreements or documents relative to department requirements. If the lesson plans were not purchased by the new owner, a new Course Summary must be submitted with the Driver School Application. When approved, a Driver School License will be issued in the new owner's name.

WI Admin Code Trans 105.06(14)

School Name

The name must be submitted to the department for approval prior to the change being made. A Driver School Application (MV3110) and Instructor Application (MV3112) must be submitted with a fee of $10.00 and $5.00 per instructor to re-issue the licenses using a new school name. Once the school name has been approved, the school must submit a copy of all forms and documents reflecting the new name for department approval.

WI Admin Code Trans 105.06(14)

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.

WI Admin Code Trans 105.04(5)

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 CDL Drivers Handbook for detailed information as well as FMCSA'S TPR located at https://tpr.fmcsa.dot.gov/.

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)

Training Provider Registry (TPR)

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 within the TPR for completion of the classroom, yard/range and road instruction when all required fees have been paid.

WI Admin Code Trans 105.07(1) (c)

All commercial driver completions should be submitted via the TPR at Training Provider Registry (dot.gov).

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)**

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)**

Complaints

Driver school customers, 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)**

Audits

To ensure compliance with the Wisconsin state statutes and polices regarding the licensing of Driver Training Schools, the department may send an authorized representative of the department to conduct audits and random inspections of licensed driver schools, classrooms and driver training vehicles. WI Admin Code Trans 105.02(6)
WI Admin Code Trans 105.05(1)
WI Admin Code Trans 105.06(10)

Failure to comply with a request for an audit may result in suspension or revocation of the driver school license.

In Person Audit

A department representative may audit a driving school in person. An appointment would generally be made in advance although random inspections may be conducted as well.

The representative may request to see the following:

- Driver School office. The office should be located at the address on the most current license and meet all requirements as listed on the Driver School Office Certification (MV3683) submitted to and on file at our office. The driver school license must be posted in the school office.
- All required records are to be readily available and up-to-date.
- Copies of customer (student) contract/agreement and all records for all customers (students) that have received instruction within the past 4 years
- Copies of the course outline and required lesson plans (curriculum) used for training.
- Resource materials (textbooks, equipment, videos, etc.) that are referred to in the lesson plans and used in classroom training.
- All driver training vehicles currently in use. All vehicles that are in use should have current inspection and insurance information on file in our office.

Paper Audits

- To ensure that the department has accurate and up-to-date information about each licensed driver school the department may require schools to submit to the following for review:
- Copies of the course summary and lesson plans used for classroom and behind-the-wheel training.
- Copy of current contract/agreement used with customer
- Copy of existing fee schedule and forms used to record customer information
- A list of current driver training vehicles and current inspections and insurance information for each vehicle.
- A current list of instructors and the names and signatures of school representatives.
- Other forms, records, and written information used in the operation of the school.

Result of Audit

A driver school will be notified of any deficiencies discovered during the course of an audit. The school will be offered a reasonable time period in which to correct problem areas that do not affect the safety of the customer.

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 343.62or 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 343.62or 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)**

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.

WI Stat 343.66(4)

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	Truck Driver
Application and Fee (MV3112 Section A)	Yes
Medical Certification (MV3112 Section B)	Yes
Tests (MV3112 Section D)	
Knowledge Test(s)	Yes
Road Test	Yes
Oral Test	Yes
High Way Signs Test	Yes
Vision	Yes
Hearing	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)

Qualifications

Preliminary Qualifications

- Be 20 years of age or older
- Hold a valid, commercial driver license that is valid for the classes and endorsements in which the instructor will provide training.
- Have 2 years of licensed commercial 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, provide 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

- Applicants must be able to understand and respond to verbal commands and instructions in English by a skills test examiner. Neither the applicant nor the examiner may communicate in a language other than English during the skills test.
- Must pass all required examinations: CDL instructor test, knowledge test(s), 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

- Does not have a disqualifying conviction according to the Driver School Owner(s)/Manager(s) and Instructor(s) background checking chard (addendum H)

WI Stat 343.62(4) (a) 9
WI Admin Code Trans 105.035

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)

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.)

WI Stat 343.62(3) (a) 1, 2

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, or C 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)

Knowledge Test(s)

This test may be taken at any DMV service center (no appointment necessary).

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 will be scheduled with the district headquarters office, after an applicant is approved. The applicant has two attempts at this exam.

WI Stat 343.62(4) (a) 1

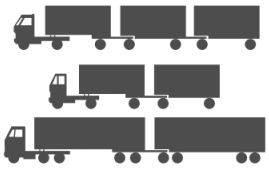
In the Wisconsin CDL Drivers Manual, you'll find information how to prepare to become a CDL Instructor. Below you'll find pages and reference links to study for the CDL Oral and Skills Exam.

CDL Drivers Manual- https://wisconsindot.gov/Documents/dmv/shared/bds356-cdl-manual.pdf#

The Division of Motor Vehicle (DMV) and Driver Training and Records Unit (DTRU) encourages you study the sections on page 8 of the CDL Drivers Manual for the type of training you wish to conduct.

What should I study in this manual?

For a CDL to drive the following type of vehicle, study:



Section 1: Introduction
Section 2: Driving Safely
Section 3: Cargo
Section 5: Air Brakes
Section 6: Combination Vehicles
Section 7: Doubles and Triples
Section 9: Haz Mat (if needed)

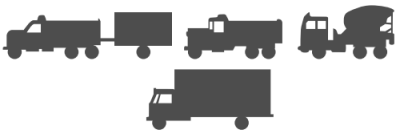
For a CDL to drive the following type of vehicle, study:

Section 1: Introduction
Section 2: Driving Safely
Section 3: Cargo
Section 5: Air Brakes
Section 6: Combination Vehicles
Section 9: Haz Mat (if needed)

For a CDL to drive the following type of vehicle, study:

Section 1: Introduction
Section 2: Driving Safely
Section 3: Cargo
Section 4: Passengers
Section 5: Air Brakes (if needed)
Section 10: School Bus

For a CDL to drive the following type of vehicle, study:



Section 1: Introduction
Section 2: Driving Safely
Section 3: Cargo
Section 5: Air Brakes
Section 6: Combination Vehicles (if needed)
Section 9: Haz Mat (if needed)

CDL is required when the following vehicles transport hazardous materials. In that case, study:

Section 1: Introduction
Section 2: Driving Safely
Section 3: Transporting Cargo Safely
Section 9: Haz Mat

Study Section 8 if you want a tank vehicle endorsement.

Note: If you wish to train students in a school bus, we suggest studying sections 1, 2, 3, 4, 10 and 5 if the vehicle is equipped with air brakes. Reviewing these sections will provide you with the knowledge required to provide training for the specific vehicle type.

Oral Exam Inspection- During the Oral Exam, the state examiner will provide you with the names of components you'll inspect in the vehicle. You're required to point out the item, explain, and demonstrate the use or procedure for the items. When you've completed the item, the examiner will evaluate your response and move on the next item on the list. You're not allowed any reference material for this portion of the test as this is **not the vehicle inspection test**. To prepare for the Oral Exam you should familiarize yourself with the vehicle you will bring to the test and study the suggested information listed below.

CDL Driver's Manual-

- **Section 1: Introduction**
- **Section 2.1.3 What to look for-Steering System-Emergency equipment**
- **Section 2.1.5 Seven-step inspection method-Step 1 through 7**
- **Section 2.2 Basic control of your vehicle- 2.2.1 through 2.2.3**
- **Section 2.3 Shifting gears- Manual Transmission 2.3.1**
- **Section 2.5.2 Communicating your presence**
- **Section 2.16.4 Proper braking technique**
- **Section 2.17.2 How to stop quickly and safely**
- **Section 2.21.2 Fire prevention**
- **Section 11M.1 Internal Inspection (All Vehicles)**
- **Section 11M.1.1 – In-Vehicle/ Engine Start**
- **11M.1.2 – Air Brake or Hydraulic Brake Check (based on type of brake system)**
- **Section 11M.2 Passenger and School Bus Only**
- **Section 11M.3 School Bus Only**
- **Section 11M.4 – Lights Operations Check (All Vehicles)**

Note: This manual will help you prepare for the tests. This manual is not a substitute for a truck driver training class or program. Formal training is the most reliable way to learn the many special skills required for safely driving a large commercial vehicle and becoming a professional driver in the trucking industry.

Road Test

The road test must be completed in a vehicle similar to the one that will be used for instruction. An applicant may need to take this test in multiple vehicles depending on the type of vehicle they will be using for training. Example: The instructor will be training in Class A CMV and Passenger Bus, they would need to take a CDL Skills test in each vehicle type. 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. An appointment is necessary and will be scheduled with the district headquarters office, after an applicant is approved.

WI Stat 343.62(4) (a) 2
WI Admin Code Trans 105.02(1)

Medical Requirements

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.

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.

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)

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.

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

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.

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 requirements as that of a new instructor.

WI Admin Trans Code 105.07(6)

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)

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)**

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)

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)**

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)**

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)

Hearings and Appeals

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)

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)

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)

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.

Commercial Learners Permit (CLP)

To obtain a Commercial Learners Permit (CLP), you must be at least 18 years old and hold a valid Class D license. All CLP applicants must provide:

- Completed (MV3001) application
- Proof of identity
- Proof of legal status in the U.S.
- Completed form MV3230 (to certify your tier of operation)
- Federal Medical Examiner Certificate (Fed Med card) if certifying tier 1 or tier 3
- Fees

Applicants must successfully pass all knowledge tests for the Classes/Endorsements they want to operate.

Applicants must display a 'Not Prohibited' status in the Drug and Alcohol Clearinghouse.

*Entry Level Driver Training (ELDT) must be completed prior to scheduling a CDL skills exam. ELDT includes theory and behind-the-wheel (BTW) instruction at a training provider/training entity listed on the Federal Motor Carrier Training Provider Registry.

The following CDL applicants are required to successfully complete (ELDT) prior to being eligible for required CDL skills testing:

- New CDL Applicants who haven't previously held a CDL (proof is required)
- Drivers applying for Class Upgrades (Class B to Class A)
- Drivers adding Passenger Endorsement (P)
- Drivers adding School Bus Endorsement (S)

The following CDL applicants are required to successfully complete (ELDT) prior to being eligible for required CDL knowledge testing:

- Drivers adding Hazardous Materials Endorsement (H)

License Requirements

Commercial Driver's Manual is available in English and Spanish,

- English BDS356
- Spanish BDS264

Status of Driving Privileges

A student may not obtain a commercial learners 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 (public roadway) 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 commercial learners permit (CLP) is valid for 180 days. A person can renew the permit for an additional 180 days, or replace a lost or stolen permit, by completing a Driver License Application (MV3001) and paying the required fee.

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 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	1st degree intentional homicide
940.03	Felony murder
940.05	2nd 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

Convictions within the Past 10 Years from Date of Application	
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	1st degree reckless homicide
940.06	2nd 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 passion 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

Convictions within the Past 2 Years from Date of Application	
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	The licenses issued shall be revoked, suspended, or denied for 4 months to one year based on point accumulation

	which contains a false statement as to any material matter	
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	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.
2	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.
1		

Note: All administrative licensing suspensions, revocations, denials or conditional licenses issued may be appealed under Chapter 227statutes.

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.