

Suspension, Revocation, and Reinstatement of Your Driver's License

Losing your driver's license can make life much harder. It can affect your ability to work, go to school, and handle daily tasks. However, there are ways for you to get your license back in Wisconsin if it has been suspended or revoked. The steps you will need to take will depend on why your license was suspended or taken away.

[LIFT WI's Legal Tune-Up Tool](#) offers free online help to reinstate your driver's license. The tool can help you:

- View your suspensions and find out whether you have any unpaid fines
- Request payment plans or community service with the suspending court
- Reinstate your license with the DMV
- Get information about all types of driver's license problems

Here's a guide to help you through the process of recovering your driver's license in Wisconsin:

1. Difference between Suspension and Revocation

Generally, in Wisconsin, a suspension means you lose your driving privileges for less than a year, while a revocation lasts more than a year. There are some revocations that last less than a year, however, including some OWI related revocations. The biggest difference between a suspension and a revocation, however, is the penalty if you get caught driving. If you are caught driving on a suspended license, you might get a ticket and have to pay some money. If you drive with a revoked license, you may face a criminal offense, be required to pay a fine and/or serve jail time.

Revocations are deemed more serious and carry a (potentially) costly SR22 insurance requirement.

2. How your license can be suspended or revoked

Your license may have been suspended or revoked for many reasons. Common reasons for losing your driver's license in Wisconsin include, but are not limited to:

- **Failure to Pay Forfeiture (FPF)** suspensions. A one-year suspension for failure to pay a traffic ticket. The suspension lasts one year or until payment/community service arrangements have been made with the court. This is the most common way that driver's licenses are suspended in Wisconsin.
- **Driving Record (DR)** or "**points**," suspension. This happens when a driver gets 12 or more demerit points (received due to traffic tickets) in any twelve-month period. The length of the suspension depends upon the total number of points the driver has and the type of license they hold. Moving point violations are doubled for folks with instructions permits and probationary licenses, and their suspension times are longer.

Demerit Points Accumulated in a 12-month Period	Length of Suspension with regular license	Length of Suspension with permit or probationary license
12 to 16 points	2 months	6 months
17 to 22 points	4 months	6 months
23 to 30 points	6 months	6 months
More than 30 points	1 year	1 year

- **Operating While Intoxicated ("OWI")** revocation. The length of revocation will vary depending on the type or severity of the OWI that you are convicted of: e.g., a first offense OWI carries with it a 6-to-9-month revocation.
- **Failure to Pay Child Support (FPS)** suspension. These suspensions can last up to two years if ordered by a court and up to five years if ordered by the

Department of Workforce Development. The suspension can end earlier if overdue child support is paid back or payment plans have been made.

- **Damage Judgment (DJN)** suspension. This suspension happens when a court orders you to pay for damages over \$500 from an accident where you didn't have insurance. The suspension starts on the date of the court judgment and lasts until the judgment is paid (or a payment plan is approved by the court) or until five years have passed, whichever comes first. You must also have SR-22 insurance for three years after the suspension ends.
- **Safety Responsibility (SR)** suspension. This one-year suspension happens when a driver is in an accident without insurance, causing more than \$1,000 in damages. It occurs if the driver does not show proof of insurance, post a bond, or prove they were not at fault. SR-22 insurance is required for three years after the suspension ends.
- **Implied Consent (IC)** revocation. When you drive on Wisconsin's public roads, you automatically agree to take a breath, blood, or urine test if the police suspect you of OWI. If you refuse to take the test, your license can be taken away for one year for the first offense. The penalties get worse if it happens again.

3. Eligibility for License Recovery

In order to recover your driver's license, you will need to understand why your license was suspended or revoked and for how long the suspension or revocation period lasts.

You can check your eligibility status through the Wisconsin Department of Transportation (WisDOT) website or by contacting the DMV.

[Check your driver's license status here.](#)

[Check your eligibility for reinstatement here](#)

Have this information ready:

- Your Wisconsin Driver License or ID card number

OR

- Your full Social Security number
- Your date of birth

4. Options to try to get certain suspensions lifted

- Failure to Pay Forfeiture (FPF) suspensions.

- Pay the ticket

The quickest way to take care of a fine is to pay immediately. You can pay the court directly in person or on their website.

- Wait out the suspension

A court can suspend your driver's license for a year. Check the time period of your suspension. If it expires in just a few months, you may want to wait until the suspension period is over. After the suspension is over, you will still owe the fine, but you can get your license back.

Warning: Even if you wait out the full year-long license suspension, that does not eliminate your obligation to pay. The court may refer that debt to the State Debt Collection Agency (SDC). In an attempt to collect the debt, SDC may garnish your wages, intercept your state taxes, or even levy your bank account.

- Request a stay of judgment or payment plan based on poverty

Ask the same court that suspended your license to delay the suspension, reduce the fine, or order a payment plan due to financial hardship. A payment plan means that you pay a portion of your fine each month. After you're approved for a payment plan, the court should lift your suspension right away.

Important: If you cannot afford to pay your ticket in full because of poverty, the court is required to give you a chance to pay in “affordable” installments (as low as \$20-\$25 a month). The court may ask you a series of questions at a hearing to decide if you are eligible for a payment plan and what you can afford to pay monthly.

Caution: If you miss your monthly payments, the court can suspend your license again and cancel your payment plan. The court may not be willing to give you a second chance at a payment plan.

- Request community service due to poverty

If you cannot pay the fine, ask the same court that suspended your license if you can do community service instead of paying. You will need to find your own community service project, which the court must approve. The court does not provide a project for you.

Important: Some courts won't lift your suspension until after all of your assigned hours are completed. Keep that in mind as you're picking your community service site!

Note: The most community service hours a judge can make you complete is found by dividing your fine by Wisconsin's minimum wage, which is \$7.25 per hour. Keep in mind that most fines also have extra fees (surcharges) that aren't directly related to your offense. The judge decides whether to include these fees in your required hours.

- Reopen the case

You ask the judge to reopen a case if you are trying to get the citation amount lowered or thrown out (dismissed). You have to file a motion in court to get your case reopened. In most traffic court cases, you have a general six month window to try and reopen it. If it's older than six months, you can still ask, but it's less likely to get approved/reopened. Municipalities and counties vary on the forms and procedures they use for this, but most have the forms and process available on their website. If they don't, call the clerk of that court and ask for more information. You should get legal advice before filing a motion.

The laws for requesting a payment plan or community service are a little different in municipal (city) court than in circuit (state) court, but the process is generally the same. Here is a short guide:

	Municipal (City) Court	Circuit (State) Court
If your license has not yet been suspended:	If you go to court and show that you can't pay because of financial hardship, the judge must let you pay in smaller amounts over time or do community service instead.	If the judge decides that you can't pay the judgment because of poverty, the court must give you the opportunity to pay in installments.
If your license has been suspended:	If you can't pay because of poverty and you haven't defaulted on a previous payment plan, the judge must end your suspension and allow you to pay in installments.	If you can't pay because of poverty and you haven't defaulted on a previous payment plan, the judge must end your suspension and allow you to pay in installments.
Factors showing poverty	You receive free legal services, government benefits, or are otherwise unable to pay.	You receive free legal services, government benefits, or are otherwise unable to pay.
Other considerations	At any time in your case the judge can allow a payment plan or modify the fine. The judge can also order community service instead of paying the judgment, at any time.	Although the circuit court statutes do not mention community service, modifications, or stays, you can ask for these based on public policy, the Constitution, and the court's natural authority. You may want legal help to do this.

It is important to remember that some of these procedures can vary from court to court so it is generally a good idea to ask a clerk at the court if you have questions.

- Driving Record (DR) or "points," suspension.

If you have reason to, you can request to reopen the case or cases which caused the suspension. The goal is to permanently remove enough points to get yourself under the twelve-point threshold for a suspension or at least reduce the length of the suspension.

Once the case is reopened, you might be able to talk to the city attorney about lowering the demerit points on your license. Depending on the details of your case, you could even get the ticket removed completely.

In general, you must ask the court to reopen a case within six months of the judgment. Municipalities and counties vary on the forms and procedures they use for this, but most have the forms and process available on their website. If they don't, call the clerk of that court and ask for more information. This could be a good time to seek legal assistance.

There are also point reduction classes. Completion of an approved point reduction class will remove three points from your total. You can only do this once every three years.

- Damage Judgment (DJN) suspension and Safety Responsibility (SR) suspension
 - Enter into a payment plan
 - File for bankruptcy
 - Reopen the case to get the judgment dismissed or resolved outside of court

You will usually need a lawyer to help with these solutions.

5. Other Requirements to Recover your Driver's License

SR22 Certificate (proof of insurance/financial responsibility)

This certificate proves that you have liability insurance in the amounts of at least:

- \$25,000 for death

- \$50,000 for personal injury
- \$10,000 for property damage

You must get a SR22 certificate through an insurance company licensed to do business in Wisconsin and then file it with the DMV. In some cases, substitutions (such as a bond from an insurance company or a cash deposit of \$60,000 posted with the DMV) may be accepted.

Proof of insurance (SR22) is necessary:

- To reinstate after suspension if the suspension is a **Damage Judgment (DJN)** suspension or a **Safety Responsibility (SR)** suspension.
- To reinstate a drivers license after revocation (unless the only revocation is for Non-Compliance with Driver Safety Plan/Interview or first offense Operating While Intoxicated).
- To obtain an occupational license if your license is suspended or revoked.

Insurance must be filed for three years from the date you are eligible to reinstate your driving privileges. If, at any time during the three-year filing period, you wish to stop carrying SR22 proof of insurance and stop driving in Wisconsin, you can avoid paying the additional fees by surrendering your drivers license to the DMV before canceling the insurance while the SR22 policy is still in effect.

Interlock Ignition Device (IID)

An IID, often known as a breathalyzer, is a tool that measures breath-alcohol concentration by blowing into a mouthpiece before the vehicle will start. If your license was revoked due to an **OWI**, and the measured Blood Alcohol Concentration (BAC) was at or above 0.15 or if you refused **implied consent (IC)** to a breath, blood, or urine test, you will be restricted to operation of a vehicle equipped with an IID.

IMPORTANT: The time for the IID restriction starts when you are convicted and lasts until one year after you get an occupational license or your regular license back.

IIDs are leased from and set up by an IID service provider. If you make less than 150% of the Federal Poverty Level (FPL), you may qualify for a reduced price. But, you need to talk to the court that convicted you to see if you qualify.

OWI assessment and driver safety plan

An Intoxicated Driver Program (IDP) assessment is an interview between the driver and an IDP assessor. The assessor uses information obtained during the interview to identify the driver's alcohol/drug use, both past and present. Anyone convicted of an Operating While Intoxicated (OWI) offense is required to get an assessment.

Driver safety plans for OWI convictions are education and/or rehabilitation programs that must be completed by drivers based on the results of the IDP assessment. For example, the driver may be sent to inpatient or outpatient treatment programs or a Traffic Safety program offered at a local technical college.

The driver safety plan must be completed within one year of the IDP assessment date. If additional time is required to complete the plan, the driver may request a one-time, four-month extension by contacting the IDP assessment agency prior to the end of the one-year time period.

Reinstatement Fee

The reinstatement fee is generally \$60, but for driver's license reinstatement for OWI-related revocations or suspensions, the fee is \$200.

6. Reinstatement your Driver's License

Reinstate [online](#).

Have these ready:

- Your Wisconsin Driver License or ID card number
- The last four digits of your Social Security number
- Your date of birth

OR

- Your full name
- Your complete Social Security number
- Your date of birth

- Payment information

- Credit/debit card/PayPal (convenience/service fee applies)

OR

- Checking/savings account numbers and avoid the convenience/service fee

Note: If a new driver license is being granted, you will also be given a driving receipt. Print this receipt. It will serve as your driver license until you receive the card in the mail.

Reinstate by mail

To reinstate by mail, you must have an unexpired Wisconsin driver license.

Include your:

- Full name
- Date of birth
- Wisconsin driver license number or last four numbers of your Social Security Number if your Wisconsin driver license number is unknown
- Current address
- Reinstatement fee (check or money order) payable to Registration Fee Trust

Mail required information and payment to:

Wisconsin Department of Transportation
DMV Communication Center
P.O. Box 7983
Madison, WI 53707-7983

Once received by mail, your reinstatement will be processed within two business days.

Reinstate in Person

Complete the application [online](#) and make an appointment for your visit.

OR

If you visit a DMV customer service center without an appointment, you will need to complete a [Wisconsin Driver License Application MV3001](#) to reinstate.

Arrive at least 90 minutes before the center is scheduled to close. Don't forget you will need to pay the reinstatement fee.

7. Occupational License

While your driver's license is suspended or revoked, you can apply for an occupational license. An occupational license is a restricted driver license that limits when, where, and what type of vehicle you may drive. For example, your total driving time is limited to 12 hours each day and cannot exceed 60 hours for the entire week. But this may allow you to keep your job while your license is suspended or revoked.

With an occupational license, you may drive:

- to and from work
- to and from school
- to and from places that you need to visit to maintain your household, such as:
 - grocery store, gas station, pharmacy, bank, laundromat
 - transporting children to and from daycare, school, or visitation
- to and from your place of worship
- to attend to necessary family needs such as medical appointments
- to the agency where you are completing your Intoxicated Driver Program (IDP) assessment and Driver Safety Plan (DSP)

You may not use an occupational license for:

- recreational purposes such as
 - visiting family or friends
 - attending a social or sporting event
- operation of a commercial motor vehicle (CDL)

Most of the suspensions we've discussed in the article above leave you eligible to apply for an occupational license. The exception is suspensions for Failure to Pay Forfeiture (FPF). You are not eligible for an occupational license with that type of suspension. You will also not be issued an occupational license if:

- Your license has been canceled (rather than revoked or suspended);
- You have never held a driver's license;
- You are eligible to reinstate your driver's license after revocation or suspension;
- You have two or more revocation or suspension cases from separate incidents in a 1-year period;
- You have not served all mandatory waiting periods for an occupational license
 - Some revocation/suspension cases require that you serve a mandatory waiting period before you are eligible for an Occupational License. The waiting period(s) may vary depending on your previous driving history and the reason for the current revocation/suspension.

Important: You must have a SR22 Certificate (proof of insurance) on file with the DMV to qualify for an occupational license.

Contact the DMV or check out their [website](#) to get more information on how to apply for an occupational license.

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Table of Contents

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