

125.17 Issuance of operators' licenses.

- (1) AUTHORIZATION. Every municipal governing body shall issue an operator's license to any applicant who is qualified under s. 125.04 (5). Operators' licenses may not be required other than for the purpose of complying with ss. 125.32 (2) and 125.68 (2) or s. 125.06 (3g). Operators' licenses may be issued only upon written application.
- (2) VALIDITY. Operators' licenses are valid only within the issuing municipality.
- (3) FEE. The municipal governing body shall establish by ordinance a fee for the operator's license. Except as provided under sub. (4), a license shall be valid for one or 2 years, as determined by the municipal governing body, and shall expire on June 30, except in 1st class cities the license shall expire on December 31.
- (4) TEMPORARY LICENSE. Any municipal governing body may issue a temporary operator's license under the terms of subs. (1) to (3), except that:
 - (a) This license may be issued only to operators employed by, or donating their services to, nonprofit corporations.
 - (b) No person may hold more than one license of this kind per year.
 - (c) The license is valid for any period from one day to 14 days, and the period for which it is valid shall be stated on the license.
- (5) PROVISIONAL LICENSE.
 - (a)
 1. A municipal governing body that issues operators' licenses shall issue provisional operators' licenses. Subject to subd. 2., the municipal governing body may by ordinance establish standards under which provisional licenses shall be issued and shall by ordinance designate the municipal official having authority to issue them.
 2. Subject to pars. (b) to (e), a municipal governing body that issues operators' licenses shall issue a provisional operator's license to a person who, at the time of application for an operator's license under sub. (1) and payment of the fee under sub. (3), files a certified copy of a valid operator's license issued by another municipality.
 - (b) A provisional license may be issued only to a person who has applied for an operator's license under sub. (1). A provisional license may not be issued to any person who has been denied a license under sub. (1) by the municipal governing body.
 - (c) The municipal governing body shall establish the fee for a provisional license. The fee may not exceed \$15.
 - (d)
 1. Except as provided in subd. 2., a provisional license expires 60 days after its issuance or when a license under sub. (1) is issued to the holder, whichever is sooner.
 2. A provisional license issued under par. (a) 2. expires as provided under subd. 1. or upon expiration of the operator's license issued by another municipality and filed under par. (a) 2., whichever is sooner.
 - (e) The official who issued the provisional license may revoke the license if he or she discovers that the holder of the license made a false statement on the application or, if the provisional license is issued under par. (a) 2., if the official determines that the operator's license issued by another municipality and filed under par. (a) 2. is not valid or upon denial of the person's application for an operator's license under sub. (1).
- (6) TRAINING COURSE.
 - (a) Except as provided in par. (b), no municipal governing body may issue an operator's license unless the applicant has successfully completed a responsible beverage server training course at any location that is offered by a technical college district and that conforms to curriculum guidelines specified by the technical college system board or a comparable training course, which may include computer-based training and testing, that is approved by the department or the educational approval board, or unless the applicant fulfills one of the following requirements:
 1. The person is renewing an operator's license.
 2. Within the past 2 years, the person held a Class "A", "Class A" or "Class C" license or a Class "B" or "Class B" license or permit or a manager's or operator's license.
 3. Within the past 2 years, the person has completed such a training course.
 - (b) A municipal governing body shall issue a provisional operator's license to a person who is enrolled in a training course under par. (a) and who meets the standards established by the municipality by ordinance, if any. The municipal governing body shall revoke that license if the applicant fails successfully to complete the course in which he or she enrolls.
 - (c) No municipal governing body may require that applicants for operators' licenses undergo training in addition to that under par. (a) but may require applicants to purchase at cost materials that deal with relevant local subjects not covered in the course under par. (a).

History: 1981 c. 79, 170; 1983 a. 263; 1989 a. 253; 1991 a. 39, 269; 1993 a. 259, 399, 491; 1995 a. 27 s. 9154 (1); 1997 a. 27; 2001 a. 16; 2003 a. 245; 2011 a. 179.