

CAUSE NO. _____

THE STATE OF TEXAS

§ IN THE JUSTICE COURT

§

§

§ PRECINCT 4

§

§

PETITIONER

§ HOOD COUNTY, TEXAS

PETITION FOR OCCUPATIONAL LICENSE

I, _____, seek an occupational driver's license from this court based on the information provided below. *(You must swear that the information you provide in this petition is true and correct. Failure to provide true and accurate information may result in criminal penalties.)*

Section One – General Information.

My name is: _____.

My date of birth is: _____ . PHONE NUMBER _____.

I am a resident of _____ County, Texas.

My home address is:

_____.

My mailing address (if different than above) is:

_____.

My Texas driver's license number is: _____.

- I am employed or looking for work, and my occupation is _____.
- I am a student at _____.
- I am the primary caretaker of _____ dependents who cannot drive.
- I have been ordered by a magistrate or other court order to install an ignition interlock device on my vehicle, and/or not to operate any vehicle which is not equipped with an ignition interlock device.
- I have not been ordered by a magistrate or other court order to install an ignition interlock device on my vehicle, and/or not to operate any vehicle which is not equipped with an ignition interlock device.

Section Two – Reason(s) for Driver’s License Suspension.

- My driver’s license has been suspended as the result of an arrest for an intoxication-related offense in _____ County, because:
 - A peace officer requested a sample of my breath or blood, and I refused; or
 - I provided a sample of my breath or blood, and the sample contained an alcohol concentration greater than 0.08.
- My driver’s license has been automatically suspended as the result of a conviction for Driving While Intoxicated (DWI) in a county or district court.
- My driver’s license has been suspended as the result of a conviction for a criminal offense in a justice or municipal court. *(Please provide information regarding this offense, including the name of the court in which you were convicted, the cause number, and the type of offense, below.)*

_____.

- My driver’s license has been suspended as the result of a physical or mental disability.
- My driver’s license has been revoked for failure to pay child support.
- My driver’s license has been suspended as the result of a conviction for Racing on a Highway.
- My driver’s license has been suspended because a court found that I am a “habitual violator of traffic laws.”
- My driver’s license has been suspended for another reason, described below:

_____.

Section Three – Essential Need.

(Note: To obtain an occupational license, you must demonstrate an essential need to operate a motor vehicle. The Texas Transportation Code defines “essential need” as the “need of a person for the operation of a motor vehicle: in the performance of an occupation or trade or for transportation to and from the place at which the person practices the person’s occupation or trade; for transportation to and from an educational facility in which the person is enrolled; or in the performance of essential household duties.” To demonstrate an essential need to operate a motor vehicle, you may attach additional documentation, such as a letter from your employer. If you attach additional documentation, be sure to check the appropriate box in Section Five of this petition.)

I am seeking this occupational license to *(check all that apply)*:

- Travel to and from my place of work;
- Perform the duties of my job;
- Travel to and from school; or
- Perform essential household duties.

I am not seeking an occupational license to drive a commercial motor vehicle.

The following are addresses and descriptions of all destinations where I am requesting to travel with my occupational license:

To reach the destinations described above, I must travel to or through the following Texas counties *(please fully describe all counties and routes traveled)*:

Below, I have fully described all public transportation options within one mile of any destination described above, including my home, place of work, school, or place where I perform essential household duties. *(Public transportation options may include bus service, rail service, rural automobile service, ride-sharing services, etc.)*

I am the only member of my household who owns, leases, or has access to a motor vehicle.

- A member of my household other than me owns, leases, or has access to a motor vehicle.
(Please describe this person's weekly schedule below.)

- I own a bicycle or other means of non-motorized conveyance, described below.

- My work or school schedule is the same every week: I work or attend school during the following hours on the following days of the week *(check all that apply)*:

Monday:

Tuesday:

Wednesday:

Thursday:

Friday:

Saturday:

Sunday:

- My work or school schedule varies from week to week. *(If you check this box, provide a general description of your work or school schedule below, including the total number of hours you work or attend school each week, days of the week on which you never work or attend school, days of the week on which you always work or attend school, and the earliest time your work or school day begins and the latest time your work or school day ends.)*

- My job duties include automobile travel. My employer requires me to travel by automobile to perform the following tasks:

- I perform the following essential household duties:

- To perform the essential household duties described above, I must travel by automobile during the following hours on the following days of the week (*check all that apply*):

Monday:

Tuesday:

Wednesday:

Thursday:

Friday:

Saturday:

Sunday:

Section Four – Suspension History

In the past five years, my license has been suspended for:

- A refusal to submit to the taking of a breath or blood specimen following an arrest for an offense prohibiting the operation of a motor vehicle or an offense prohibiting the operation of a watercraft while intoxicated, under the influence of alcohol, or under the influence of a controlled substance.
- An analysis of a breath or blood specimen showing an alcohol concentration of .08 or above, following an arrest for an offense prohibiting the operation of a motor vehicle or watercraft while intoxicated.
- A conviction for Driving While Intoxicated (Penal Code § 49.04); Driving While Intoxicated with Child Passenger (Penal Code § 49.045); Flying While Intoxicated (Penal Code § 49.05); Boating While Intoxicated (Penal Code § 49.06); Assembling or Operating an Amusement Ride While Intoxicated (Penal Code § 49.065); Intoxication Assault (Penal Code § 49.07); or Intoxication Manslaughter (Penal Code § 49.08).

Section Five – Additional Documents.

- I have obtained evidence of financial responsibility (*automobile liability insurance*), which is attached to my petition. (*Note: You may not be issued an occupational license unless you obtain evidence of financial responsibility.*)
- I have attached a Type AR certified abstract of my driving record to this petition. (*Note: the court cannot grant your petition without reviewing your driving record.*)
- I have attached documents demonstrating my essential need to operate a motor vehicle.
- I have attached other documents, which are described below:

Petitioner requests that the court grant this Petition for Occupational License, and send a certified copy of this Petition, along with its order granting petitioner’s occupational license, to the Texas Department of Public Safety.

Petitioner’s Signature

SWORN TO AND SUBSCRIBED before me on _____, 20____.

CLERK OF THE JUSTICE COURT OR NOTARY

CAUSE NO. _____

THE STATE OF TEXAS	§	IN THE JUSTICE COURT
	§	
-V-	§	PRECINCT 4
	§	
_____ PETITIONER	§	HOOD COUNTY, TEXAS

ORDER GRANTING OCCUPATIONAL DRIVER'S LICENSE

Petitioner:

- Has a Texas Driver's License, with the following number: _____
- Does not have a Texas Driver's License

The court hereby **GRANTS** Petitioner an Occupational Driver's License pursuant to Transportation Code § 521.248, and **ORDERS** Petitioner to:

- NOT drive a commercial vehicle.
- Maintain valid auto liability insurance or other financial responsibility in accordance with Texas Transportation Code Chapter 601 for the entire period this order is in effect.
- Carry both a certified copy of this Order and an Occupational Driver's License (*once it is issued by DPS*) while driving. (*The Department of Public Safety will issue the Occupational Driver's License after payment to DPS of any required fees.*)

The Court additionally **FINDS** (*check one*):

- Petitioner is restricted to the operation of a motor vehicle equipped with an ignition interlock device and has installed such a device on Petitioner's vehicle, and therefore, pursuant to Transportation Code § 521.248(d) is not subject to any time of travel, reason for travel, or location of travel restrictions.
- Petitioner is **ORDERED** to abide by the following time of travel, reason for travel and location of travel restrictions:
 - Restrict driving to travel to and from work or school and essential duties, including medical appointments, court, attorney's office, probation office, and any supervision, education, or counseling required by this Order.
 - Restrict driving to no more than _____ hours per day, and only on the days, times, and in the counties or on the routes listed below. (*A person may operate a motor vehicle for no more than four hours within a 24-hour period unless the defendant*

demonstrates an essential need, in which case the court may allow a person to drive up to 12 hours in a 24-hour period.)

Monday:

Tuesday:

Wednesday:

Thursday:

Friday:

Saturday:

Sunday:

Restrict driving to the following counties/routes:

Additional Conditions of Order:

Petitioner must (*check all that apply*):

- Record dates, time, mileage, destinations, and reasons for travel in a travel log. Carry and update the travel log every time Petitioner drives and show the log to any peace officer who asks to see it.
- Within _____ days of this order, attend the alcohol/drug counseling program listed below, and give the court clerk proof of attendance within that time period.

Program:

(Must be selected if Petitioner's license has been suspended under Texas Transportation Code Chapter 524 or 724.)

- Report to the court every ____ days, demonstrating compliance with the order requiring attendance at the counseling program described above.
- Submit to testing for alcohol controlled substances every ____ days, to be conducted by the following entity:

(May be selected only if Petitioner's license has been suspended under Texas Transportation Code Chapter 524 or 724.)

- Submit to supervision to verify compliance with all terms of this order. Supervision shall be conducted by the:
 - local community supervision and corrections department and Petitioner is **ORDERED** to pay a monthly administrative fee of \$_____, as authorized by Government Code § 76.015.
 - following personal bond office: _____ *(The office may collect a fee of \$25-\$60).*
- NOT drive any vehicle unless it is equipped with an ignition interlock device.
- Comply with all applicable statutes, administrative regulations, and orders from DPS related to licensing.

Effective Date of Order:

(See Transportation Code Sec. 521.251)

- Today
- 91 days after the date the license was suspended.
- 181 days after the date the license was suspended.

ISSUED AND SIGNED on _____, 20____.

JUSTICE OF THE PEACE, PRECINCT 4
HOOD COUNTY, TEXAS



DRIVER LICENSE DIVISION

General Information Document and Fee Processing

This document has been created to provide our customers with general information on driver records and compliance processing. If you do not find the information you need, please contact our Customer Service Center (CSC) at (512) 424-2600 for further assistance. Thank you.

Driver Record Requests

The majority of drivers can request their driver record online at www.texas.gov and immediately print. If you are unable to request your driver record online or if you prefer to request your record by mail, then submit a request in writing to the address below. Your driver license audit number is required to request a driver record. Allow 15 to 21 business days to process.

Mailing Address: Texas Department of Public Safety
License and Record Service
PO Box 149008
Austin, Texas 78714-9008

Online Driver Test Scheduling

Some driver license offices now offer online scheduling for driver tests so customers can skip the wait and schedule online. To schedule a driving test online, visit http://www.dps.texas.gov/administration/driver_licensing_control/Rolodex/scheduleDriveTest.htm and check your city for availability.

License Eligibility

Customers can view their license status, enforcement actions, compliance instructions, and pay certain fees online at www.texas.gov/LicenseEligibility. Your driver license audit number is NOT required to use this application.

Any documents or fees required to correct your eligibility status may be mailed to the address below. Include your full name, date of birth, and DL/ID number on all correspondence so your record can be properly identified. Please allow 21 business days for processing. Make your check, money order, or cashier's check payable to Texas DPS. Do NOT send cash.

Mailing Address: Texas Department of Public Safety
Central Cash Receiving
PO Box 15999
Austin, Texas 78761-5999

Driver Responsibility Surcharges

The Driver Responsibility Program establishes a point system that requires drivers to pay an administrative fee, known as a surcharge, who have accumulated 6 or more points on their driver record within a 36-month period or who have been convicted of certain offenses. You can pay your surcharges online at www.txsurchargeonline.com or by calling (800) 688-6882. To learn more about additional payment options, including ACE Cash Express, Money Gram or Western Union, visit the Frequently Asked Questions section on the surcharges website or call the number provided. For more information on surcharges, or other enforcement action fees, visit our website at www.texas.gov/LicenseEligibility.

Hearing Requests

If you received a letter notifying you that your driver license will be suspended, revoked, or disqualified unless you request a hearing within 20 days from the date on the notice, visit our secure website at www.dps.texas.gov/DriverLicense/customer_service to request a hearing.

Click on: Contact Customer Service
My driver license was suspended, revoked, cancelled, or denied
Administrative hearing request for DPS departmental administrative suspensions
CONTINUE >>
Administrative Hearing Requests (complete form)
Submit Form

Hearing Requests continued on back

Continued

If your request is approved, you will receive a letter with the date, time, and location of your hearing. It can take up to 120 days for a hearing to be scheduled. Any time during this period, if your request is denied, you will receive a denial letter.

If you prefer, you can request a hearing by mail or fax (see information below). Include your name, current address, date of birth, and driver license number. If you have an attorney, also provide the attorney's name, phone number, and complete address.

Mailing Address: Texas Department of Public Safety
Enforcement and Compliance Service
PO Box 4087
Austin, Texas 78773-0320

Fax: (512) 424-2501

Compliance Processing

There are no driver license offices that offer walk-in service (including Austin) that will accept compliance documents. For compliance documents that REQUIRE PAYMENT, mail a personal check, money order, or cashier's check to the address below. Make check or money order payable to Texas DPS. Do NOT send cash. Write your full name, date of birth, and DL/ID number on all documents submitted so your record can be properly identified. Please allow 21 business days for processing.

Mailing Address: Texas Department of Public Safety
Central Cash Receiving
PO Box 15999
Austin, Texas 78761-5999

Compliance documents that DO NOT REQUIRE PAYMENT can be faxed, mailed; or scan documents as a PDF file and send them by email. All documents submitted must include your full name, date of birth, and DL/ID number so your record can be properly identified. Please allow 21 business days for processing.

Mailing Address: Texas Department of Public Safety
Enforcement and Compliance Service
PO Box 4087
Austin, Texas 78773-0320

Email: driver.improvement@dps.texas.gov
Fax: (512) 424-2848

Failure to Appear/Failure to Pay

For information on outstanding tickets, please visit our website. You can enter either <http://www.txfta.com> or www.texasfailuretoappear.com. If you prefer, you can call (800) 686-0570 and use the automated system 24/7.

Drug and/or Alcohol Education Courses

Contact the Texas Department of State Health Services at (800) 832-9623 for a complete list of approved courses. Once you've taken the course, mail the certificate of completion to:

Mailing Address: Texas Department of Public Safety
Enforcement and Compliance Service
PO Box 4087
Austin, Texas 78773-0320

Texas Vision and Limb Waiver Applications

Mail completed Vision and Limb Waiver applications and all supporting documents within 45 days of the physical examination date to:

Texas Department of Public Safety
License and Record Service
P.O. Box 4087
Austin TX 78773-0001

If the application is incomplete or not returned within 45 days of the physical examination date, your request for a waiver will be denied.

Information on Enforcement Action

For more information on these and other enforcement actions, visit our website at www.dps.texas.gov/DriverLicense, and click on the "Surcharges, Suspensions & Reinstatement" tab.

Issuance of an Occupational License

The court order and all required items must be submitted to DPS before an occupational license will be issued. The court order may be used as a driver license for 45 days from the date of the judge's signature while the request for an occupational license is processed.

You must submit the following items to DPS:

1. A certified copy of the petition and a certified copy of the court order granting the occupational license.
 - a. The judge has the authority to grant an occupational order.
 - b. If you are participating in a special drug court program, the petition is not required.
2. A **Financial Responsibility Insurance Certificate (SR-22)**.
3. Payment of the **occupational license fee**.
 - a. An occupational license is typically issued for one year or less; the maximum length of issuance is two years.
 - b. The court must grant the issuance of an occupational license beyond one year.

Occupational driver license

New or renewal	\$10 per year	Issued up to two years Must <u>pay reinstatement fees</u> first
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4. Payment of **reinstatement fees**. <https://txapps.texas.gov/txapp/txdps/dleligibility/login.do>

DPS Mailing Address, Fax Number and Email Information

All required documents, including all fees should be submitted in one envelope to the mailing address below for processing. You must write your full name, date of birth and driver license number on each document submitted. If you have your suspension notice, please include a copy so your driver record can be identified. Please allow 21 business days for processing.

Mailing Address:

Texas Department of Public Safety
Enforcement and Compliance Service
P.O. Box 15999
Austin, TX 78761-5999

If you fail to submit all of your documentation to the Department for the issuance of your occupational driver license, the Department will send a request for the additional items needed for processing. These documents can be submitted by fax or email. Be sure to include your full name, date of birth, and driver license number for proper identification.

Fax Number: 512-424-2848 **Email:** Driver Improvement (Documents must be submitted in PDF format.)

Once you are issued an occupational driver license, you are only permitted to operate a motor vehicle within the terms of the court order. You must keep your court order in the vehicle with you at all times and present it along with your occupational driver license upon demand by a peace officer.