

Ex Parte

Cause No:

The clerk fills out below.

Print your name:

☐ District ☐ County ☐ Justice Court of:

First

Middle

Last

County, Texas

## Order for Occupational Driver's License

On this date, the Court heard the petitioner's Application for Occupational Driver's License.  
The Petitioner named below appeared in person without an attorney.

The Court finds that **notice to the State:** (Check one.)

The Court fills out this box.

- ☐ was not required.
- ☐ was given as required by Texas Transportation Code Section 521.243 and: (Check one.)
- ☐ the attorney representing the State did not appear.
- ☐ the attorney representing the State agreed that the Court could take up the case and render judgment without further notice to the State.
- ☐ the attorney representing the State, \_\_\_\_\_, also appeared.

### I. Findings

1. The Court FINDS that Petitioner's **personal information** is as follows:

- a. Name: \_\_\_\_\_  
first middle last
- b. (Check all that apply and fill in the blanks)
- ☐ Petitioner's Texas Driver's License Number is \_\_\_\_\_.
- ☐ Petitioner's Texas Driver's License expiration date is \_\_\_\_\_.
- ☐ Petitioner has never had a Texas Driver's License.
- ☐ Petitioner has a Driver's License from \_\_\_\_\_ with License Number \_\_\_\_\_.
- c. Home address: \_\_\_\_\_  
Street address
- City County State Zip Code
- d. Phone number: (\_\_\_\_) \_\_\_\_\_
- e. Date of birth: \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Month Day Year
- f. Email address: \_\_\_\_\_

2. The Court FINDS that it has **jurisdiction and venue** over this case and the Petitioner because:  
(Check all that apply and fill in the blanks.)

- ☐ Petitioner resides in this County.
- ☐ The offense for which Petitioner's license was suspended happened in this county.
- ☐ This Court convicted Petitioner of an offense under the laws of this state that resulted in the automatic suspension or cancellation of Petitioner's license under Transportation Code Section 521 Subchapter O or P. 521.

3. The Court FINDS that Petitioner has provided the Court with a certified abstract (type AR) of Petitioner's driver's record and an SR-22 financial responsibility insurance certificate.

4. The Court FINDS that Petitioner's driver's license is **suspended** because: *(Check all that apply and fill in the blanks.)*

- ☐ This Court convicted Petitioner of \_\_\_\_\_ on (Date) \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ under cause number: \_\_\_\_\_.
- ☐ Petitioner refused to submit to a breath or blood test or submitted a breath or blood test that registered more than 0.08 following an arrest on (Date) \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ for:  
*(Check one.)*
- ☐ Driving While Intoxicated
- ☐ Other: \_\_\_\_\_
- ☐ The Texas Department of Public Safety said Petitioner was a habitual violator of traffic laws.
- ☐ Other: \_\_\_\_\_

5. **The Court FINDS that Petitioner's driver's license is not denied, suspended, or revoked because of a physical or mental disability or nonpayment of child support.**

6. *(Check all that apply and fill in the blanks.)*

- ☐ The Court FINDS that the suspension of Petitioner's license **began/begins** on or about \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ and **ends** on or about (date): \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_.
- ☐ The Court FINDS that the Petitioner's license is invalid for an indefinite period of time.

7. The Court also finds that Petitioner: *(Check all that apply and fill in the blanks. NOTE: If Petitioner is required to have an interlock device installed on each motor vehicle Petitioner owns or operates, Number 7 is to be left blank.)*

- ☐ works for the following employer(s):
- Employer #1: \_\_\_\_\_ Work Phone: \_\_\_\_\_
- Work Address \_\_\_\_\_
- Employer #2: \_\_\_\_\_ Work Phone: \_\_\_\_\_
- Work Address \_\_\_\_\_
- ☐ works for him/herself. Petitioner's occupation is: \_\_\_\_\_
- Petitioner's work address is: \_\_\_\_\_
- ☐ Petitioner drives in pursuit of an occupation or trade.
- ☐ drives as part of his/her work and/or essential needs throughout the following county or counties: \_\_\_\_\_
- ☐ attends school at or transports family members to the following school(s):
- School #1: \_\_\_\_\_ School Phone: \_\_\_\_\_
- School Address: \_\_\_\_\_
- School #2: \_\_\_\_\_ School Phone: \_\_\_\_\_
- School Address: \_\_\_\_\_
- ☐ has other essential needs to drive \_\_\_\_\_

The Court FINDS that Petitioner has an essential need to drive and the Occupational Driver's License herein Ordered is subject to the restrictions set out below.

## II. Orders

**The Court fills out the rest of this form.**

(Check below if applicable.)

- ☐ The Court FINDS that Petitioner's driver's license is suspended because of an intoxication offense and the Occupational License here Ordered is subject to the restrictions set out below.

The Court **ORDERS** that this Petition for Occupational Driver's License is **GRANTED** subject to the following restrictions and **ORDERS** Petitioner to follow all restrictions listed below.

The Court **ORDERS** the Texas Department of Public Safety to issue an Occupational Driver's License to Petitioner subject to the following restrictions. The Court further orders the Texas Department of Public Safety to administer any and all tests required for the issuance of said Occupational License, and, if Petitioner passes all required tests, issue an Occupational Driver's License to Petitioner subject to the following restrictions.

### Restrictions

- ✓ With this license, Petitioner **must not** drive any vehicle that requires that the operator hold a valid Commercial Driver's License.
- ✓ Petitioner **must** maintain in full force and effect an SR-22 automobile liability insurance policy for the entire period the Occupational Driver's License is in effect.
- ✓ Petitioner **must** have in his/her possession a certified copy of this court order while driving and **must** allow a peace officer to examine the order when requested.

The Court also **ORDERS** the restrictions checked below: (Check all that apply.)

- ☐ Any vehicle owned or operated by the Petitioner MUST be equipped with a working ignition interlock device in accordance with Texas Transportation Code Section 521.2465.
- ☐ Petitioner **must not** refuse any lawful request by law enforcement for a sample of Petitioner's breath or blood if stopped for Driving While Intoxicated.
- ☐ Petitioner **must** submit to periodic testing for alcohol or controlled substances as follows:

- ☐ Petitioner **must** attend the alcohol/drug counseling program listed below and give the court clerk proof of attendance within \_\_\_\_\_ days of this order.

Program: \_\_\_\_\_

- ☐ Petitioner **must** submit to community supervision as follows: .

**NOTE: Pursuant to Trans. Code 521.248(d)** , persons restricted to the operation of a motor vehicle equipped with an ignition interlock device may not be subject to restrictions of time, place, or reasons for travel by Subsections (a)(1), (2), or (3) or (b) of this same section.

- ☐ Petitioner **may** only drive in the counties listed here:

- ☐ Petitioner **must** only drive to and from work or school and for essential duties, including job searches, medical appointments, court appointments, attorney appointments, probation office meetings, and any supervision, education, counseling, or other essential needs authorized by this court.

Petitioner **must not** drive more than: *(Check one.)*

- ☐ **4** hours in any 24-hour period.
- ☐ **12** hours in any 24-hour period. The Court specifically finds that Petitioner needs to drive more than 4 hours and **ORDERS** that the 4-hour limitation be waived.

- ☐ Petitioner **must** only drive on the days and at the times listed below:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
<b>From:</b>	___ am/pm	___ am/pm	___ am/pm	___ am/pm	___ am/pm	___ am/pm	___ am/pm
<b>To:</b>	___ am/pm	___ am/pm	___ am/pm	___ am/pm	___ am/pm	___ am/pm	___ am/pm

- ☐ Petitioner **must** always keep a logbook in any car Petitioner drives. Petitioner must correctly record in the logbook all dates and times Petitioner drives and the destination and reason for each trip. Petitioner must show this logbook to any law enforcement officer upon demand.

- ☐ Additional Restrictions:

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### III. Date this Order takes Effect

**This Order takes effect on the date this Order is signed by the Court.**

The Court Clerk shall send a certified copy of the Petition and the court Order setting out this Court's findings and restrictions to the Texas Department of Public Safety.

**If all Texas Department of Transportation driver testing requirements have been met, Petitioner may use a certified copy of this Order for Occupational Driver's License as a restricted license for 45 days, beginning on the date this Order takes effect.**

#### IV. Date this Order Ends

Unless revoked by the Court, this Order for Occupational Driver's License remains valid until:

(Check one and write in the date, if applicable.)

☐ \_\_\_\_ / \_\_\_\_ / \_\_\_\_.

☐ the date Petitioner's current driver's license suspension, cancellation, revocation, or denial ends.

The reason for Petitioner's current driver's license suspension is listed in 4 above.

#### V. Warnings to Petitioner

It is a **Class B Misdemeanor** for you to drive in violation of any of the restrictions listed above.

It is a **Class B Misdemeanor** for you to drive without a certified copy of this order in your possession.

The Court may revoke this Order, at any time, for good cause.

This Order and your Occupational Driver's License are automatically revoked if you are convicted of driving in violation of any of the restrictions listed above or convicted of driving without a certified copy of this Order in your possession.

If all driver testing requirements have been met, you may use a certified copy of the Order for Occupational Driver's License to drive for 45 days, beginning on the date this Order takes effect. **If you do not receive your Occupational Driver's License from the Texas Department of Public Safety (DPS) before the 45<sup>th</sup> day after the date this Order takes effect, you MUST not drive until you receive your Occupational Driver's License from Texas Department of Public Safety or come back to court to get an Amended Order for Occupational Driver's License that extends the 45-day time period.**

If this ORDER includes a finding of an essential need to drive with restrictions on the places, reasons, days or times that you are allowed to drive, and if you need to change those the places, reasons, days or times, you must come back to Court to get an Amended Order for Occupational Driver's License that reflects those changes.

Signed On: \_\_\_\_\_

By: \_\_\_\_\_  
*Judge's Signature*