NOTICE: THIS FORM CONTAINS SENSITIVE DATA

Ex Parte

Cause No. _____
The clerk fills out the Cause No.

In the _____ ☐ District
Court Number ☐ County
☐ Justice Court of:

_____ _____ County, Texas
Print your full name.

Order for Occupational Driver's License

On this date, the Court heard 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, _____, 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 _____.
Month Day Year

☐ Petitioner has never had a Texas Driver's License.

☐ Petitioner has a non-Texas Driver's License from _____ with License Number _____.
Issuing state
Non-Texas license number

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c. Home address: _____
Street address

_____
City County State ZIP

d. Phone number: _____

e. Email address: _____

f. Date of birth: _____
Month Day Year

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 incident for which Petitioner's license was suspended, canceled, or revoked happened in this County.

☐ This Court convicted Petitioner of an offense that, under Texas law, resulted in an automatic suspension, cancellation, or revocation of Petitioner's license.

☐ This Court ordered a suspension, cancellation, or revocation of Petitioner's license that was not the result of a conviction.

3. The Court finds that Petitioner's driver's license is suspended, canceled, or revoked because:
(Check all that apply and fill in the blanks.)

☐ This Court convicted Petitioner of _____
Convicted offense

on _____ under cause number _____ .
Date of conviction 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 _____ for: **(Check one.)**
Date of arrest

☐ Driving While Intoxicated

☐ Other: **(Explain)** _____
_____

☐ The Texas Department of Public Safety said Petitioner was a habitual violator of traffic laws.

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☐ Other: **(Explain)** _____

4. The Court finds that Petitioner's driver's license is not denied, suspended, canceled, or revoked because of a physical or mental disability or nonpayment of child support. The Court further finds that the Texas Department of Public Safety has not found Petitioner to be incapable of safely operating a motor vehicle.

5. Term of suspension, cancellation, revocation, or invalidation: **(Check all that apply and fill in the blanks.)**

☐ The Court finds that the suspension, cancellation, or revocation of Petitioner's license began or begins on or about _____ and ends on or about _____.
Month Day Year **Month Day Year**

☐ The Court finds that the Petitioner's license is invalid for an indefinite period of time.

6. The Court finds that Petitioner: **(Check all that apply and fill in the blanks.)**

☐ works for the following employer(s):

Name of Employer #1: _____
Work telephone: _____
Work address: _____
Street address
_____
City **County** **State** **ZIP**

Name of Employer #2: _____
Work telephone: _____
Work address: _____
Street address
_____
City **County** **State** **ZIP**

Name of Employer #3: _____
Work telephone: _____
Work address: _____
Street address
_____
City **County** **State** **ZIP**

☐ works for themselves. Petitioner's occupation is: _____.

Petitioner's work address is: _____
Street address
_____
City **County** **State** **ZIP**

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☐ attends school at or transports family members to the following school(s):

School #1 Name: _____ Telephone: _____
Address: _____

School #1 Name: _____ Telephone: _____
Address: _____

☐ is in pursuit of employment.

☐ has other essential needs to drive: **(Explain)** _____
_____
_____
_____

☐ drives as part of their work and and/or essential needs throughout the following county or counties: _____
_____

7. The court finds that an essential need to drive exists.

The Court fills out the rest of this form. **(Check as applicable.)**

8. The Court finds that Petitioner has met the following requirements:

a. Providing proof of financial responsibility (SR-22 insurance policy).

b. Providing certified abstract (Type AR) of Petitioner's driver's license record.

c. Filing of the Petition and Order (along with the Statement of Inability to Pay Court Costs, if applicable).

d. ☐ Providing proof that they have taken or are taking an approved drug/alcohol counseling course, **or**

☐ Petitioner is aware that they must show proof of taking such a course within the required time period, **or**

☐ no drug/alcohol counseling course is required.

e. ☐ Providing proof of having installed an ignition interlock device, **or**

☐ no ignition interlock device is required.

9. Suspension Due to an Intoxication Offense **(Check if applicable.)**

☐ The Court finds that Petitioner's driver's license is suspended because of an intoxication offense.

II. Orders

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 conduct 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

- **Petitioner must not drive a commercial vehicle with this license.**
- **Petitioner must maintain an SR-22 automobile liability insurance policy for the entire period the Occupational Driver's License is in effect. Petitioner must be able to provide proof of coverage upon request.**
- **Petitioner must have a certified copy of this Order with them at all times 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.)**

A. Drug and Alcohol Related Restrictions

Ignition Interlock Device: **(Check one, if applicable.)**

☐ Any vehicle owned or operated by the Petitioner **must** be equipped with a working ignition interlock device ("breathalyzer") in accordance with Texas Transportation Code Section 521.2465, **or**

☐ the Court finds that an ignition interlock device is not needed for the safety of the community and is waived in the best interest of justice, **or**

☐ an ignition interlock device is not statutorily required.

☐ Petitioner **must** submit to periodic testing for alcohol or controlled substances as follows:

_____

Drug and Alcohol Counseling: **(Check one, if applicable.)**

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

Program: _____

or

☐ The Court waives the requirement for an alcohol/drug counseling program based on a showing of good cause.

B. Restrictions when an Ignition Interlock Device Is Not Required

☐ Petitioner may only drive in the counties listed here:

_____

_____

☐ Petitioner **must** only drive to and from work or school and for essential duties, including 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.)**

☐ **four** hours in any 24 hour period.

☐ **12** hours in any 24 hour period. The Court specifically finds that Petitioner needs to drive more than four hours and orders that the four hour limitation is waived.

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

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From:	___:_____ ☐am ☐pm	___:_____ ☐am ☐pm	___:_____ ☐am ☐pm	___:_____ ☐am ☐pm	___:_____ ☐am ☐pm	___:_____ ☐am ☐pm	___:_____ ☐am ☐pm
To:	___:_____ ☐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.

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C. Other Restrictions

☐ 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 community supervision as follows:

_____

_____

☐ Additional Restrictions: _____

_____

III. Date this Order Takes Effect

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.

This Order takes effect on: **(Check one and write in the date, if applicable.)**

☐ the date this Order is signed by the Court.

☐ Other date: _____
Month Day Year

If all driver testing requirements have been met, Petitioner may use a certified copy of this Order as a restricted license only 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 through: **(Check one and write in the date, if applicable.)**

☐ The date on which Petitioner's current driver's license suspension, cancellation, or revocation ends: _____.
Month Day Year

☐ Other date: _____
Month Day Year

V. Warnings to Petitioner

It is a **misdemeanor offense** for you to violate any of the driving restrictions listed above, punishable by fine, jail, and loss of your Occupational Driver's License.

It is a **misdemeanor offense** for you to drive without a certified copy of this order in your possession, punishable by fine, jail, and loss of your Occupational Driver's License.

Violations of these driving restrictions may be considered a violation of community supervision.

It is a **misdemeanor offense** to drive a commercial vehicle with this Occupational Driver's License, punishable by fine and/or jail, as well as loss of your Occupational Driver's License.

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 violating 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 to drive for 45 days only, **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 45th 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, and the places, reasons, days or times that you need to drive change, 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

Note to law enforcement: (Check one.)

☐ An ignition interlock device **is** required for this Occupational Driver's License.
☐ An ignition interlock device **is not** required for this Occupational Driver's License.