

Cause No.

The clerk fills in above

Ex Parte

§

☐ District ☐ County ☐ Justice

§

Print your name

§

Court Of

§

§

Brazos County, Texas

First

Middle

Last

Petition for Occupational Driver's License

Print or fill-in your answers

My name is: _____

First

Middle

Last

I am the Petitioner and I am asking the court for an Occupational Driver's License.

I ask the Court to consider the information I have provided below.

Upon approval of this Petition, I ask the Clerk to send a certified copy of the Petition and the court Order setting out the judge's findings and restrictions to the Texas Department of Public Safety.

I. Petitioner's Personal Information

1. Home address: _____
Street address City
_____, Texas
County Zip

2. Mailing address (if different from above): _____

3. Phone number: (_____) _____ 4. Date of birth: _____

5. Email address: _____

6. The last four digits of my Social Security Number are _____ or ☐ I do not have a Social Security Number.

II. Driver's License Information

7. Check all that apply and provide requested information:

☐ I have never held a Texas Driver's License.

☐ My Texas Driver's License number is: _____ Expiration Date: ____/____/____

☐ My Driver's License was issued by the State of _____

My Driver's License number is _____ Expiration Date: ____/____/____

8. Is your license suspended because of a physical or mental disability? ☐ Yes ☐ No

Is your license suspended for non-payment of child support? ☐ Yes ☐ No

Have you had 2 or more occupational driver's licenses because of a conviction in the last 10 years?

☐ Yes ☐ No

III. Notice to the State if Applicable

9. If any of the following are applicable, the Clerk of the court should serve the State with notice of this Petition as required by the Texas Transportation Code section 521.243(a).

(Check all that apply and fill in the blanks)

A. My license is suspended under Transportation Code section 521.342. (Conviction of various offenses of an individual under the age of 21) ☐ Yes ☐ No

Date of conviction

Court of conviction

B. My license is suspended because I was convicted of:

☐ Criminally Negligent Homicide

Penal code 19.05

☐ Driving While Intoxicated

Penal code 49.04

☐ DWI w/BAC .15 or above ☐ DWI-2nd ☐ DWI-3rd or more

☐ 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

☐ Intoxication Manslaughter

Penal Code 49.08

on _____ in _____

Date of conviction Court of conviction County of conviction

IV. Suspensions and Charges

10. Why is your Driver's License suspended? (Check all that apply and fill in the blanks)

A. ☐ I was arrested on ____/____/____ and the breath/blood sample I provided registered above .08. (date)

B. ☐ I was arrested on ____/____/____, and I did not give a breath/blood sample, as requested. (date)

Within the past ten (10) years from the date of the arrest that led to your current suspension, have you had a suspension for refusal to give a breath/blood sample or providing a sample with blood alcohol content greater than .08 following an arrest for DWI? ☐ Yes ☐ No

C. ☐ I was convicted for an offense under section 49.04-49.08 and the blood sample registered intoxication by introduction of drugs.

D. ☐ This court convicted me of the offense of _____ on ____/____/____ (date).

E. ☐ A Texas court determined that I am a "habitual violator of the traffic laws."

F. ☐ A Texas court ordered me to go to a Driver Education Program, and my license, permit and/or driving privilege is automatically suspended for 365 days.

G. ☐ Other (if you did not check any of the above, why is your license suspended or invalid? (Be specific) _____

11. I have the following criminal charges pending (You do not need to list a traffic or Class C charge).

V. Petitioner's Essential Need to Drive

Please complete this section even if your license is suspended based on an alcohol-related offense under Penal Code 49.04-49.08 AND you are required to have an interlock device installed on each motor vehicle you own or operate.

12. Why do you need an Occupational Driver's License? (Check all that apply):

☐ Name of Employer #1: _____
Employer's Address: _____
Days and hours you work: _____
Job title: _____
Are you required to drive an employer's vehicle in the course of this employment?
☐ Yes ☐ No If yes, has employer been notified of suspension? _____

☐ Name of Employer #2: _____
 Employer's Address: _____
 Days and hours you work: _____
 Job title: _____
 Are you required to drive an employer's vehicle in the course of this employment?
☐ Yes ☐ No If yes, has employer been notified of suspension? _____

☐ I need to drive to school. (Fill out below):
 School Name: _____
 School Address: _____
 Days and hours of your classes: (You may attach schedule) _____

☐ Other (explain): _____

13. Driving schedule you are requesting:

	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
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
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
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

14. If you are asking the Court to allow you to drive for more than 4 hours per day, explain why below:

15. I ask the Court to order the Texas Department of Public Safety to issue me an Occupational Driver's License to drive for the purposes described above.

I further ask this Court to order the Texas Department of Public Safety to administer any and all tests required for the issuance of said Occupational License.

 Petitioner's name (print)

 Petitioner's signature

 Date

Unsworn Declaration Made Under Penalty of Perjury

As allowed by Section 132.001 of the Texas Civil Practices and Remedies Code, I am filing this Unsworn Declaration in Support of the Petition for Occupational Driver's License in place of a Verified Petition.*

My current legal name is: _____
First Middle Last

My date of birth is: ____/____/____
Month Day Year

My address is: _____
Street Address City State Zip Code Country

I declare under penalty of perjury that all information in this Petition is true and correct. I understand I could be prosecuted for lying on this form.

Formally signed in _____ County, _____ on this
County State

On this the _____ day of _____, _____
Day Month Year

Signature of Person Asking for Occupational Driver's License

*Pursuant to Texas Civil Practices and Remedies Code Section 132.001, an unsworn declaration may be used in lieu of a written sworn declaration, verification, certification, oath or affidavit required by statute or required by rule, order or requirement adopted as provided by law. This provision does not apply to an oath of office or an oath required to be taken before a specified official other than a notary public. An unsworn declaration made under this section must be 1) in writing, 2) signed by the person making the declaration as true under penalty of perjury and 3) in substantially the form used above.

See below for a list of documents to attach to this Petition:

- ☐ A certified abstract (Type AR) of your driver's license record.
- ☐ An SR22 from your insurance company providing proof of current valid auto liability insurance.
- ☐ Proof of need to drive: Examples of proof: A letter from your employer or immediate supervisor on your employer's letterhead that verifies your work schedule, school registration with schedule, or your sworn affidavit explaining to the court why you need to drive unless your license is suspended solely based on an intoxication offense under Penal Code 49.04-49.08 and any vehicle you own or operate must be equipped with an interlock device with camera that provides a clearly visible image of the individual using the interlock.