

Before you file Petition for Occupational Driver's License (ODL)

Before you file:

- **The Petition must be filed in the County that you reside or the County where the conviction occurred.**
- Make sure that your driver's license is cancelled, suspended, or revoked prior to filing.
- **If you are unable to renew your driver's license due to unpaid tickets (OMNI)**, but your driver's license is otherwise eligible, then you cannot obtain an Occupational Driver's License.
- Refer to the ODL Resources to see if you are eligible for or need an ODL.

A filing fee of \$54.00 is due to the Court when the petition is filed. **IF the Occupational Driver's License is GRANTED**, you will need to bring a **SEPARATE money order** made payable to DPS in the amount of \$10 (for 1 year) or \$20 (for 2 years). The Court will mail a certified copy of the Order and the Money Order to DPS.

What is required at filing:

- ☐ Original Petition for Occupational Driver's License
- ☐ \$54.00 filing fee to the Court (check or money order only) or a Sworn Statement of Inability to Afford Cost)
- ☐ SR22 (Insurance)
- ☐ Copy of your driving record (Type 3)
- ☐ Copy of the Order that suspended your license

The petition must be provided in writing and must provide specific information. This form is provided for your convenience. You are not required to use this form, but the information required by law must be provided on the paperwork provided to the Court.

Be accurate and thorough. It is your responsibility to provide **ALL** information required for this filing. Failure to provide the required information or incomplete/incorrect information may result in a dismissal of the petition.

The Judge and the Clerks are prohibited from providing legal advice or assisting in completing your paperwork. If you need assistance, please utilize the ODL Helpful Resources provided in this packet or on our website www.AngelinaCounty.net or seek out an attorney.

ODL Helpful Resources

TexasLawHelp.org resources: For instructions/information and forms
<https://texaslawhelp.org/guide/i-need-an-occupational-driver's-license/?tab=1>

Helpful Links for Texas DPS

DPS Home Page

<https://www.dps.texas.gov/>

DPS Occupational Driver's License Home Page

<https://www.dps.texas.gov/section/driver-license/occupational-driver-license>

License Eligibility (Check here to see if you have a suspension)

<https://txapps.texas.gov/txapp/txdps/dleligibility/login.do>

Driving Record

<https://www.dps.texas.gov/section/driver-license/how-order-driver-record>

General License Resources

<https://www.dps.texas.gov/section/driver-license/suspensions-reinstatements>

OMNI / FTA Citation Look Up (License cannot be renewed due to unpaid tickets, but is otherwise eligible)

<https://www.texasfailuretoappear.com/search.php>

DPS Austin

Mailing Address:

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

Phone:

English: 512-424-2600
Español: 512-424-7181
Fax: 512-424-2848

Hours: 7 a.m. – 6 p.m., Monday – Friday except holidays.

Email: driver.improvement@dps.texas.gov

Website: <https://www.dps.texas.gov/section/driver-license/reinstating-your-driver-license-or-driving-privilege>

CAUSE NO. _____
(Issued by the Court at filing)

NOTICE: This form contains sensitive date

EXPARTE

§ In the Justice Court
§
§ Precinct _____
§
§ Angelina County, Texas

(Name of Petitioner)

PETITION FOR OCCUPATIONAL DRIVER'S LICENSE

I, _____ (Name of Petitioner), seek an occupational driver's license from this court based on the information provided below. **I swear under oath that the information I provide in this Petition is true and correct.** (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 1. General Information.

You must complete all applicable sections.

My full name is: _____.
First Middle Last

My date of birth is: ____/____/____ The last 4 of my SSN _____.

I am a resident of _____ County, Texas.

My home address is: _____
Street Address

City State Zip

My mailing address is: _____
(if different than above) Street Address

City State Zip

My phone number is () .

My Email address is:

My driver's license number is: Issued by:
State license was issued by

My driver license ☐ is ☐ is **NOT** a Commercial Drivers License (CDL).

☐ I currently hold a **Texas** State issued **ID** Card and the number is:

☐ I have never had a Texas Driver's License and my right to obtain one has been suspended.

Section 2. Reason(s) for Drivers License Suspension.

You must complete all applicable sections.

2.1 *If any of the following apply in this section, the Clerk of the Court must give the State notice of this petition pursuant to TTC § 521.243(a)*

☐ My driver's license is suspended under Transportation Code § 521.342 *(Person under 21 convicted of certain drug or alcohol charges.)*

Conviction Date: in , TX
Court of Conviction County of Conviction

☐ My driver's license has been automatically suspended as the result of a conviction in a County or District Court for:

☐ Driving While Intoxicated (DWI) PC 49.04

☐ DWI with Child PC 49.045

☐ Criminally Negligent Homicide PC 19.05

☐ Flying while Intoxicated PC 49.05

☐ Boating while Intoxicated PC 49.06

☐ Intoxication Assault PC 49.07

☐ Intoxication Manslaughter PC 49.08

☐ Assembling or Operating an Amusement Ride while Intoxicated PC 49.065

Conviction Date: in , TX
Court of Conviction County of Conviction

☐ My driver's license has been suspended as the result of a physical or mental disability.

☐ My driver's license has been suspended for non-payment of child support.

☐ DPS has determined that I am incapable of safely operating a motor vehicle.

2.2 My driver's license or right to obtain a driver's license is suspended for:

☐ Refusal of breath or blood sample, or blood sample registered above 0.08. This occurred on _____, 20_____ in _____ County

☐ Other: _____

☐ I am currently under a court order or bond condition that requires my vehicle to have an **Ignition Interlock** device installed.

Order Date: _____ in _____, TX
Court of Conviction County of Conviction

Section 3. Essential Need.

You must complete all applicable sections.

*(Note: In order 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: (A) 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; (B) for transportation to and from an educational facility in which the person is enrolled; or (C) in the performance of essential household duties." In order 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 5 of this petition.)*

☐ I am employed, and my occupation is: _____

At: _____
Employer Name and Address

☐ I am currently unemployed and seeking employment.

☐ I attend school at: _____

☐ I am the primary caretaker of _____ children less than 16 years of age.

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

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

☐ Travel to and from my place of work, or school, or both;

☐ Perform the duties of my job;

☐ Perform essential household duties.

- ☐ 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	_____	To	_____	Tuesday	_____	To	_____
Wednesday	_____	To	_____	Thursday	_____	To	_____
Friday	_____	To	_____	Saturday	_____	To	_____
Sunday	_____	To	_____				

- ☐ 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:

- ☐ In order 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	_____	To	_____	Tuesday	_____	To	_____
Wednesday	_____	To	_____	Thursday	_____	To	_____
Friday	_____	To	_____	Saturday	_____	To	_____
Sunday	_____	To	_____				

- ☐ In order to travel to school, work, or to perform essential household duties,

I must travel by automobile to or through the following Texas counties *(please fully describe all counties and routes traveled):*

Section 5. Additional Documents.

You must complete all applicable sections.

- ☐ I have obtained evidence of financial responsibility, which is attached to my petition.
 - ☐ I have attached a certified copy of my driving record to this petition.
 - ☐ I have attached documents which demonstrate my essential need to operate a motor vehicle.
 - ☐ I have attached a copy of the Court Order/Letter from DPS that suspended my license.
 - ☐ I have attached other documents, which are described: _____
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PRAYER

Do not sign this section until you are in front of a notary or the Court Clerk.

WHEREFORE, PREMISES CONSIDERED, Petitioner prays that this Honorable Court grant this Petition for Occupational Drivers License, and to send a copy of its order granting petitioner's occupational driver's license to the Department of Public Safety of Texas.

Petitioner's Signature

SWORN TO AND SUBSCRIBED BEFORE ME on this _____ day of _____ 20____.

Notary Public or Clerk of the Justice Court