Cause No.: _____

In Re: _____	§	IN THE JUSTICE COURT
Texas Driver License No.	§	
_____	§	PRECINCT ONE
	§	
Re: Occupational Driver's License	§	WILLIAMSON COUNTY, TEXAS

ORDER GRANTING OCCUPATIONAL DRIVER LICENSE

On this, the _____ day of _____ 20____, came to be considered the Verified Petition for an Occupational Driver License of _____, Petitioner, who appeared

- ☐ in person (pro se) and announced ready; **or**
- ☐ By and through his/her attorney of record: _____ Announced ready.
- ☐ The State of Texas appeared by her attorney, Doyle E. Hobbs, J., Williamson County Attorney, and announced ready for trial.

I. JURISDICTION FINDING

The court **FINDS** it has jurisdiction of this matter for the following reason(s):

- ☐ The Petitioner's license was suspended for a cause other than a physical or mental disability or impairment and is not the result of a conviction under Section 49.04, Penal Code; AND
  - ☐ The Petitioner is a resident of Precinct One Williamson County; **and/or**
  - ☐ The offense for which the Petitioner's license was suspended occurred in Williamson County.
- ☐ The Petitioner's license was automatically suspended for a conviction of an offense occurring in Williamson County.

II. FINDINGS

The court **FINDS** that:

1. The Petitioner's Texas Driver License was suspended for the following reasons:

   ☐ Petitioner was charged for the alleged offense of _____, which occurred in Williamson County, Texas. Petitioner was **convicted** of said offense on _____, 20____ and as a result Petitioner's Texas Driver License was automatically suspended for _____effective _____, 20____.

   ☐ Petitioner was arrested/charged for the alleged offense of _____, which occurred in Williamson County, Texas. As a result of the foregoing arrest/charge, Petitioner's Texas Driver License was suspended for ____ days effective _____, 20____.

☐ Other:

2. The Petitioner has not been issued, in the ten (10) years preceding the date of the filing of this petition, ***more than one*** occupational license due to a conviction under the laws of this State.

3. There is an essential need for Petitioner to operate and drive a motor vehicle

   ☐ to perform Petitioner's occupation/trade or for transportation to and from where Petitioner practices Petitioner's occupation/trade;

   ☐ for transportation to and from an educational facility in which the person is enrolled;

   ☐ to perform essential household duties.

4. Four Hour Driving Restriction:

   ☐ The Court finds there is a sufficient showing of the necessity for waiving the 4 hour restriction and that Petitioner should be allowed, authorized and granted the right to operate a motor vehicle pursuant to the driver license ordered herein for a period not to exceed _____ hours (not to exceed the statutory 12 hour limit) in any 24 consecutive hours.

   ☐ The Court finds there is an insufficient showing of the necessity for waiving the 4 hour restriction and therefore Petitioner is authorized and granted the right to operate a motor vehicle pursuant to the driver license ordered herein for a period not to exceed 4 hours in any 24 consecutive hours.

5. Petitioner has a valid policy of liability insurance as required by the Texas Motor Vehicle Safety-Responsibility Act and proof of employment.

6. The Texas Department of Public Safety should issue an occupational driver license to Petitioner for the duration of the suspension period, accordingly.

III. ORDERS

It is, therefore, **ORDERED** by this Court, that Petitioner be and is here now **GRANTED** an occupational driver license and use of a motor vehicle on the following days, times, routes and areas as stated below.

It is further **ORDERED** that the four hour driving restriction is

☐ WAIVED

☐ NOT WAIVED; and

Petitioner is authorized the right to operate a motor vehicle pursuant to the driver license ordered herein for a period not to exceed _____ total hours (not to exceed the statutory 12 hour limit) in any 24 consecutive hours is

☐ GRANTED

☐ NOT GRANTED

DAYS AND TIMES

☐ Monday through Friday, 6:00 a.m. until 6.00 p.m.; **or**

☐ Monday through Sunday, 6:00 a.m. until 6.00 p.m.; **or**

☐ _____ through _____ , _____ a.m. until _____ p.m.; **or**

☐ Other

COUNTIES

☐ Petitioner's occupational driver license shall be restricted to all public roadways and routes in Williamson County, Texas.

☐ Petitioner's occupational driver license shall be restricted to all public roadways and routes in Williamson and contiguous counties.

☐ Petitioner's occupational driver license shall be restricted to all public roadways between Williamson County and the following counties: _____.

☐ Petitioner's occupational driver license shall be restricted all public roadways and routes to the following counties:

☐ Petitioner's occupational driver license shall be restricted to all public roadways and routes in the following locations:

COLUMN A	COLUMN B	COLUMN C
Counties Applicant May Drive In	Countiguous counties thereto? (Y/N)	Counties between county listed in Column A and the county listed below

DRIVING LOG

It is further ordered that Petitioner shall maintain a driving log which will contain the location driven from and the time from which Petitioner departs and the location arrived and the time that Petitioner arrives at that location. Petitioner is required to have driving log in the vehicle during any periods of operations.

IGNITION INTERLOCK (521.246)

☐ Petitioner shall have an Ignition Interlock Device with a camera installed and operating properly during the term of this occupational license *on any and all vehicles* the Petitioner operates under the authority of this occupational license.

ALCOHOLIC BEVERAGE OR ILLEGAL DRUG CONSUMPTION/POSSESSION

☐ ***Petitioner's occupational driver license is immediately revoked upon the Petitioner's consumption or possession of an alcoholic beverage.***

☐ ***Petitioner's occupational driver license is immediately revoked upon the Petitioner's consumption or possession of a drug without a validly issued prescription***

ADDITIONAL ORDERS

☐ It is further ORDERED that:

☐ IT IS FURTHER ORDERED that if Applicant is issued any traffic citations from any certified Texas Police Officer for any moving violation of the Texas Transportation Code this occupational driver license shall immediately be revoked and be of no further force and effect.

☐ IT IS FURTHER ORDERED that if this occupational driver license is revoked due to a new moving traffic violation citation it shall be the duty of the Applicant to notify Texas Department of Public Safety (Driver License Division) and this Court within 48 hours of receiving the citation. The notification shall be in writing and provide information on the type of violation, the issuing jurisdiction and the date the citation was issued.

IV. REQUIREMENTS ORDER

It is further **ORDERED** that:

1. Suspensions under Texas Transportation Code Chapter 524/724:

☐ Petitioner's driver license is suspended for reasons other than those covered by sections 524/724 of the Texas Transportation Code.

☐ Petitioner's driver license **IS SUSPENDED** under Chapter 524/724 of the Texas Transportation Code. In accordance with Texas Transportation Code §521.245, the Petitioner is **ORDERED** to attend a Court approved program that is designed to provide counseling and rehabilitation services to persons for alcohol dependence. The Petitioner **SHALL** provide the Court proof of attendance no later than 90 days after the signing of this order.

2. For suspensions under Texas Transportation Code Sections 524/724 the **Effective Date of Occupational License** (Texas Transportation Code §521.251) is based on the following:

☐ Petitioner has **NOT had a prior suspension** arising from an alcohol/drug related enforcement contact as defined by Texas Transportation Code section 524.001 in the five years preceding the date of the person's arrest. The Order Granting Occupational license can **take effect immediately** and shall continue through the term of the above stated suspension period unless otherwise stated above. Petitioner may use a copy of this Court order as an occupational Texas Driver License for 30 days after the date this order becomes effective.

☐ Petitioner's license **has been suspended as a result of an alcohol/drug related enforcement contact** during the five years preceding the date of the person's arrest; therefore, the Order Granting Occupational License **may not take effect before the 91st** day after the effective date of the current suspension and shall continue through the term of the above stated suspension period unless otherwise stated above.

☐ Petitioner's driver license has been suspended as a result of a conviction under Texas Penal Code **section 49.04 or 49.07 or 49.08** during the five years preceding the date of the person's arrest, the Order Granting Occupational License **may not take effect before the 181st** day after the effective date of the suspension and shall continue through the term of the above stated suspension period unless otherwise stated above.

☐ Petitioner's license has been suspended as a result of a second or subsequent convictions under Texas Penal Code section **49.04 or 49.07 or 49.08** committed within five years of the date on which the most recent preceding offense was committed, the Order Granting Occupational License **may not take effect before the first anniversary of the effective date of the suspension** and shall continue through the term of the above stated suspension period unless otherwise stated above.

3. The Texas Department of Public Safety shall issue to Petitioner an Occupational Texas Driver License, referring on its face to this order of the Court.

4. The clerk of this Court shall furnish Petitioner with a certified copy of this order, at the Petitioner's expense.

5. The clerk of this Court shall forward a certified copy of this order to the Texas Department of Public Safety, together with Petitioner's license and record of conviction, as required.

V. WARNING

A CERTIFIED COPY OF THIS ORDER MUST BE CARRIED BY THE NAMED PETITIONER AT ALL TIMES WHILE OPERATING A MOTOR VEHICLE. A PEACE OFFICER MAY EXAMINE THE CERTIFIED COPY UPON REQUEST WHEN PETITIONER IS OPERATING A MOTOR VEHICLE. IT IS AN OFFENSE TO OPERATE A MOTOR VEHICLE WHEN A CERTIFIED COPY OF THIS ORDER IS NOT CARRIED, PUNISHABLE AS A CLASS B MISDEMEANOR.

VIOLATION OF ANY RESTRICTION SET FORTH IN THIS ORDER SHALL AUTOMATICALLY CANCEL THIS LICENSE GRANTED HEREIN AND APPLICANT MAY BE PROSECUTED FOR DRIVING WHILE LICENSE SUSPENDED.

RENDERED, SIGNED AND ENTERED on this _____ day of _____, 20_____.

_____

Judge Presiding
Justice Court Precinct *One*
Williamson County, Texas

NOTICE

The Petition for Occupational Driver License:

- [ ] Was furnished to the Williamson County Attorney's Office and the County Attorney's Office has no objections to the above Order.
- [ ] Was furnished to the Williamson County Attorney's Office and the County Attorney's Office is in opposition to the above ORDER in whole or part and wishes to be present at any hearing on this Petitioner's Occupational Driver License.
- [ ] Was furnished to the Williamson County Attorney's Office and the County Attorney's Office is in opposition to the above ORDER in whole or part but does not wish to be present at any hearing on this Petitioner's Occupational Driver License.
- [ ] Was furnished to the Williamson County Attorney's Office. The Petitioner's driver license was not suspended for an offense under Penal Code Sections: 19.05 (criminally negligent Homicide), 49.04 (DWI), 49.07 (Intoxication Assault), 49.08 (Intoxication Manslaughter), or Section 521.342 of the Texas Transportation Code. The County Attorney has confirmed that all documents are present and the order is complete.

_____

Assistant County Attorney

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