

IN RE: § IN THE COUNTY COURT
§
Texas Driver's License No. _____ § OF
§
Re: Occupational Driver's License § Goliad County, Texas

VERIFIED PETITION FOR OCCUPATIONAL DRIVER'S LICENSE

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now _____, defendant and moves this Honorable Court to grant him/her the privilege of an Occupational Driver's License and for cause would show the following:

Petitioner's Texas Driver's License was suspended by _____ for ____ or in the Court in _____, Texas for the conviction of an offense for which the law makes automatic the suspension of a Texas Driver's License of such person on the ____ day of _____, 20__.

_____ refusal to provide a specimen of blood or breath following an arrest for an offense prohibiting the operation of a motor vehicle or watercraft while intoxicated, while under the influence of alcohol or while under the influence of a controlled substance.

_____ provided a specimen of breath or blood, and an analysis of the specimen showed an alcohol concentration of .08 or greater following an arrest for an offense involving the operation of a motor vehicle or watercraft.

_____ conviction for the offense of Driving While Intoxicated in the _____ Court of _____ County, Texas.

_____ conviction for drug offense(s) in the _____ Court of _____, Texas

_____ a determination that Petitioner operated a motor vehicle while his/her license or driving privilege was suspended.

_____ habitual violation of traffic laws.

_____ failure to pay surcharges to the State of Texas.

_____ failure to provide proof of financial responsibility.

_____ MINOR (under 21) provided a specimen of breath or blood, and an analysis of the specimen showed either an alcohol concentration of .08 or greater or a detectable amount of alcohol following an arrest for an offense involving the operation of a motor vehicle or watercraft.

Petitioner understands that the Court cannot grant an occupational license for the operation of a commercial motor vehicle to which Chapter 522 of the Texas Transportation Code applies, and Petitioner is not requesting such an action by this Court.

Petitioner has not been issued, in the ten years preceding the date of the filing of this petition, more than one (1) occupational driver's license after a conviction under the laws of the State of Texas, and Petitioner's license suspension history is specified in only one (1) item initialed below:

_____ Prior to the suspension date specified above, Petitioner's license has never been suspended.

_____ Petitioner's driver's license has been suspended as a result of an alcohol-related or drug-related enforcement during the five (5) years prior to the suspension date specified above.

_____ Petitioner's driver's license has been suspended as a result of a conviction under Section 49.04, 49.07 or 49.08 of the Penal Code during the five (5) years prior to the suspension date specified above.

_____ Petitioner's driver's license has been suspended as a result of a second or subsequent conviction under Section 49.04, 49.07 or 49.08 of the Penal Code during the five (5) years prior to the suspension date specified above.

_____ This Court finds that Petitioner has a prior license suspension or prior DWI conviction during the five (5) years preceding the date of the arrest of petitioner; therefore, this Order shall not take effect until the ____ day after the effective date of the license suspension in effect on the date this Order is signed.

Petitioner has an essential need for a Restricted Occupational License allowing the use of a motor vehicle for the following reason(s):

_____ In the performance of an occupation, trade or for transportation to and from the place where said Petitioner practices his/her occupation or trade, indicated as follows (explain fully, including days of the week, hours, and counties included):

_____ For transportation to and from an educational facility in which said Petitioner is currently enrolled, indicated as follows (explain fully, including days of the week, hours, and counties included):

_____ In the performance of household duties, indicated as follows (explain fully, including days of the week, hours, and counties included):

_____ Petitioner represents to the Court that s/he should be allowed to operate a motor vehicle, for the specific reasons set out above, and herein **in the following areas or routes of travel** (explain fully, including days of the week, hours, and counties included):

_____ Petitioner represents to the Court that s/he should be allowed to operate a motor vehicle **for the following days and hours**, as noted below:

_____ To and from the location(s) specified above for not more than four (4) hours per day for ____ days per week, on the following days:

_____ Petitioner requests that the Court waive the restriction that Petitioner operate a vehicle only four (4) hours per day, because his/her work schedule requires more than four (4) hours per day. Petitioner is allowed to drive **to the location(s) specified below for a period not to exceed twelve (12) hours per day for days per week on the following days:**

Days and Times: _____

Counties: _____

Petitioner shall maintain a driving log and shall submit the log to the County Judge's office monthly by fax, email or hand-delivery.

_____ **Deep Lung Breath Analysis Mechanism Device and Camera** -- Petitioner is not to operate a vehicle unless it is equipped with a deep lung breath analysis mechanism device and camera approved by the Texas Department of Public Safety. Petitioner shall obtain the device at his/her own expense and said device shall remain in the vehicle operated by Petitioner until _____.

_____ **Petitioner shall attend a DWI program** approved by the Court that is designed to provide counseling and rehabilitation services to persons for alcohol dependence pursuant to Section 521.245 of the Texas Transportation Code.

_____ **Petitioner shall submit to supervision** by the local community supervision and corrections department to verify compliance with the conditions specified by the order granting the license, including the conditions specified in accordance with Section 521.248.

APPLICANT INFORMATION

Please print legibly.

Full Name:
Street Address:
Mailing Address (if different):
City:
State and ZIP Code:
Phone Number:
Date of Birth:
Texas Driver's License Number:
Dates of Driver's License Suspension:

SIGNED AND ENTERED THIS THE ____ DAY OF _____, 20__.

Petitioner's Signature

State of Texas

County of Goliad

_____ personally appeared before me, and, first being duly sworn, declared that he/she signed this application in the capacity designated, if any, and further states that he/she has read the above-verified petition and the statements therein contained are true and correct.

Notary Public