



2524 Hwy 87 South
Orange, Texas 77630

JOY DUBOSE-SIMONTON
Justice of the Peace, Precinct 3

Ph: (409) 882-5310
Fax: (409) 882-5314

TEXAS OCCUPATIONAL DRIVER'S LICENSE (ODL) PACKET

- **FULLY READ** all the documents and forms included in this packet. **If you fail to follow these instructions you will have a delay in receiving your ODL Hearing Date**
- Check the status of your Driver's License to make sure you are actually in need of an Occupational Driver's License. See attached sheet entitled Driver License Status Information

Helpful website: <https://texaslawhelp.org/checklist/instructions-forms-occupational-drivers-license>

Filing Fees: \$46.00 or Statement of Inability to Afford Court Costs

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.) You CANNOT operate a commercial motor vehicle (CMV) with an ODL.

File: (3 total copies of the Petition and 3 total copies of all supporting documents) ODL Petition, SR-22, Certified Abstract Driving Record (**Type AR**) and any other supporting documents; the court will draft the Order, you do not need to file one with the court.

- If you have the audit number from your driver's license you can obtain your Type AR driving record on-line. If you **DO NOT** know your driver's license audit number you will have to request your driving record by mail. (see attached form) Please visit for more info.:
<https://txapps.texas.gov/tolapp/txldrchr/TXDPSLicenseeManager>
- In most cases the clerk of the court will set your case for a hearing within 2 weeks of filing your documents and paying your court cost or Statement of Inability to Afford Payment of Court Costs .
- If filing a Statement of Inability to Afford Court Costs **you must provide supporting documentation** of income, public benefits/government entitlements, legal aid representation or any other supporting documents.
- Make sure you fill out the petition completely and attach all necessary and supporting documents; failure to do so may result in a second hearing being set.
- If you file your case/documents in the wrong court or your Occupational Driver's License is denied you **WILL NOT** receive a refund.
- Please double check all your documents before filing with the court.
- **Make sure you put the times when you need to drive; the hours do not have to be consecutive hours but cannot be more than 12 hours in a 24 hour period (12 am - 11:59 pm).**
- **Please look over the Texas County Map when listing the names of the counties you will be traveling in; You need to include the all counties you will be traveling through, not just the county you start in and the county you end in.**

Driver License Status Information AND Driving Record Information

1. **License Eligibility Status**

Check your license eligibility status at <https://txapps.texas.gov/txapp/txdps/dleligibility/login.do>

This free site will tell you if you can drive with your current license and, if not, what you need to do to become eligible. If you are not eligible, the website will assist you in:

- paying fees charges to you for your driver license suspension offenses;
- view compliance items needed to determine and understand your license eligibility; and
- track your driving eligibility status as you go through the process.

You can pay fees on this website and get information on how to mail proof that you met the compliance requirements to DPS. Keep checking the website because it is updated daily.

You can also call the Texas Department of Public Safety (DPS) to check your eligibility/qualifying status at 512-424-2600 (English) and 512-424-7181 (Español)

Be careful! Recent court actions, out-of-state violations, and AG-reported child support arrearages may not be reflected in your current eligibility status.

2. **OMNIBASE Service - Failure to Appear/Failure to Pay Program**

OMNIBase Service – 1-800-686-0570 or on line at: <http://www.texasfailuretoappear.com>

If you failed to appear in court or failed to pay court cost, fines or any fees owed to the reporting court your driver's license may be denied renewal until the reported violation is cleared. You need to contact the court directly to get this taken care of. Being in the OMNI system is NOT a suspension. Therefore, you CANNOT obtain an ODL in order to avoid paying these fees. If you have a current suspension and are in the OMNI system you can obtain an ODL, but it MAY NOT be valid until you pay the fees owed to the reporting court directly. It will take 3-5 business days to update your driving record from the date the information is reported from the reporting court.

3. **Driving Record Request Information (Type AR is needed for Occupational Driver's License)**

Visit: <https://txapps.texas.gov/tolapp/txldrchr/TXDPSLicenseeManager> or

<http://www.dps.texas.gov/DriverLicense/driverrecords.htm>

CAUSE NO. _____

EX PARTE

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IN THE JUSTICE COURT

PRECINCT NO. 3

PETITIONER'S NAME

ORANGE COUNTY, TEXAS

PETITION FOR OCCUPATIONAL LICENSE

I, _____, seek an occupational license from this court based on the information provided below. *(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.)*

I. General Information

My name is: _____

My date of birth is: _____

I am a resident of: _____ County, Texas.

My home address is: _____

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

My Texas driver's license number is: _____

The last four of my Social Security Number is: _____

- I am employed, and my occupation is _____
- I am the primary caretaker of ___ children less than 16 years of age.
- I have been ordered by a magistrate to install an ignition interlock device on my vehicle, and/or not to operate any vehicle which is not equipped with an ignition interlock device. (IF YES, ATTACH COPY OF ORDER AND CONTRACT WITH INTERLOCK COMPANY)
- I have not been ordered by a magistrate to install an ignition interlock device on my vehicle, and/or not to operate any vehicle which is not equipped with an ignition interlock device.
- I have a commercial driver's license.
- I do not have a commercial driver's license.

II. Reason(s) for Driver's License Suspension (Current)

(Must check at least one of the boxes below)

- My driver's license has been suspended as the result of an **ARREST** for an intoxication-related offense in _____ County, because:
 - A peace officer requested a sample of my breath or blood and I refused; or
 - I provided a sample of my breath or blood, and the sample contained an alcohol concentration greater than 0.08; OR
- My driver's license has been SUSPENDED for:
 - a **CONVICTION** for Driving While Intoxicated (DWI) in a County or District Court. (YOU WILL NEED TO FILE ODL PETITION IN THE CONVICTING COURT)

- a conviction for a criminal offense in a justice or municipal court. (Please provide information regarding this offense, including the name of the court in which you were convicted, the cause number, and the type of offense, below.)

- a physical or mental disability.
- a conviction for Racing on a Highway.
- because a court found that I am a "habitual violator of traffic laws."
- because a court ordered me to attend a Driver Education Program and suspended my license for 365 days.
- because of a failure to pay surcharges ordered by the State of Texas.
- Other: _____

III. Essential Need

- I am seeking this occupational license in order to (*check all that apply*):
 - Travel to and from my place of work;
 - Perform the duties of my job;
 - Travel to and from school; or
 - Perform essential household duties.

The following are addresses and descriptions of all destinations to which I seek to travel with my occupational license: _____

A. Transportation

- I am the only member of my household who owns, leases, or has access to a motor vehicle;
- A member of my household other than me owns, leases, or has access to a motor vehicle;
- OTHER: _____

B. Work, School Schedule and Essential Household Duties

- My work or school schedule is the same every week and in order to perform the essential household duties, described below, I must travel by automobile during the following hours on the following days of the week (*check all that apply and put the times of travel being requested*):
 - Monday: _____
 - Tuesday: _____
 - Wednesday: _____
 - Thursday: _____
 - Friday: _____
 - Saturday: _____
 - Sunday: _____

- I perform the following essential household duties: _____
- _____
- _____

IF YOU DO NOT WORK A REGULAR SCHEDULE WITH REGULAR HOURS OR ATTEND SCHOOL THAT COULD CHANGE BEFORE OBTAINING A VALID DRIVER'S LICENSE THEN CHOOSE THIS BOX.

- 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.)

C. Counties Travel Through

- In order to: *(Check all that apply)*
 - Travel to school;
 - Travel to my place of work;
 - Perform my job duties; or
 - Travel to the place I perform essential household duties;

I must travel by automobile to or through the following Texas counties **(list all counties that you travel to and through to get to your destination):**

IV. Suspension History (Past)

My driver's license has previously been suspended for:

- A second or subsequent conviction for Driving While Intoxicated (Section 49.04, Penal Code); Intoxication Assault (Section 49.07, Penal Code), or Intoxication Manslaughter (Section 49.08, Penal Code), committed within five years of a previous conviction for Driving While Intoxicated (Section 49.04, Penal Code); Intoxication Assault (Section 49.07, Penal Code), or Intoxication Manslaughter (Section 49.08, Penal Code).

In the past five years, my license has been suspended for:

- A refusal to submit to the taking of a breath or blood specimen following an arrest for an offense prohibiting the operation of a motor vehicle or an offense prohibiting the operation of a watercraft while intoxicated, under the influence of alcohol, or under the influence of a controlled substance.
- An analysis of a breath or blood specimen showing an alcohol concentration of .08 or above, following an arrest for an offense prohibiting the operation of a motor vehicle or watercraft while intoxicated.
- A conviction for Driving While Intoxicated (Section 49.04, Penal Code); Intoxication Assault (Section 49.07, Penal Code), or Intoxication Manslaughter (Section 49.08, Penal Code).
- A conviction for an offense other than Driving While Intoxicated (Section 49.04, Penal Code); Intoxication Assault (Section 49.07, Penal Code), or Intoxication Manslaughter (Section 49.08, Penal Code).

Code) prohibiting the operation of a motor vehicle or watercraft while intoxicated, under the influence of alcohol, or under the influence of a controlled substance.

V. Additional Documents (Check list)

- I have obtained evidence of financial responsibility (**SR-22**), which is attached to my petition. (Note: You may not be issued an occupational license unless you obtain evidence of financial responsibility.)
- I have attached a certified copy of my driving record (**Type AR; Certified Abstract of Driving Record**) to this petition. (Note: the court cannot grant your petition without reviewing your driving record.)
- I have attached documents which demonstrate my essential need to operate a motor vehicle.
- I have attached other documents, which are described below:

VI. Prayer

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

Petitioner’s Signature

SWORN TO AND SUBSCRIBED before me on this ___ day of _____, 20____.

CLERK OF THE JUSTICE COURT OR NOTARY

TEXAS DPS

APPLICATION FOR COPY OF DRIVER RECORD



MAIL TO: Texas Department of Public Safety, Box 149008, Austin, TX 78714-9008

DO NOT MAIL CASH. Mail check or money order payable to: Texas Department of Public Safety

Any questions regarding the information on this form should be directed to the Contact Center at 512-424-2600. Allow 2-3 weeks for delivery.

Check Type of Record Desired	FEE
<input type="checkbox"/> 1. Name – DOB – License Status – Latest Address.	\$ 4.00
<input type="checkbox"/> 2. Name – DOB – License Status – 3 Year Record only lists Crashes/Moving Violations.	\$ 6.00
<input type="checkbox"/> 2A. CERTIFIED version of #2. This Record is Not acceptable for a Defensive Driving Course (DDC).	\$ 10.00
<input type="checkbox"/> 3. Name – DOB – License Status – Record of ALL Crashes/Violations. Furnished to Licensee Only.	\$ 7.00
<input type="checkbox"/> 3A. CERTIFIED version of #3. Furnished to Licensee Only and is Acceptable for DDC.	\$ 10.00
<input checked="" type="checkbox"/> 4. Abstract Record – Certified abstract of completed driver record.	\$ 20.00
<input type="checkbox"/> Other: (Original Application, DWLI, etc.) _____	\$.00 (If Required)

Mail Driver Record To: (Please Print or Type)

Requestor's Last Name | _____ Requestor's First Name | _____
Street Address | _____ Texas Driver License Number | _____
City | _____ State | _____ Zip Code | _____ Daytime Telephone Number (include area code) | _____

If requesting on behalf of a business, organization, or other entity, please include the following:

Name of business, organization, entity, etc. | _____
Your Title or Affiliation with above | _____
Type of business, organization, etc. (i.e., insurance provider, towing company, private investigation, firm, etc.) | _____

Information Requested On:

Texas Driver License Number | _____ | M|M||D|D||Y|Y|Y|Y| | _____ Suffix (SR., JR., etc.) | _____
Last Name | _____
First Name | _____
Middle Name/Maiden Name | _____

Individual's Written Consent For ONE TIME Release to Above Requestor

(Requestor, if you do not meet one of the exceptions listed on the back of this form, please be advised that without the written consent of the driver license/ID card holder, the record you receive will not include personal information.)

I, _____, hereby certify that I granted access on this one occasion to my Driver License/ID Card record, inclusive of the personal information (name, address, driver identification number, etc.) to _____

Signature of License /ID Card Holder or Parent /Legal Guardian _____ Date _____

State and Federal Law Requires Requestors to Agree to the Following:

In requesting and using this information, I acknowledge that this disclosure is subject to the federal Driver's Privacy Protection Act (18 U.S.C. Section 2721 et seq.) and Texas Transportation Code Chapter 730. False statements or representations to obtain personal information pertaining to any individual from the DPS could result in the denial to release any driver record information to myself and the entity for which I made the request. Further, I understand that if I receive personal information as a result of this request, it may only be used for the stated purpose and I may only resell or redisclose the information pursuant to Texas Transportation Code §730.013. Violations of that section may result in a criminal charge with the possibility of a \$25,000 fine.

I certify that I have read and agree with the above conditions and that the information provided by me in this request is true and correct. If I am requesting this driver record on behalf of an entity, I also certify that I am authorized by that entity to make this request on their behalf. I also acknowledge that failure to abide by the provisions of this agreement and any state and federal privacy law can subject me to both criminal and civil penalties.

Signature of Requestor _____ Date _____

If you are not requesting a copy of your own record or do not have the written consent of DL/ID holder, you must provide the information requested on the reverse.

Important Instructions – Read Carefully

The Texas Department of Public Safety may disclose personal information to a requestor without written consent of the DL/ID holder, on proof of their identity and a certification by the requestor that the use of the personal information is authorized under state and federal law and that the information will be used only for the purpose stated and in complete compliance with state and federal law.

You must meet one or more of the following exceptions if you do not have written consent of the DL/ID holder to be entitled to receive personal information on the above named individual. Please initial each category that applies to the requested driver record.

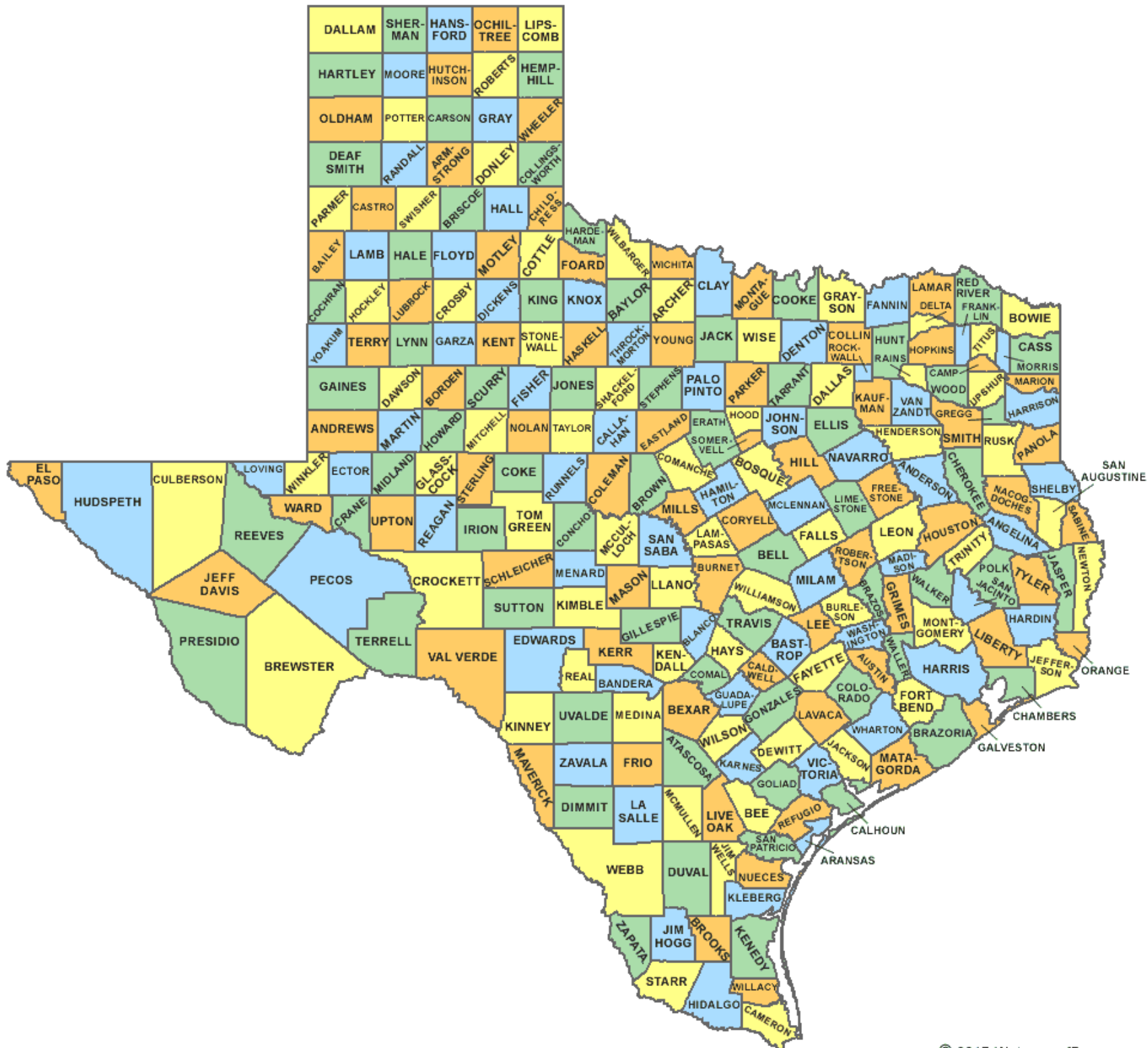
- _____ 1. For use in connection with any matter of (a) motor vehicle or motor vehicle operator safety; (b) motor vehicle theft; (c) motor vehicle emissions; (d) motor vehicle product alterations, recalls, or advisories; (e) performance monitoring of motor vehicles or motor vehicle dealers by a motor vehicle manufacturer; or (f) removal of nonowner records from the original owner records of a motor vehicle manufacturer to carry out the purposes of the Automobile Information Disclosure Act, the Anti Car Theft Act of 1992, the Clean Air Act, and any other statute or regulation enacted or adopted under or in relation to a law included in the above.
- _____ 2. *(Valid for Certified Abstract)* For use by a government agency in carrying out its functions or a private entity acting on behalf of a government agency in carrying out its functions.
- _____ 3. For use in connection with a matter of (a) motor vehicle or motor vehicle operator safety; (b) motor vehicle theft; (c) motor vehicle product alterations, recalls, or advisories; (d) performance monitoring of motor vehicles, motor vehicle parts, or motor vehicle dealers; (e) motor vehicle market research activities, including survey research; or (f) removal of nonowner records from the original owner records of motor vehicle manufacturers.
- _____ 4. For use in the normal course of business by a legitimate business or an authorized agent of the business, but only to verify the accuracy of personal information submitted by the individual to the business or the authorized agent of the business and to obtain correct information if the submitted information is incorrect to prevent fraud by pursuing a legal remedy against, or recovering on a debt or security interest against the individual.
- _____ 5. *(Valid for Certified Abstract)* For use in conjunction with a civil, criminal, administrative, or arbitral proceeding in any court or government agency or before any self regulatory body, including service of process, investigation in anticipation of litigation, execution or enforcement of a judgement or order, or under an order of any court.
- _____ 6. For use in research or in producing statistical reports, but only if the personal information is not published, redisclosed, or used to contact any individual.
- _____ 7. For use by an insurer or insurance support organization, or by a self insured entity, or an authorized agent of the entity, in connection with claims investigation activities, antifraud activities, rating or underwriting.
- _____ 8. For use in providing notice to an owner of a towed or impounded vehicle.
- _____ 9. For use by a licensed private investigator agency or licensed security service for a purpose permitted as stated on this page.
- _____ 10. *(Valid for Certified Abstract)* For use by an employer or an authorized agent or insurer of the employer to obtain or verify information relating to a holder of a commercial driver license that is required under 49 U.S.C. Chapter 313.
- _____ 11. For use in connection with the operating of a private toll transportation facility.
- _____ 12. For use by a consumer-reporting agency as defined by the Fair Credit Reporting Act (15 U.S.C. §1681 et seq.) for a purpose permitted under the Act.
- _____ 13. For any other purpose specifically authorized by law that relates to the operation of a motor vehicle or to public safety.
Please state specific statutory authority _____
- _____ 14. For use in the preventing, detecting, or protecting against identity theft or other acts of fraud. The Department prior to release of personal information may require additional information.

Below is an example of how numbers and letters should be written on front of this form:



1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 0 |

A | B | C | D | E | F | G | H | I | J | K | L | M | N | O | P | Q | R | S | T | U | V | W | X | Y | Z |





What to do after receiving an Occupation Driver's License order from the court?

*******It is your responsibility to make sure these steps
are followed even if you have an attorney*******

**• READ THIS CAREFULLY AND IF YOU HAVE ANY QUESTIONS
YOU CAN ASK THE JUDGE AT YOUR ODL HEARING**

1. Reminder that you CANNOT drive a Commercial Motor Vehicle (CMV) with an ODL.
2. One of the certified copies you receive will serve as your license for 45 days. After the 45 days you will have to have the certified copy of the order **and** the ODL issued by DPS.
3. The second certified copy you receive from this court will need to be sent the Texas DPS along with **\$10 for a 1 year license/\$20 for a 2 year license:**

Texas DPS
Enforcement and Compliance Service
ATTN: ECA
P.O. Box 4087
Austin, TX 78773
4. DPS will grant your ODL when it becomes effective, usually immediately; see last page of order for effective date.
5. You may also have a reinstatement fee that is due to the State; look on the first page of your driving record under Status Information and Administrative Status to see if a reinstatement fee is due in your situation; you can also look at the website listed below:
<https://txapps.texas.gov/txapp/txdps/dleligibility/login.do>
6. If you fail to operate a motor vehicle in violation of the restrictions imposed in this ODL or you fail to have your certified copy of the court's order while you are operating a motor vehicle you can be charged with a Class B Misdemeanor; If you are convicted of one of these the court shall issue an order revoking this ODL; ODL can be revoked anytime for good cause.
7. If you operate a motor vehicle and fail to comply with one of the additional conditions listed on page 2 of this order your ODL will be revoked by this court.
8. If you need to modify this ODL, and it is otherwise still a valid order, please file a written request with our court listing the cause number at the top of the order, your name, the reason for the modification and what you need modified in the order. No filing fee is required for a modification. A hearing will be set and a modified order will be issued if the judge approves the modifications.