

OCCUPATIONAL LICENSE

Texas law provides that a person whose driver's license has been suspended may apply for an occupational license. To apply for an occupational license you must file a formal written petition with the court. If your license was suspended in the judgment conviction in a driving while intoxicated case or intoxication assault, then the law requires that you file the petition with the Judge/Court that ordered your license suspended. If your license is under suspension not ordered by the Judge in these two types of cases, then you have the choice of filing for an occupational license in either the county where you live or the county where the offense occurred that caused your suspension. The cost of filing a petition for an occupational license varies, so it is suggested you see the Clerk of the Court to find out the amount of the fee. Remember, once costs are paid, they cannot be refunded.

The petition required to be filed must describe in detail the essential need for your driver's license. "Essential need" means you need to operate a vehicle in the performance of your occupation, to go to and from your place of work, for transportation to a school or college or in performance of essential household duties. It must be essential that you need the license and not just a matter of convenience. If you have other types and means of transportation, then the court cannot give you an occupational license.

You must be able to state exactly why your license is suspended in your petition and if you don't know, then you probably need to see an attorney to prepare your papers.

The law requires that the Clerk of the Court send by certified mail a copy of your petition and a notice of your hearing date and time to the attorney representing the state, if your license was suspended for a conviction in a driving while intoxicated, intoxication assault or intoxication manslaughter, or you are under the age of twenty-one and your license was suspended due to a criminal case involving alcohol or drugs.

The law requires that the Court order you to do some type of alcohol and drug counseling as a condition of your occupational license, if your license was suspended because you failed the breath test or refused to take the breath test. The Aransas County Court at Law requires the attendance at AA or other equivalent programs to satisfy this requirement. You may be required to show proof of attendance or your occupational license may be suspended by the Court and the State.

The Court will be reviewing your criminal history if you apply for an occupational license. If your criminal history indicates that you have a conviction for intoxication manslaughter or an enhanced driving while intoxicated conviction, then you will be required as a condition of your occupational license that you install a special device that will not allow your vehicle to be started unless you pass a breath test. This will be done at your own expense.

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The Court will require documentation from your insurance carrier that you are insured. This documentation will need to consist of an original insurance policy or proof of insurance card, showing the date the policy was issued and the date the policy will expire. (Merely a copy of your insurance card will not qualify.)

You must file the petition for an occupational license and at the time of the hearing you must bring an order for the judge to sign if the license is granted. **It is strongly suggested that you consult with an attorney to prepare these papers. However, the law does not require that you hire an attorney to prepare the papers, but please remember that they must meet the Court's requirements or your petition will be denied.**

The law requires that the petition for occupational driver's license be a verified petition, which means it must be sworn to under oath. This is important to remember because if you falsify information in your request for an occupational license then you could face charges for criminal perjury.

RICHARD P. BIANCHI

County Court at Law Judge

RETURN THIS FORM WITH FEE

NUMBER: _____
AMOUNT: _____
FOR DPS USE ONLY

DRIVER IMPROVEMENT & CONTROL
ALR
REINSTATEMENT OF LICENSE

DRIVER LICENSE # _____ DOB _____ SOC.SEC.NO. _____

NAME _____
FIRST MIDDLE LAST

ADDRESS _____
CITY STATE ZIP

REMITTER'S NAME (IF DIFFERENT THAN ABOVE) _____

REMITTER'S ADDRESS _____
CITY STATE ZIP

THE ALR LAW REQUIRES A \$125 REINSTATEMENT FEE BEFORE THE LICENSE CAN BE REINSTATED. IN ORDER FOR THE DEPARTMENT TO CORRECTLY IDENTIFY YOUR FILE, PLEASE COMPLETE THIS FORM , AND RETURN TO THE ADDRESS BELOW ACCOMPANIED WITH THE REINSTATEMENT FEE IN THE FORM OF A CHECK, CASHIER'S CHECK, OR MONEY ORDER **MADE PAYABLE TO TEXAS DEPARTMENT OF PUBLIC SAFETY.**

TEXAS DEPARTMENT OF PUBLIC SAFETY
DRIVER IMPROVEMENT AND CONTROL
P.O. BOX 15999
AUSTIN, TX 78761-5999

OCCUPATIONAL DRIVER'S LICENSE

The requirements for the issuance of a Texas Occupational Driver's License are indicated below:

- 1.) A County or District Court Order from the county of residence or an Order from the Court in which the person was convicted granting an occupational driver's license. The order shall be definite as to hours of the day, days of the week, specific reasons for travel, and areas or routes of travel to be permitted. Actual travel time does not have to be continuous but specific hours must be stated in Court Order and shall not exceed twelve (12) hours in any twenty-four (24) consecutive hours.
- 2.) Proof of financial responsibility by filing Form SR-22 (a pink certificate of liability insurance, NO PHOTO COPY) is required. An insurance agent may assist you in obtaining the SR-22.
- 3.) A \$125.00 reinstatement fee is required under the Safety Responsibility Act.
- 4.) A \$_____ fee for the issuance of Occupational Driver's License
- 5.) \$_____ additional fees are required to complete your fee requirements
- 6.) Complete Form DIC-37, providing information to appear on the Occupational License

**** Return all specified items in one package to expedite issuance of the Occupational License**

PHONE: (512) 424-2600

MAIL TO: DRIVER IMPROVEMENT AND CONTROL BUREAU
TEXAS DEPARTMENT OF PUBLIC SAFETY
OCCUPATIONAL LICENSE SECTION
PO BOX 15999
AUSTIN, TX 78761-5999

