

CAUSE NO. CC _____

EX PARTE

§ IN THE COUNTY COURT

§

§ AT LAW NO. 2 OF

§

PETITIONER

§ HUNT COUNTY, TEXAS

APPLICANT'S AFFIDAVIT FOR OCCUPATIONAL DRIVER'S LICENSE

Before me, the undersigned authority, personally appeared _____,
who being duly sworn, deposed as follows:

1. "My name is _____, I am at least 18 years of age, I am of sound mind. I have read the pleadings in this case requesting the Court approve an occupational license and represent that the pleadings are true and correct.
2. I reside at the following address: _____.
3. My county of residence is _____ County, Texas.
4. ☐ My Texas driver's license number is _____ and it ☐ IS ☐ IS NOT a commercial driver's license. **OR** ☐ I do not have a driver's license.
5. My date of birth is ____/____/____.
6. My license has not been suspended for: (a) a physical or mental disability, (b) a determination by the department under §521.294 of the Transportation Code that I am incapable of safely operating a motor vehicle, or (c) non-payment of child support.
7. My Texas driver's license or right thereto was suspended on:
____/____/____ for a period of _____ ☐ days ☐ months ☐ years
8. My Texas driver's license or right thereto was suspended for the following reason:
 - a. ☐ Conviction of an offense under §19.05 or §§ 49.04-49.08 of the Penal Code.
Criminally Negligent homicide (§19.05), Driving While Intoxicated (§49.04), Driving While Intoxicated w/ Child (§49.045), Flying While Intoxicated (§49.05), Boating While Intoxicated (§49.06), Boating While Intoxicated w/ Child (§49.061), Assembling or Operating an Amusement Ride while Intoxicated (§49.065), Intoxication Assault (§49.07), Intoxication Manslaughter (§49.08).
 - b. ☐ Conviction of an offense to which §521.342 of the Transportation Code applies.
A person who was under 21 years of age at the time of the offense and convicted of: (1) Driving While Intoxicated [§49.04], (2) Driving While Intoxicated w/ Child [§49.045], Intoxication Assault [§49.07], (3) an offense under the Alcoholic Beverage Code, other than an offense to which § 106.071 of that code applies, that involves the manufacture, delivery, possession, transportation, or use of an alcoholic beverage, (4) a misdemeanor offense under Chapter 481 of the Health and Safety Code for which Subchapter P does not require the automatic suspension of the license, (5) an offense under Chapter 483 of the Health and Safety Code involving the manufacture, delivery, possession, transportation, or use of a dangerous drug, (5) an offense under Chapter 485 Health and Safety Code involving the manufacture, delivery, possession, transportation, or use of an abusable volatile chemical.

- c. ☐ Failed breath/blood test (Chapter 524);
- d. ☐ Refusal to provide a breath or blood specimen (Chapter 724);
- e. ☐ Other: _____

9. If you selected #8a or #8b above, you **must** answer #9. If not, skip to #10.

Date of Conviction:	
Cause Number:	
Offense:	
County:	
Court:	
Defendant's age at the time the offense was committed:	I ☐ was / ☐ was not under twenty-one (21).

10. I ☐ **am** ☐ **am not** currently under an order (*this includes an order imposed as a condition of bond*) restricting me to the operation of a motor vehicle equipped with an ignition interlock device.
11. My license ☐ **has** ☐ **has not** be suspended, revoked, or canceled after a conviction under §§ 49.04-49.08 of the Texas Penal Code.
12. I have an essential need to operate a motor vehicle for: ☐ occupation or trade, ☐ to or from an educational facility in which I am enrolled, ☐ medical appointments/procedures, or ☐ performance of essential household duties. (*If you selected occupation/trade and/or educational, you must provide the information requested below.*)

Name of Employer:	
Address of Employer:	
I work from:	☐ am / ☐ pm to ☐ am / ☐ pm

Name of School:	
Address of School:	
I attend school from:	☐ am / ☐ pm to ☐ am / ☐ pm

13. The total hours for each of the days of the week for which I have the essential need to operate a motor vehicle are as follows (*Only list the total driving hours. For instance, if the essential need is to drive to and from work/school then only list the roundtrip time it takes you to drive to and from work/school--not the time you spend working or in school.*):

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday

14. The counties I have an essential need to travel in are:

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15. I ☐ **am** / ☐ **am not** requesting the Court to grant a waiver of the four (4) hour operating period. If I am, it is because I have a necessity to operate a motor vehicle for more than four (4) hours in a twenty-four (24) hour period, and ☐ attached hereto as ***Exhibit "D"*** is an affidavit from my employer stating in detail the reasons that justify my request for a waiver of the four (4) hour operating period.
16. I have a valid policy of automobile insurance in accordance with the provisions of §601.071 et seq., of the Texas Transportation Code. A true and correct copy is attached hereto as ***Exhibit "A."***
17. A true and correct copy of my current driving history, specifically the "Type AR" record obtained from the Texas Department of Public Safety, is attached hereto as ***Exhibit "B."***
18. Listed below are all the motor vehicles that I own:

Make	Model	Year	VIN#	License Plate #

19. I ☐ **have** / ☐ **have not** installed an ignition interlock device with camera feature in all motor vehicles that I own. If I have already installed said device on all my vehicles, a true and correct copy of the interlock installation contract from the provider is ☐ attached hereto as ***Exhibit "C."***
20. I ☐ **have** / ☐ **have not** been convicted more than once in the 10 years preceding the date of this petition of an offense to which §49.04 - 49.08 of the Texas Penal Code applies. If I have, the details of the conviction(s) are set forth below.

Date of Conviction:	
Cause Number:	
Offense:	
County:	
Court:	
Defendant's age at the time the offense was committed:	I ☐ was / ☐ was not under twenty-one (21).

21. If I am not required by law or this Court to operate a motor vehicle equipped with an ignition interlock device I ☐ **am** ☐ **am not** requesting the Court to find good cause and restrict the operation of a motor vehicle equipped with an ignition interlock.

Further Affiant sayeth not."

AFFIANT

SUBSCRIBE AND SWORN TO BEFORE ME on the _____ day of _____, 20_____, to certify which witness my hand and official seal.

Notary Public in and for the State of Texas