

CAUSE NO. CC _____

EX PARTE

§ IN THE COUNTY COURT

§

§ AT LAW NO. 2 OF

§

§ HUNT COUNTY, TEXAS

PETITIONER

ORDER GRANTING OCCUPATIONAL DRIVER'S LICENSE

On this day came to be considered the Verified Petition for an Occupational License of Petitioner, _____, Texas Driver's License Number _____ who resides at _____, _____ County, Texas.

The Court **FINDS** that Petitioner's driver's license was suspended for a:

Conviction of:

An offense under §§ 49.04-49.08 of the Texas Penal Code;

OR

An offense **other than** §§ 49.04-49.08 of the Texas Penal Code;

Failed breath/blood test (Chapter 524);

Refusal to provide a breath or blood specimen (Chapter 724);

Other: _____

The Court further **FINDS** that Petitioner:

Has an essential and actual need for operating a motor vehicle;

OR

Pursuant to §521.244(e) of the Transportation Code is entitled to receive an occupational license without a finding that an essential need exists because Petitioner is a person convicted of an offense under Sections 49.04-49.08 of the Texas Penal Code who is restricted to the operation of a motor vehicle equipped with an ignition interlock device and has provided: (1) evidence of financial responsibility under Chapter 601, and (2) proof that an ignition interlock device has been installed on each motor vehicle owned or operated by Petitioner.

Therefore the Court hereby **GRANTS** Petitioner an Occupational Driver's License pursuant to Transportation Code § 521.248, and **ORDERS** Petitioner to:

1. NOT drive a commercial vehicle;
2. Maintain valid auto liability insurance or other financial responsibility in accordance with Texas Transportation Code Chapter 601 for the entire period this order is in effect;
3. Carry both a certified copy of this Order and an Occupational Driver's License (*once it is issued by DPS*) while driving. (*The Department of Public Safety will issue the Occupational Driver's License after payment to DPS of any required fees.*); and
4. Comply with all applicable statutes, administrative regulations, and orders from DPS related to licensing.

The Court further **ORDERS** Petitioner is:

RESTRICTED to the operation of a motor vehicle equipped with an ignition interlock device with a camera feature. Petitioner shall:

1. have said device installed on all motor vehicles owned by Petitioner on or before the expiration of fourteen (14) days from the date of this Order by an ignition interlock provider approved by the Hunt County Community Supervisions and Corrections Department;
2. only operate a motor vehicle equipped with an ignition interlock device with a camera feature; and
3. follow all rules and regulations of the ignition interlock provider;

REQUIRED to abide by the following *reason of travel, time of travel, and location of travel* restrictions:

1. Only operate a motor vehicle to and from work or school and essential duties, including medical appointments, court, attorney's office, probation office, and any supervision, education, or counseling required by this Order;
2. Only operate a motor vehicle weekdays and weekends between the hours of _____ am / pm to _____ am / pm for up to four (4) hours each day **or** having found a showing of necessity up to eight (8) hours each day;
3. Only operate a motor vehicle in the following counties: Hunt and _____;
4. Maintain the Court's *Occupational Driver's License Trip Log* (found on the Court's website) and keep said log in Petitioner's possession within any motor vehicle Petitioner operates.

The Court additionally **ORDERS** that Petitioner shall:

- Submit to supervision by the Hunt County Community Supervisions & Corrections Department located at 4515 Stonewall, Greenville, Texas (903-455-9653) to verify compliance with all terms of this order. Pay a monthly administrative fee of **\$60** as authorized by Government Code §76.015. Immediately, and in no event later than 24 hours from entry of this Order, contact the Hunt County Community Supervision & Corrections Department and schedule the initial supervision appointment, which shall occur within fourteen (14) days of this Order.
- Within sixty (60) days of this Order attend an alcohol/drug counseling program required under §521.245 that has been approved by the Hunt County Community Supervisions & Corrections Department and provided it with proof of your attendance. *(Required if license suspended under Chapter 524 or 724.)*
- Submit to periodic testing for alcohol and controlled substances at the direction of the Hunt County Community Supervision & Corrections Department. *(Discretionary if license has been suspended under Chapter 524 or 724.)*
- Other: _____

The Court makes the following additional **ORDERS**:

1. The Texas Department of Public Safety shall issue to Petitioner an occupational Texas driver's license, referring on its face to this order of the Court
2. The clerk of this Court shall furnish Petitioner with a certified copy of this order, at the Petitioner's request and expense.
3. The clerk of this Court shall forward a certified copy of the petition and the court order to the Texas Department of Public Safety, as required by §521.249.
4. Petitioner is allowed to take a driving test in the event it is necessary for the Texas Department of Public Safety to issue the occupational driver's license.
5. This occupational driver license shall be automatically terminated and Petitioner prohibited from operating a motor vehicle with this license if during the term of this occupational driver's license any of the following occur: (a) Petitioner is indicted for an alcohol or drug related driving offense; or (b) Petitioner becomes subject to bond conditions that prohibit driving; or (c) Petitioner is convicted of or obtains deferred adjudication for an alcohol or drug related driving offense.

Effective Date of Order: (*Transportation Code Sec. 521.251*)

- This Order shall take effect immediately:
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, or pursuant to §521.251(d-1) Petitioner has submitted proof that an ignition interlock device is installed on each motor vehicle owned or operated by Petitioner.
- This Order shall take effect 91 days after the date the license was suspended:
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.
- This Order shall take effect 181 days after the date the license was suspended.
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
- This Order shall take effect 365 days after the date the license was suspended:
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

Duration of Order:

This Order shall remain in effect until the end of the period of suspension or further order of the Court.

ISSUED AND SIGNED the _____ day of _____, **20**_____.

JUDGE JOEL D. LITTLEFIELD
HUNT COUNTY COURT AT LAW #2