

**ESSENTIAL NEED
OR
OCCUPATIONAL DRIVER'S LICENSE**

The Department of Public Safety requirements for the issuance of a Texas Essential Need or Occupational Driver's License:

- 1) A County or District Court Order, 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 the areas of routes of travel to be permitted. Actual travel time does not have to be continuous, but specific hours must be stated in the Court Order, and shall not exceed twelve (12) hours in any given twenty-four (24) consecutive hour period.
- 2) Proof of financial responsibility by filing Form SR-22 (the pink certificate of liability insurance). An Insurance Agent will assist you in obtaining the SR-22.
- 3) Complete form DIC-37, providing information to appear on the Essential Need or Occupational Driver's License.
- 4) Fees required by the Department of Public Safety:
 - HB3588 Reinstatement Fee is required under the Safety and Responsibility Act (Court Costs Fees are separate)
 - \$10.00 Fee for the issuance of the Essential Need or Occupational Driver's License (\$10.00 fee for one (1) year or less)

[\$220.00 Filing Fee for Court Costs paid to JOE G RIVERA- County Clerk]
****Non-refundable fee****

RETURN ALL SPECIFIED ITEMS LISTED TO EXPEDITE ISSUANCE OF THE ESSENTIAL NEED OR OCCUPATIONAL DRIVER'S LICENSE TO THE ADDRESS LISTED BELOW:

**SAFETY AND RESPONSIBILITY BUREAU
TEXAS DEPARTMENT OF PUBLIC SAFETY
ESSENTIAL NEED OR OCCUPATIONAL DRIVER'S LICENSE
PO BOX 4087
AUSTIN, TX 78773-001**

**INSTRUCTIONS FOR APPLICATION FOR AN
OCCUPATIONAL DRIVER'S LICENSE**

The following rules are applicable to any person who has had the Driver's License suspended due to a conviction of Driving While Intoxicated, or driving privileges revoked by the Department of Public Safety for any reason, and wishes to obtain an Occupational License during the period of suspension.

- 1) An Occupational License **will not** be issued by the Department of Public Safety unless the driver has obtained liability insurance. You must obtain Form SR-22, and verification of purchase of at least six (6) months of liability insurance.
- 2) It is necessary to obtain, along with the attached Petition, a recent copy of your driving record and/or the cause number (s) for the criminal convictions. You may obtain the information through the Department of Public Safety.
- 3) You must fill out the Petition in detail stating the reasons for the necessity of the Occupational License. The attached form has three (3) spaces to check one (1) or more of the reasons for the need for this License. **Do not leave any blank spaces.**
- 4) **You must be specific as to the area and times in which you will be driving.**
- 5) If you are granted an Occupational License, it is generally to be no more than four (4) hours per day. If there is a specific need, the Court can allow you to drive up to twelve (12) hours a day, (Texas Trans. Code, Title 7 § 521.248). Therefore, you must be specific as to the number of hours per day you will need. The need must be justified, based on your particular occupational, educational or household duties.
- 6) You must sign and date the Petition in front of a Notary Public or Deputy Clerk the day it is filed. There is a space for either to sign; however, it is not necessary to sign in front of both. Either one is required by law to witness your signature, or you should only sign in their presence.
- 7) After the Petition is completely filled out, signed and dated (notarized, or witnessed), along with the requested SR-22, proof of the purchase of at least six (6) months of insurance, and recent driving record, or criminal cause number (s); you must then file the Petition with the County Clerk's Office. **You will be required to pay a \$220.00 filing fee.**

Note

Texas Transportation Code, Title 7, § 521.251(B) (C) states:

- b) If the person's driver's license has been suspended as a result of an alcohol-related or drug-related enforcement contact during the five (5) years preceding the date of the person's arrest, the Order may not take effect before the 91st day after the effective date of the suspension.
- c) If the person's driver's license has been suspended as a result of a conviction under Sec. 49.04, 49.07, 49.08, Penal Code, during the five (5) years preceding the date of the person's arrest, the Order may not take effect before the 181st day after the effective date of the suspension.

-
-
- 8) The County Clerk will present the Petition to the Judge for a Hearing. You will receive a copy of the Hearing Notice and the Clerk is required to send such Notice to the District Attorney, who may oppose your application.
 - 9) You will need to return to Court on the day and time scheduled on the Order Setting Hearing. You should be prepared at that time to answer any questions that the Judge or the District Attorney might have before the Judge can decide whether or not to grant the Occupational License.
 - 10) If the Judge signs the Order granting the Occupational License, the County Clerk will prepare two (2) certified copies of the Application and Order. You must keep one (1) set with you at all times while you are in the vehicle. It shall serve as a restricted license, and shall remain in effect until the 31st day after the date on which the Order takes effect (Texas Trans. Code, Title 7 § 521.249 (a). The other set is for you to mail or take to the Department of Public Safety.
 - 11) You must then take or mail the certified forms, along with the pink copy of the SR-22, the completed DIC-37, and any necessary fees to the Department of Public Safety. *The Court that signs the Order granting an Occupational License may issue, at any time, an Order revoking the license for good cause (Texas Trans. Code, Title 7 § 521.252 (a).

NOTICE

MUCH OF THE PROCEDURE IS COMPLICATED, AND YOU MAY FIND IT WORTH YOUR TIME TO EMPLOY AN ATTORNEY TO ASSIST YOU. THE JUDGE, THE DISTRICT ATTORNEY, AND THE COUNTY CLERK, AND THE RESPECTIVE STAFF, ARE NOT AUTHORIZED TO ASSIST YOU IN THE PREPARATION AND PRESENTATION OF THE APPLICATION.

VERIFIED PETITION FOR OCCUPATIONAL DRIVER'S LICENSE

Civil Cause Number _____

Criminal Cause Number _____

THE STATE OF TEXAS

§
§
§
§
§

IN THE COUNTY COURT

VS.

AT LAW NO. _____

_____,
Defendant

CAMERON COUNTY, TEXAS

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW _____, Defendant, herein and moves this Honorable Court to grant him the privilege of an Occupational Driver's License and for cause would show the following:

- Defendant's Texas Driver's License was suspended by this Court 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__.
- The Defendant has an essential need for a Restricted Occupational License allowing the use of a motor vehicle for the following reasons checked below:

____ In the performance of an occupation, trade, or transportation to and from the place where said Defendant practices his occupation, or trade indicated as follows:

____ For transportation to and from an education facility in which said Defendant is currently enrolled indicated as follows:

____ In the performance of household duties indicated as follows:

- The Defendant represents to the Court that 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:

- The Defendant represents to the Court that he should be allowed to operate a motor vehicle for the following days, and following hours as checked below:

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

____ Due to the necessity (specify the necessity)

_____ to and from the locations specified above for a period not to exceed twelve (12) hours per day for _____ days per week on the following days: _____

WHEREFORE PREMISES considered; Defendant prays that the Court issue any Notice required herein, and upon hearing hereon that an Occupational License for the time and places set forth herein and above be granted.

SIGNED AND ENTERED THIS THE _____ day of _____, 20_____.

 Defendant

APPLICANT INFORMATION

Address:	City:	State & Zip:
Date of Birth:	Driver's Lic. No.:	Phone:

STATE OF TEXAS, COUNTY OF CAMERON BEFORE, THE UNDERSIGNED AUTHORITY OF THIS DAY PERSONALLY APPEARED _____, A PERSON KNOWN TO ME TO BE A CREDIBLE PERSON WHO, AFTER BEING BY ME DULY SWORN, DID UPON HIS OATH DEPOSE AND SAY THAT HE HAS READ THE FOREGOING VERIFIED PETITION, AND ALL OF THE FACTS CONTAINED HEREIN ARE TRUE AND CORRECT TO HIS PERSONAL KNOWLEDGE.

SIGNED AND ENTERED THIS THE _____ day of _____, 20 .

 Notary Public

JOE G. RIVERA, COUNTY CLERK
 CAMERON COUNTY, TEXAS

HEREIN FOR CAMERON COUNTY,
 TEXAS. MY COMMISSION EXPIRES:

By: _____
 Deputy Clerk

Civil Cause Number _____

THE STATE OF TEXAS

§
§
§
§
§

IN THE COUNTY COURT

VS.

AT LAW NO. _____

_____,

CAMERON COUNTY, TEXAS

Defendant

ORDER GRANTING OCCUPATIONAL DRIVER'S LICENSE

On this ____ day of _____, 20____ came to be considered the Defendant's Verified Petition for an Occupational Driver's License, and came the Defendant, _____, in person, (and by his attorney of record, _____), (the State of Texas by and through its Criminal District Attorney), (and although due notice was given to the District Attorney failed to appear), and the Court after hearing the evidence and considering the Defendant's verified petition finds the following:

- That Defendant's Texas Driver's License was suspended by this Court for the conviction of an offense for which the law makes automatic the suspension of the Driver's License on the ____ day of _____, 20____;
- That the Defendant has an essential need for a Restricted Occupational License allowing the use of a motor vehicle for the following reasons checked herein below:

____ In the performance of an occupation, trade, or transportation to and from the place where such Defendant practices his occupation, or trade.

____ For transportation to and from an educational facility in which the Defendant is currently enrolled.

____ In the performance of household duties, that the Defendant should be allowed to operate a motor vehicle for the specific reasons found herein above in the following areas or routes of travel:

- That the defendant should be allowed to operate a motor vehicle for the following days and following hours as checked herein below:

___ To and from the locations specified above for not more than four (4) hours per day for ___ days per week on the following days:

___ Due to the necessity (specify the necessity)

the locations specified above for a period not to exceed twelve (12) hours per day for ___ days per week on the following days: _____

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Texas Department of Public Safety, upon receipt of this Order, and all other payments and other requirements provided by law for the issuance of an Occupational Driver's License, be and Said Department, is hereby required to issue a Restricted Occupational License allowing said Defendant to operate a motor vehicle on public roads, and highways at the times, and places set out herein above for the duration of the suspension of his drivers license, unless otherwise modified by this Court.

SIGNED FOR ENTRY THIS THE _____ DAY OF _____, 20_____.

PRESIDING JUDGE

**DATA FOR TEXAS
OCCUPATIONAL DRIVER'S LICENSE**

PRINT OR TYPE:

Full Name: _____
 First Middle Last

Address: _____
 Street Address

 City State Zip Code

Date of Birth			Sex	Color	Color	Weight	Height	Driver License
Month	Day	Year		Eyes	Hair		Pounds	

This is to certify that I am the person named and described here in.

 Usual Signature of Applicant

MAIL TO: Driver Improvement and Control
 Occupational Licence Section
 Texas Department of Public Safety
 Box 4087
 Austin, Texas 78773

INFORMATION BELOW THIS LINE IS FOR DEPARTMENT USE ONLY

DATE OF ISSUE: _____ EXPIRE: _____

DIC-37 (9/83)

ODL: (Rev 06/03-Joe G Rivera- County Clerk)