

Request / Petition for Occupational Driver's License

You may file a petition for Occupational License in this Court if the suspension is not conviction based.

A filing fee of \$46.00 is due at the time you file the petition. You will need to bring \$20.00 (\$10.00 per certified copy X 2 copies) the day of your hearing. If the Occupational License is GRANTED, a certified copy of the Order will be given to you and mailed to DPS.

We accept cash (for the exact amount), check, or money order (Made payable to JP1).

What is required at filing:

- Original Petition for Occupational License
- SR22 (Insurance)
- Copy of your driving record (Type 3)
- Copy of the Order that suspended your license

The petition must be provided in writing and must provide specific information. This form is provided for your convenience. You are not required to use this form, but the information required by law must be provided on the paperwork provided to the Court.

Be accurate and thorough. It is your responsibility to provide ALL information required for this filing. Failure to provide the required information or incomplete/incorrect information may result in a dismissal of the petition.

You can contact The Department of Public Safety for the Drivers Responsibility Program (and order your driving record at:

Mailing Address:

Texas Department of Public Safety
Enforcement and Compliance Service
P.O. Box 4087
Austin, TX 78773-0320

Phone: 512-424-2600
Fax: 512-424-2848
Email: driver.improvement@dps.texas.gov
Web: <http://www.dps.texas.gov/DriverLicense/drp.htm>

When your request is filed with the Court, you will receive a Hearing Notice in the mail with your court date and time. All petitions filed at this location will be heard at this location. 2311 East Lufkin Ave. Lufkin, TX 75901.

The Judge and the Clerks are prohibited from providing legal advice or assisting in completing your paperwork. If you need assistance, please seek out an attorney.

CAUSE NO. _____

EX PARTE

§ IN THE JUSTICE COURT
§
§ PRECINCT NO. 1
§
§ ANGELINA COUNTY, TEXAS

(Name of Petitioner)

PETITION FOR OCCUPATIONAL LICENSE

I, _____ (Name of Petitioner), seek an occupational license from this court based on the information provided below. I swear under oath that the information I provide in this Petition is true and correct. (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.)

Section 1. General Information.

You must complete all applicable sections.

My full name is: _____
First Middle Last

My date of birth is: ____/____/____ The last 4 of my SSN _____.

I am a resident of _____ County, Texas.

My home address is: _____
Street Address

City State Zip

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

City State Zip

My phone number is (_____) _____.

My Texas driver's license number is: _____.

My driver's license is is NOT a Commercial Driver's License (CDL).

Section 2. Reason(s) for Driver's License Suspension.

You must complete all applicable sections.

My driver's license has been automatically suspended as the result of a conviction for Driving While Intoxicated (DWI) in a County or District Court.

My driver's license has been suspended as the result of a physical or mental disability.

If you have checked either of these boxes, the petition for Occupational License cannot be filed in Justice Court.

My driver's license is suspended due to unpaid tickets and/or surcharges.

My driver's license has been suspended for another reason, described below:

Section 3. Essential Need.

You must complete all applicable sections.

(Note: 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. If you attach additional documentation, be sure to check the appropriate box in Section 5 of this petition.)

I am employed, and my occupation is: _____

At: _____
Employer Name and Address

I am the primary caretaker of _____ children less than 16 years of age.

I am the only member of my household who owns, leases, or has access to a motor vehicle.

I am seeking this occupational license in order to *(check all that apply)*:

Travel to and from my place of work, or school, or both;

Perform the duties of my job;

Perform essential household duties.

My work or school schedule is the same every week: I work or attend school during the following hours on the following days of the week *(check all that apply:)*

Monday: from _____ to _____

Tuesday: from _____ to _____

Wednesday: from _____ to _____

Thursday: from _____ to _____

Friday: from _____ to _____

Saturday: from _____ to _____

Sunday: from _____ to _____

- 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.)*

- My job duties include automobile travel. My employer requires me to travel by automobile to perform the following tasks:

- I perform the following essential household duties:

- In order to perform the essential household duties described above, I must travel by automobile during the following hours on the following days of the week *(check all that apply)*:

Monday: from _____ to _____

Tuesday: from _____ to _____

Wednesday: from _____ to _____

Thursday: from _____ to _____

Friday: from _____ to _____

Saturday: from _____ to _____

Sunday: from _____ to _____

In order to travel to school, work, or to perform essential household duties,

I must travel by automobile to or through the following Texas counties (*please fully describe all counties and routes traveled*):

Section 5. Additional Documents.

You must complete all applicable sections.

- I have obtained evidence of financial responsibility, which is attached to my petition.
- I have attached a certified copy of my driving record to this petition.
- I have attached documents which demonstrate my essential need to operate a motor vehicle.
- I have attached a copy of the Court Order/Letter from DPS that suspended my license.
- I have attached other documents, which are described below:

PRAYER

WHEREFORE, PREMISES CONSIDERED, Petitioner prays that this Honorable Court grant this Petition for Occupational License, and to send a copy of 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____.

Notary Public or Clerk of the Justice Court

Note:

This is a Sworn petition. Do not sign until you are in the presence of a Notary Public or Court Clerk.

The New Rules for Civil Procedure and the Texas Property Code are kept for your viewing during normal business hours. Please check with the clerk.

Helpful Resources

Angelina County – www.angelinacounty.net

The State Law Library – <https://www.sll.texas.gov>

Department of Defense Official Servicemembers Civil Relief Act (SCRA) Website - www.dmdc.osd.mil

Texas Constitution and Statutes: www.statutes.legis.state.tx.us

This site provides complete access to all Texas Codes

Texas Secretary of State: <http://www.sos.state.tx.us/corp/publicinfo.shtml>

Texas Supreme Court: www.supreme.courts.state.tx.us

This site provides access to the complete Rules of Civil Procedure and Rules of Evidence

Texas Legislature Online: www.legis.state.tx.us

This site allows the user to track past and pending House and Senate Bills

Kurth Memorial Library: www.kurthmemorallibrary.com

Address: 706 S. Raquet St. .. Lufkin, TX 75904 -- Phone: 936-630-0560

Kurth Memorial Library is open 10am to 7pm on Mondays, 9am to 6pm Tuesday through Thursday, 9am to 5:30 on Friday, and 9am to 1pm on Saturdays.

Call The State Bar of Texas Toll-Free at 1-877-9TEXBAR if you need help locating an attorney, you may be eligible for free or low-cost legal assistance.

Texas Law Help. Org - What is TexasLawHelp.org?

TexasLawHelp.org is a website where low-income Texans can find information about their civil legal issues and find out about free legal assistance in their area. www.TexasLawHelp.org

Legal Services Corporation - <http://www.lsc.gov>

Lone Star Legal Aid Library – 800-354-1889

414 East Pillar St. – Nacogdoches, TX 75961-5511