



OCCUPATIONAL DRIVER'S LICENSE INFORMATION PACKET

ITEMS YOU WILL NEED

1. Notarized petition
2. Copy of Sr-22 insurance
3. Copy of driving record (3 years)
4. Letter of suspension from Austin
5. Filing fee of \$41.00
6. Justice Civil Information Sheet

CAUSE NO. _____

EX PARTE

(Name of Petitioner)

§ IN THE JUSTICE COURT
§
§ PRECINCT _____
§
§ FRIO COUNTY, TEXAS

PETITION FOR OCCUPATIONAL LICENSE

I, _____ *(Name of Petitioner)*, seek an occupational license from this court based on the information provided below. *(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 name is: _____.

My date of birth is: _____.

I am a resident of _____ County, Texas.

My home address is: _____

_____.

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

_____.

My Texas driver's license number is: _____.

I am employed, and my occupation is _____
_____.

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

I have been ordered by a magistrate to install an ignition interlock device on my vehicle, and/or not to operate any vehicle which is not equipped with an ignition interlock device.

I have not been ordered by a magistrate to install an ignition interlock device on my vehicle, and/or not to operate any vehicle which is not equipped with an ignition interlock device.

I have a commercial driver's license.

I do not have a commercial driver's license.

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

You must complete all applicable sections.

My driver's license has been suspended as the result of an arrest for an intoxication-related offense in _____ County, because:

A peace officer requested a sample of my breath or blood and I refused;

or

I provided a sample of my breath or blood, and the sample contained an alcohol concentration greater than 0.08.

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 conviction for a criminal offense in a justice or municipal court. *Please provide information regarding this offense, including the name of the court in which you were convicted, the cause number, and the type of offense, below.*

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

My driver's license has been suspended as the result of a conviction for Racing on a Highway.

My driver's license has been suspended because a court found that I am a "habitual violator of traffic laws."

My driver's license has been suspended because a court ordered me to attend a Driver Education Program and suspended my license for 365 days.

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 seeking this occupational license in order to *(check all that apply)*:
 - Travel to and from my place of work;
 - Perform the duties of my job;
 - Travel to and from school; or
 - Perform essential household duties.

In the space below, provide an address and description for any destination you seek to travel to using an occupational license.

In the space below, fully describe all public transportation options within one mile of any destination described above, including your home, place of work, school, or place where you perform essential household duties. Public transportation options may include bus service, rail service, rural automobile service, ride-sharing services, etc.

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

A member of my household other than me owns, leases, or has access to a motor vehicle. *(Please describe this person's weekly schedule below.)*

I own a bicycle or other means of non-motorized conveyance, described below.

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;

Travel to my place of work;

- Perform my job duties; or
- Travel to the place I 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 4. Suspension History

You must complete all applicable sections.

My driver's license has previously been suspended for:

- A second or subsequent conviction for Driving While Intoxicated (Section 49.04, Texas Penal Code); Intoxication Assault (Section 49.07, Texas Penal Code), or Intoxication Manslaughter (Section 49.08, Texas Penal Code), committed within five years of a previous conviction for Driving While Intoxicated (Section 49.04, Texas Penal Code); Intoxication Assault (Section 49.07, Texas Penal Code), or Intoxication Manslaughter (Section 49.08, Texas Penal Code).

In the past five years, my license has been suspended for:

- A refusal to submit to the taking of a breath or blood specimen following an arrest for an offense prohibiting the operation of a motor vehicle or an offense prohibiting the operation of a watercraft while intoxicated, under the influence of alcohol, or under the influence of a controlled substance.
- An analysis of a breath or blood specimen showing an alcohol concentration of .08 or above, following an arrest for an offense prohibiting the operation of a motor vehicle or watercraft while intoxicated.
- A conviction for Driving While Intoxicated (Section 49.04, Texas Penal Code); Intoxication Assault (Section 49.07, Texas Penal Code), or Intoxication Manslaughter (Section 49.08, Texas Penal Code).
- A conviction for an offense other than Driving While Intoxicated (Section 49.04, Texas Penal Code); Intoxication Assault (Section 49.07, Texas Penal Code), or Intoxication Manslaughter (Section 49.08, Texas Penal Code) prohibiting the operation of a motor vehicle or watercraft while intoxicated, under the influence of alcohol, or under the influence of a controlled substance.

Section 5. Additional Documents.

You must complete all applicable sections.

- I have obtained evidence of financial responsibility, which is attached to my petition. *(Note: You may not be issued an occupational license unless you obtain evidence of financial responsibility.)*

I have attached a certified copy of my driving record to this petition. *(Note: the court cannot grant your petition without reviewing your driving record.)*

I have attached documents which demonstrate my essential need to operate a motor vehicle.

I have attached other documents, which are described below:

___ SR-22 insurance

___ Form DIC-37

___ DPS suspension letter

___ Defendant's driving record

___ Justice Court Civil Case Information Sheet

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

WHAT IS AN SR-22?

SR-22 (insurance)

In the United States, an **SR-22** is a vehicle liability insurance document used by some state Department of Motor Vehicles (DMV) offices. It provides proof that a driver has the minimum required insurance liability insurance coverage for a particular state.

A DMV may require an SR-22 from a driver in order to reinstate his or her driving privileges following an uninsured car accident or conviction of another traffic related offense, such as Driving While Intoxicated (DWI). For drivers who require SR-22 documentation, but do not own a vehicle, the state may require such drivers to obtain and provide proof of non-owner SR-22 policy to be eligible for reinstated driving privileges. If an SR-22 should expire or be canceled, the insurance will no longer be in effect.

JUSTICE COURT CIVIL CASE INFORMATION SHEET (4/13)

CAUSE NUMBER (FOR CLERK USE ONLY): _____

STYLED _____
 (e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones;
 In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition is filed to initiate a new suit. The information should be the best available at the time of filing. This sheet, required by Rule of Civil Procedure 502, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

CONTACT INFORMATION FOR PERSON COMPLETING CASE INFORMATION SHEET:	*** ***	NAMES OF PARTIES IN CASE:
NAME: _____	TELEPHONE: _____	PLAINTIFF(S): _____
ADDRESS: _____	FAX: _____	_____
CITY/STATE/ZIP _____	STATE BAR NO. _____	DEFENDANTS(S) _____
EMAIL: _____	_____	_____
SIGNATURE _____	_____	[ATTACH ADDITIONAL PAGE AS NECESSARY TO LIST ALL PARTIES]

INDICATE CASE TYPE, OR IDENTIFY THE MOST IMPORTANT ISSUE IN THE CASE(SELECT ONLY):

___ DEBT CLAIM: A debt claim is a lawsuit brought to recover a debt by an assignee of a claim, a debt collector or collection agency, a financial institution, or a person or entity primarily engaged in the business of lending money at interest. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including Attorney fees if any.	*** *** *** *** *** *** *** ***	___ EVICTION: An eviction case is a lawsuit brought to recover possession of real property, often by a landlord against a tenant. A claim for rent may be joined with an eviction case if the amount of rent due and unpaid is not more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.
___ REPAIR AND REMEDY: A repair and remedy case lawsuit filed by a residential tenant under Chapter 92, Subchapter B of the Texas property Code to enforce the landlord's duty to repair or remedy a condition materially affecting the physical health or safety of an ordinary tenant. The relief sought can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees if any.	*** *** *** *** *** *** *** ***	___ SMALL CLAIMS: A small claims case is a lawsuit brought for the recovery of money damages, civil penalties, personal property, or other relief allowed by law. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any. (OCCUPATIONAL LICENSE, ORDER OF RETRIEVAL, and TRUANCY CASES to be reported in Small Claims).

FRIO COUNTY
FILING FEE SCHEDULE
FOR CIVIL SUITS

Submit one original petition plus an additional copy for each defendant.

	<u>FILING FEES</u>	<u>IND. FEES</u>	<u>EFILING FEES</u>	<u>SERV. FEES</u>	<u>TOTAL</u>
<u>Small claims:</u>					
Defendant in Frio Co.	25.00	6.00	10.00	90.00	131.00
2 Defendants	25.00	6.00	10.00	180.00	221.00
Defendant resides out of county	25.00	6.00	10.00	MUST CALL COUNTY FOR FEE**	41.00
<u>Evi ctions:</u>					
Forci ble detainer (evi ction)	25.00	6.00	10.00	90.00	131.00
<u>Repair and Remedy Case</u>	25.00	6.00	10.00	90.00	131.00
<u>Occupati on Driver' s License</u>	25.00	6.00	10.00		41.00
<u>Order of Retrieval</u>	25.00	6.00	10.00	90.00	131.00
Jury Fee	22.00				22.00
Abstract of judgment	5.00				5.00
Wri t of Executi on	5.00			90.00	95.00
Wri t of Possessi on	5.00			90.00	95.00
Wri t of Garni shment	5.00			90.00	95.00
Wri t of Sequestrati on	5.00			90.00	95.00
Subpeona—service fee for each witness residing in Frio County Plus Witness fee, a "tender"(ten dollars cash) to attach to each subpoena					75.00
Subpeona Duces Tecum-witness fee (ten dollars cash) plus Production Documents fee (one dollar in cash) to attach to each subpoena					
Certi fied copies (fi rst page)					2.00
Each addi ti onal page					.25
Copyi ng all other documents (fi rst page)					1.00
Each addi ti onal page					.25
Transcript(required for Appeal to County Court)					10.00

****NOTE: IF THE DEFENDANT'S ADDRESS IS NOT IN FRIO COUNTY, THE PLAINTIFF WILL BE CHARGED FOR FILING AND ISSUED THE CITATION FOR PROCESS. IT WILL BE THE PLAINTIFF'S RESPOSIBILITY TO FIND OUT WHAT COUNTY THE DEFENDANT'S ADDRESS IS IN AND THE SERVICE FEE FOR THAT COUNTY****

FEES PAYABLE BY MONEY ORDERS ONLY. MADE PAYABLE TO THE PROPER COURT