

If your license was suspended, but you need to drive...you can ask the court for an occupational driver's license if:

- You do not have access to public transportation, and
- You need to drive to work or school or for essential household duties.

An **occupational driver's license (ODL)** is a restricted license that lets you drive at certain times, on specific days, under certain conditions. (See Texas Transportation Code, Chapter 521 and 601).

How do I ask for an occupational driver's license?

Fill out these forms:

- Copy of a valid SR22 certificate from your motor vehicle insurance company
- *Petition for Occupational Driver's License* and

The *Petition* asks you to explain why you have an essential need to drive. This means you need to drive to:

- do your job,
- get to and from work or school, or
- do essential household duties.

Where do I take my completed forms?

If your license was suspended because of a DUI (Driving under the influence) conviction, take your *Petition* to the clerk in the same county where you were convicted. (Do **not** sign it until you are in front of a notary or the clerk)

If your license was not suspended because of a DUI, file the *Petition* at the county clerk's office or the district clerk's office or the justice court in the county where you live or where your license was suspended.

Can anyone get an occupational driver's license?

No. you cannot get an ODL if:

- your license was suspended because of a mental or physical disability,
- you need it to drive a commercial motor vehicle, or
- the judge thinks you do not have an essential need or is worried about public safety.

Do I have to go to a court hearing?

Yes. You must go to your hearing and explain why you have an essential need to drive. You must also take a certified copy of your driving record. (Ask for this at the *Texas Department of Public Safety*)

The judge may ask you why public transportation and getting rides from friends and relatives does not meet your needs.

Will the state have a lawyer against me?

Yes, if your license was suspended because of:

- a criminal homicide, DUI, intoxication assault, intoxication manslaughter, or
- you were under 21 **and** your license was suspended according to *Texas Transportation Code 521.342*

The state lawyer may try to convince the judge to not give you a license. The judge will listen to both sides and make a decision.

What to expect at my court hearing?

If the judge does not sign the order, you will not get an occupational driver's license.

If the judge decides to let you drive, s/he will sign the order and mark the restrictions.

Warning! You must follow the judge's restrictions, or you will lose your occupational driver's license and face criminal charges.

Need help?

Talk to a lawyer. To find one, call your local lawyer referral service.