

## Occupational License

Beginning on September 1, 2013, the Erath County Justice Court will accept petitions for occupational driver's licenses under certain circumstances. A person whose license has been suspended for a cause other than a physical or mental disability or impairment or a conviction for driving while intoxicated, may apply for an occupational license by filing a verified petition with the clerk of a justice, county, or district court with jurisdiction that includes the precinct or county in which (1) the person resides, or (2) the offense occurred for which the license was suspended.

However, a verified petition may be filed only with the clerk of the court in which the person was convicted if (i) the person's license was automatically suspended or canceled for a conviction of an offense under the laws of Texas, and (ii) in the 10 years preceding the date of filing the petition, the person has not been issued more than one occupational license after a conviction.

The petition must describe in detail the person's essential need for the occupational driver's license. If the license was suspended for a conviction, the petition must state that the person was convicted in the court in which the petition is filed for an offense under the laws of Texas.

Information about an occupational license is available from the Texas Department of Public Safety, at <http://www.txdps.state.tx.us/DriverLicense/OccupationalLicense.htm> and from TexasLawHelp.org, a project of Texas Legal Services Center supported by the Texas Access to

Justice Foundation, among others,  
at <http://texaslawhelp.org/resource/occupational-drivers-license>.

Frequently Asked Questions about filing for an occupational drivers license are available at  
[http://texaslawhelp.org/files/685E99A9-A3EB-6584-CA74-137E0474AE2C/attachments/847C34B6-D02C-481F-B6F6-11A0AEB071F2/odl\\_info\\_final.pdf](http://texaslawhelp.org/files/685E99A9-A3EB-6584-CA74-137E0474AE2C/attachments/847C34B6-D02C-481F-B6F6-11A0AEB071F2/odl_info_final.pdf)

Petition. A form Occupational Drivers License in Texas Petition is available at  
<http://texaslawhelp.org/resource/occupational-drivers-license-in-texas-petitio>. The petition must set out in detail your essential need for the occupational license.

Filing Fee. The fee to file a Petition for Occupational Drivers License in the Justice Court is \$41.00. The filing fee is payable in cash or by cashier's check or money order payable to the Justice of the Peace.

### **Certified Abstract of Driving Record (Type AR).**

Immediately on filing a petition for an occupation drivers license, you must order a **certified abstract of your complete driving record (type AR)**. A certified 3-year History record (Type 2A) or a Certified List of All Accidents and Violations in Record (Type 3A) will not be sufficient. To order a **certified abstract of your driving record (type AR)**, you may use the Texas Department of Public Safety (DPS) Online Driver Record Request System, at  
<https://txapps.texas.gov/tolapp/txldrcdr/TXDPSLicenseeManager>.

Form DR-36, Request for a Certified Abstract of a Driver Record, is also available online at <http://www.txdps.state.tx.us/InternetForms/Forms/DR-36.pdf>.

Evidence of Financial Responsibility. At the hearing on your petition for an occupational drivers license, in addition to the Certified Abstract of your Driving Record, you must provide evidence of financial responsibility in accordance with the Texas Motor Vehicle Safety Act, Chapter 601, Texas Transportation Code. Information about the Financial Responsibility Insurance Certificate (SR-22) is available at <http://www.txdps.state.tx.us/DriverLicense/SR22InsuranceCertificate.htm>.