

## **OCCUPATIONAL DRIVER'S LICENSE INFORMATION AND PROCEDURE:**

**(For additional information you may contact DPS at 512-424-2600 or online at <https://www.dps.texas.gov/DriverLicense/OccupationalLicense>)**

### **WHAT IS AN OCCUPATIONAL DRIVER'S LICENSE (ODL)**

An occupational license, also called an essential need license, is a special type of restricted license issued to individuals whose driver license has been suspended, revoked or denied for certain offenses other than medical or delinquent child support.

**NOTE:** Individuals may still qualify for an occupational license even if their driver license has been suspended for surcharges.

An occupational license authorizes the operation of a non-commercial motor vehicle in connection with an individual's:

1. Work,
2. School-related activities, or
3. Performance of essential household duties.

### **HOW MAY I REQUEST AN OCCUPATIONAL DRIVER'S LICENSE (ODL)**

Requests for an occupational license must be made to the Justice of the Peace, county or district court where the individual lives or to the court of original jurisdiction where the offense occurred.

If the Justice of the Peace, county or district court determines the individual is eligible to apply for an occupational license, then a court order will be issued. The court order is not the occupational license. A court order is only the order which authorizes the Department of Public Safety (DPS) to issue the occupational license.

An application, also known as a petition, is available for free from the Travis County Law Library and can be found at [TexasLawHelp.org](http://TexasLawHelp.org). Please consult with your local court before submitting to ensure this petition will be acceptable for the issuance of the court order.

### **HOW LONG DOES IT TAKE FOR THE ODL TO BE ISSUED**

The court order and all required items must be submitted to DPS before an occupational license will be issued. The court order may be used as a driver license for 45 days from the date of the judge's signature while the request for an occupational license is processed.

## **JP2 INFORMATION ON OCCUPATIONAL DRIVER'S LICENSE (ODL)**

The applicant must file the following:

1. A Petition for Occupational Driver's License (ODL). (A form is available at <http://texaslawhelp.org/resource/occupational-drivers-license-in-texas-petition>.)
2. An SR-22 insurance form. Your insurance agent may assist you with this or you may go to <http://www.txdps.state.tx.us/DriverLicense/SR22InsuranceCertificate.htm>.
3. A letter from the applicant's employer regarding the need to drive. If the applicant is retired, disabled, or on public assistance, a sworn affidavit of status, with proof, may substitute for an employer's letter.
4. A certified copy of applicant's driving record (**Type AR-Certified Abstract of Driving Record**) from the Texas Department of Public Safety, which may be obtained at <http://www.txdps.state.tx.us/DriverLicense/driverrecords.htm>
5. A copy of the order suspending the applicant's driver's license.
6. School schedule (if applicant is a student)
7. A printout that states the total amount owed for reinstatement fees (which may be obtained at <http://txapps.texas.gov.txapp/txdps/dleligibility/login.do>).
8. A receipt showing reinstatement fees have been paid (as shown on print out – which may be obtained at <http://txapps.texas.gov.txapp/txdps/dleligibility/receipt.do>).
9. A certified copy of the applicant's criminal history. ([www.dps.texas.gov](http://www.dps.texas.gov))
10. **\$46.00** for filing fees

*NOTE: Bring two complete copies of all the above documents you are filing with the Court .*

A hearing will be set once **all the above** have been submitted. The application will be **INCOMPLETE** and delayed if any of the above items (1 through 10) are not submitted.

After the hearing, **the applicant** will be required to file certain items with DPS for the issuance of an occupational driver's license. (Contact DPS at 512-424-2600 or online at <https://www.dps.texas.gov/DriverLicense/OccupationalLicense> for information regarding the required items.)

\*An occupational driver's license cannot be issued to drive a commercial vehicle.

**Notice:** *This procedure can be complicated. The Judge and the court staff are prohibited by law to assist in preparing the application or the procedural steps that will be required after the Judge signs the order. It may be beneficial to consult with an attorney if legal advice or further assistance is needed.*