

COLLIN COUNTY COURT AT LAW 5
GUIDELINES FOR APPLICANTS FOR OCCUPATIONAL DRIVER'S LICENSE

It is imperative that you have everything you need for your petition and the hearing and that your petition fully complies with the law. Otherwise, you risk wasting your time and the time of the other participants, including the clerk's time and the court's time.

Petitioners, please read the following instructions carefully before filing your petition, paying a filing fee or requesting a hearing!

1. Occupational Driver's License (ODL) petitions must be "verified" and, as of September 2023, must:
 - 1) set forth in **detail** the petitioner's **essential need**, including a description of the hours and location of essential travel (regardless of whether an interlock ignition device is required);
 - 2) describe the reason for the petitioner's license suspension, revocation, or cancellation;
 - 3) provide evidence of the petitioner's financial responsibility in accordance with Chapter 601 [the court requires an **SR-22**; insurance must cover the **entire** period of suspension]; and
 - 4) include a DPS "**certified abstract**" of the petitioner's "**complete**" driving record [see CCL5 website link: [ODL Driving Record Request Information](#)]. [TTC §521.2421(d)]

Your petition will not be granted if it does not satisfy all of these requirements.

2. Proof of having an "**interlock ignition device**" ("**IID**") installed on your car is required if (1) you are currently under an order restricting you to the operation of a motor vehicle equipped with an IID (including an order imposed as a condition of bond) or (2) your license has been suspended, revoked, or canceled after a conviction for an offense under Sections 49.04-49.08, Penal Code. [TTC 521.246(a)] You should obtain and complete the necessary paperwork, such as the Ignition Interlock Affidavit, prior to the hearing. The Court will **not** issue an ODL **until** the device is properly installed on the vehicle. Accordingly, it is advisable to have the device already installed on your vehicle if you expect to obtain a license on the date of your hearing. Be advised there may be other situations in which the Court may require an IID (e.g., applicant was under the age of 21 at the time license was suspended, canceled or revoked; applicant has a prior conviction for an alcohol offense).

3. The court will not grant an ODL if your license was denied, suspended, canceled or revoked because of a physical or mental disability or nonpayment of child support, or if the Texas Department of Public Safety has found you to be incapable of safely operating a motor vehicle.

4. The petition must be filed in the proper court.

5. If your license has been automatically suspended, revoked or canceled under TTC 521, Subchapter O or P as the result of a conviction, the petition should be filed in the Court in which the petitioner was convicted. If not, the Court must dismiss the petition for lack of jurisdiction. [TTC §521.2421(b) and TTC §521.2422]

6. The court requires that the results of a recent substance abuse evaluation be provided before or at the hearing.

7. All applicants will be ordered to abstain from the use of alcohol and illegal drugs. Urinalysis or other testing may be required.

8. Examples of petition and order forms may be found at:

<https://www.collincountytx.gov/Courts/County-Courts-at-Law/Documents/Petition-for-Occupational-Driver%27s-License.pdf>

<https://www.collincountytx.gov/Courts/County-Courts-at-Law/Documents/Order-for-Occupational-Driver%27s-License.pdf>

If you have not already done so, it is recommended that you review the other information regarding Occupational Driver's Licenses which is available on the Court's website.

<https://www.collincountytx.gov/Courts/County-Courts-at-Law/court-5>