



**JUDGE GARY D. JANSSEN**  
*JUSTICE OF THE PEACE*  
**PRECINCT ONE – PLACE ONE**  
**FORT BEND COUNTY, TEXAS**

**Occupational Driver's License Petition Requirements**

1. Petition by Applicant for Occupational Driver's License
2. Letter from employer as to type of work performed, hours and place of employment, and necessity to drive a motor vehicle. If a student, you must provide a class schedule from the school of attendance.
3. SR-22
4. Certified Abstract (Type AR) Driving Record
5. Court Costs in the amount of \$51.00 due at the time of filing (cash, cashier's check, or money order).

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To purchase your Certified Abstract (Type AR) Driving Record on line, please visit the DPS website:

<http://dps.texas.gov/DriverLicense/driverrecords.htm>

To purchase your Certified Abstract (Type AR) Driving Record by mail, please visit the DPS website:

<http://dps.texas.gov/InternetForms/Forms/DR-1.pdf>

When the above documents are provided to the court, the Prosecutor and Judge will review your case.

It is NOT necessary for you to be here for the review.

You will be contacted after the review to pick up a certified copy of the Order (copy fees will apply), or if necessary, notifying you of a hearing date and time to appear in our court.

**3114 Rosenberg Street**  
**Needville, Texas 77461**  
**979-793-3403 or 832-471-2550**  
**Fax 832-471-1859**  
**JP1-1ODL@fortbendcountytexas.gov**

Texas Transportation Code Sec. 521.242 states that a person may petition the court for an Occupational Driver License under certain circumstances. The law does not state the judge must grant the petition. Judge Janssen reviews each petition carefully before determining whether the petition should be granted. Many times, an Occupational Driver License is not necessary because a license can be obtained by paying surcharges and/or a reinstatement fee. For information related to license reinstatement and payment options for surcharges, please visit the link below:  
<https://www.txdps.state.tx.us/DriverLicense/OccupationalLicense.htm>

Licenses may be suspended for administrative purposes or as the result of a conviction. The court where the conviction was entered has jurisdiction over cases where a license was suspended as a result of a conviction. A Local Rule in the Fort Bend County Justice Courts provides that Judge Janssen will hear all occupational license petitions filed in any Justice Court in Fort Bend County. Therefore, Judge Janssen will consider petitions where a license has been suspended as the result of a conviction in a Justice Court. Municipal Courts do not have the authority to issue occupational licenses, thus Judge Janssen will also consider petitions for a license that was suspended as a result of a conviction in a Municipal Court.

Judge Janssen will consider petitions for an occupational license when the license has been administratively suspended, if the Petitioner is a resident of Fort Bend County or if the administrative suspension resulted from a violation that occurred in Fort Bend County. (Example: An administrative suspension due to a refusal to provide a blood/breath sample or for a failed breath/blood test that was administered in Fort Bend County.)

An occupational license may not be issued that allows a driver to operate a motor vehicle for more than 4 hours unless the court finds from the evidence that an essential need exists. In those cases, a license can be issued that allows a driver to operate a motor vehicle for up to 12 hours in a day. A petition must state the essential need to operate a motor vehicle and the days and hours that are being requested.

A suspension resulting from an alcohol related contact may require the installation of an interlock device on any vehicle that will be operated by the Petitioner. An interlock device allows the driver to operate a vehicle without any time/day/place

restrictions. Therefore, a petitioner that has an interlock device is not restricted to the number of hours or places that a vehicle may be operated.

Completed petitions containing all the necessary information will be reviewed and granted without a hearing. Incomplete petitions will require a hearing to determine the necessary information. Occupational Driver License hearings are usually held at 9:00 A.M. every Wednesday.

Judge Janssen cannot issue an Occupational Driver License that allows a driver to operate any vehicle for which a commercial driver license is required.

**You may submit this fully completed petition directly to us along with all the requirements by clicking on the “Submit by Email” button below; however, it will not be filed until payment is submitted.**

CAUSE NO. \_\_\_\_\_

EX PARTE

§ IN THE JUSTICE COURT  
§  
§ PRECINCT ONE, PLACE ONE  
§  
§ FORT BEND COUNTY, TEXAS

\_\_\_\_\_  
(Name of Petitioner)

**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. (check all that apply)*

My name is: \_\_\_\_\_

My date of birth is: \_\_\_\_\_

I am a resident of \_\_\_\_\_ County, Texas.

My home address is: \_\_\_\_\_  
\_\_\_\_\_

My phone number is: \_\_\_\_\_

My mailing address (if different than above) is: \_\_\_\_\_  
\_\_\_\_\_

My Texas driver's license number is: \_\_\_\_\_

The last four numbers of my Social Security Number are: \_\_\_\_\_

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. (check all that apply)*

- My driver's license has been suspended as the result of an arrest for an intoxication-related offense in \_\_\_\_\_ County on (date) \_\_\_\_\_, 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.
  - I prefer to have restrictions on when and where I am allowed to drive rather than have an Ignition Interlock Device on my car.
  - I prefer to have no restrictions on the times and places I am allowed to drive, even if it requires that I install an Ignition Interlock Device.
- 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.*

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- 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 because I owe surcharges.
- My driver's license has been suspended for another reason, described below:

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### **Section 3. Previous Occupational Driver's License**

*You must complete all applicable sections.*

In the last ten years I have:

- Never** been issued an Occupational Driver's License
- Been issued **one** Occupational Driver's License
- Been issued **more than one** Occupational Driver's License

## Section 4. Essential Need

*You must complete all applicable sections. (check all that apply)*

*(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 6 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.*

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- 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.)*

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

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- 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 \_\_\_\_\_

**Or:**

- 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.)*

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- My job duties include automobile travel. My employer requires me to travel by automobile to perform the following tasks:

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- I perform the following essential household duties:

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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*):

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## Section 5. 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, Penal Code); Intoxication Assault (Section 49.07, Penal Code), or Intoxication Manslaughter (Section 49.08, Penal Code), committed within five years of a previous conviction for Driving While Intoxicated (Section 49.04, Penal Code); Intoxication Assault (Section 49.07, Penal Code), or Intoxication Manslaughter (Section 49.08, 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, Penal Code); Intoxication Assault (Section 49.07, Penal Code), or Intoxication Manslaughter (Section 49.08, Penal Code).
- A conviction for an offense other than Driving While Intoxicated (Section 49.04, Penal Code); Intoxication Assault (Section 49.07, Penal Code), or Intoxication Manslaughter (Section 49.08, 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.
- None of the above



**I declare under penalty of perjury that the foregoing is true and correct.**

Executed in \_\_\_\_\_ County, State of \_\_\_\_\_,  
on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
Month Year

\_\_\_\_\_  
Petitioner's "Declarant" Signature