

Occupational or Essential Need Licenses

Supplemental Local Court Rule

October 9, 2015

Effective immediately, the Supplemental Local Court Rule of August 22, 2013, pertaining to Occupational or Essential Need Licenses is hereby rescinded, and the County Courts at Law adopt the following policies regarding occupational or essential need license applications filed in the McLennan County Courts at Law, subject to the discretion of the Court in individual cases.

1. All applications must precisely specify (a) the reason(s) for the current suspension(s) from which relief is being sought, and (b) the ending date of the suspension;
2. No application will be considered without (a) proof of liability insurance (SR 22) or financial responsibility as required by law; (b) a certified 3 year driving record for the applicant; and, c) proof of service of citation and notice of hearing upon the State, or an appropriate waiver of service and notice;
3. When the suspension is pursuant to Texas Transportation Code section 724.035 for failure to provide a breath sample, an ignition interlock device will be mandatory for the full period of suspension;
4. When the suspension is the result of a conviction under sections 49.04 - 49.08 of the Texas Penal Code, operation of a motor vehicle will be restricted to a vehicle equipped with an ignition interlock device for the full period of suspension;
5. If the applicant has previously received a) an occupational or essential need license following a failure to provide a breath sample, or b) a conviction under sections 49.04 - 49.08, Texas Penal Code, an interlock device will be mandatory for the full period of suspension;
6. All proposed orders must be in the form supplied by the Courts and provided for download on the Courts' website;
7. All petitions for an occupational license or an essential need license must be scheduled for a formal hearing with the office of the court administrator, with notice in writing to the office of the McLennan County Criminal District Attorney.

Signed on: August 22, 2013

Mike Freeman, Judge
County Court at Law

Brad Cates, Judge
County Court at Law Number
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