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INSTRUCTIONS

- I. File Petition, along with SR-22 (Copy)
- II. Petition must contain: (from Standing Requirements sheet)
 - a. That charge or refusal occurred in Wilson County or notice to other County.
 - b. Requirement # 2
- III. Order must include the following: (from Standing Requirements sheet)
 - a. Requirement #3
 - b. Requirement #4
 - c. Requirement #5
- IV. Prior to setting hearing, please submit proposed order to the Wilson County Attorney's Office for Review and Waiver. (Waivers are provided by the Wilson County Clerk's Office, however your own waiver may also be submitted)
- V. You have the responsibility to coordinate the hearing date with the Wilson County Clerk's Office at (830) 393-7308. The Clerk will coordinate said hearing with the Wilson County Attorney's Office and Wilson County Judge's Office to insure that they will be available for signature.
(If waiver has not been signed)

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26 July 2005

**STANDING REQUIREMENT FOR APPROVAL OF
OCCUPATIONAL DRIVERS LICENSE WITHOUT CONTESTED HEARING**

This office will not generally seek a contested hearing of an Application for an Occupational Driver's License under the following circumstances:

1. The criminal charge or refusal to submit a specimen of breath or blood for testing while under arrest for DWI is within the jurisdiction of the Wilson County Court. Felonies or out of County charges will be opposed unless the prosecutor who has jurisdiction over that matter is notified of the application and given an opportunity to respond.
2. The application identifies the driver by name, age, date of birth, place of residence, social security number and driver's license number.
3. The proposed order allows the drivers to drive no more than 12 hours (in one or more periods) a day, specifies what counties may be driven in, and specifies what reasons the driver may drive for.
4. The proposed order requires the driver to submit to an alcohol dependence program approved by the Court and submit proof of attendance not less than quarterly if the license was suspended for refusal to submit to a breath or blood alcohol test while under arrest for suspicion of DWI.
5. The proposed order has the following conditions:

“The driver may not operate a motor vehicle with any detectable amount of alcohol in his or her body, or with an open container of an alcoholic beverage in the vehicle.”

“The driver will submit to field sobriety, portable breath tests and breath or blood alcohol tests if requested by a peace officer who has stopped or detained the driver on suspicion of DWI, or of violating a condition of this occupational license.”

“The driver will not commit any offense (except Class C misdemeanor traffic violations) while operating a motor vehicle during the time this occupational license is in effect.”

“The driver will maintain a copy of this complete order for an occupational drivers license whenever operating a motor vehicle and will show it to any peace officer who requests identification, in addition to any other drivers license provided by DPS.”

Russell Wilson