

Occupational Licenses Eligibility

- 1) Do you have a Texas driver's license?
 - a. **Yes.** Proceed to question 2
 - b. **No.**
 - i. Are you **ineligible** to obtain a driver's license because of a suspension order (including an order due to a conviction, or an order under Chapter 524 (Administrative Suspension for failure to pass test for intoxication) or Chapter 724 (Administrative Suspension for refusal to submit to taking of a specimen for testing for intoxication)?
 1. **Yes.** – You are **eligible** for an Occupational License
 2. **No.**
 - a. Are you **ineligible** to obtain a Texas driver's license because you hold a driver's license issued by another state or country that was suspended, revoked, or canceled for a cause other than a physical or mental disability or impairment?
 - i. **Yes** – You are **eligible** for an Occupational License
 - ii. **No** – You are **ineligible** for an Occupational License
- 2) Where to apply for an Occupational License?
 - a. Is your license suspended, revoked, or cancelled due to a conviction for the following:
 - an offense under Section 19.05, Penal Code, committed as a result of the holder's criminally negligent operation of a motor vehicle; [**Criminally Negligent Homicide**]
 - an offense under Section 38.04, Penal Code, if the holder used a motor vehicle in the commission of the offense; [**Evading Arrest or Detention**]
 - an offense under Section 49.04, 49.045, or 49.08, Penal Code; [**Driving While Intoxicated, Driving While Intoxicated with Child Passenger, Intoxication Manslaughter**]
 - an offense under Section 49.07, Penal Code, if the holder used a motor vehicle in the commission of the offense; [**Intoxication Assault**]
 - an offense punishable as a felony under the motor vehicle laws of this state;
 - an offense under Section 550.021; [**Accident Involving Personal Injury or Death**]
 - an offense under Section 521.451 or 521.453; or [**Allowing Fraudulent Use of License, or Fictitious License**]
 - an offense under Section 19.04, Penal Code, if the holder used a motor vehicle in the commission of the offense. [**Manslaughter**]
 - an offense under the **Controlled Substances Act**
 - a **felony drug offense**

- a **misdemeanor drug offense**, if the person has been previously convicted of a drug offense committed less than 36 months before the commission of the instant offense; or
- a **felony under Chapter 481, Health and Safety Code**, that is not a drug offense
 - i. **Yes** – May apply by filing verified petition only with clerk of the court in which the person was convicted
 - ii. **No** – May apply by filing verified petition with the clerk of a justice, county, or district court with jurisdiction that includes the county in which your reside, where the incident occurred for which the license was suspended, revoked, or cancelled, or with the court that issued the order to suspend, revoke, or cancel.