

Occupational Driver's Licenses

A. What is an Occupational Driver's License (ODL)?

When a person's driver's license or privilege is suspended, that person might qualify for a special license that allows them to drive during the period of the suspension. This license is called an occupational driver's license (ODL).

- An ODL serves as a valid license for the period that the person's regular license is suspended.
- An ODL has restrictions that a regular license does not have.
- An ODL may not be used to operate a commercial motor vehicle (CMV), but someone who holds a commercial driver's license (CDL) could get an ODL to drive a vehicle that is not a CMV.

B. What is an ODL Proceeding?

A person whose license has been suspended may be able to file an application for an ODL in a justice court. Whether or not they may do so depends upon the reason for the suspension (discussed below).

If the application may be filed in a justice court, then the justice of the peace must determine whether or not to issue an order granting the ODL and what terms and conditions should be included in the order. If an order granting an ODL is entered and all other DPS requirements are met (see page 87), DPS will issue an ODL to the applicant.

C. Filing Fees

An applicant for an ODL must either pay the filing fee that the court charges for filing a civil action or file a Statement of Inability to Afford Payment of Court Costs. If a Statement of Inability is filed, the court may hold a hearing to determine the person's ability to afford payment of the filing fee, either at the same time as the determination of essential need, or in a separate hearing. If the court determines that the person can afford payment, an ODL may not be granted until the filing fee is paid. Transportation Code § 521.2422.

D. Who Is Eligible for an ODL and Where Do They File the Application?

- **Do They Have a License That Has Been Suspended/Expired, Revoked, or Canceled?**
 - i. To be eligible for an ODL a person must:
 1. have a driver's license that has been suspended, revoked, or canceled (meaning they can't just go to the DMV and get a license) for any cause other than physical or mental disability or impairment, or a determination by DPS that the person is incapable of safely operating a motor vehicle;
 2. not currently have a driver's license (includes situations where the person never has had a license or had one that is now expired) and be ineligible to obtain a license due to a suspension order; or
 3. be ineligible to obtain a Texas license because the person holds 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.