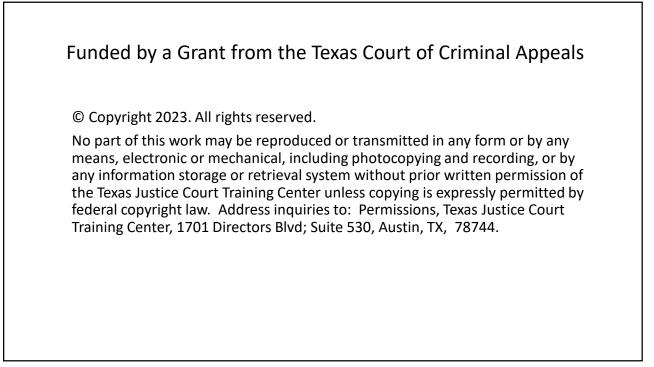


ODL Update: Application & Orders

Rebecca Glisan Director of Curriculum & Staff Attorney Texas Justice Court Training Center







Agenda

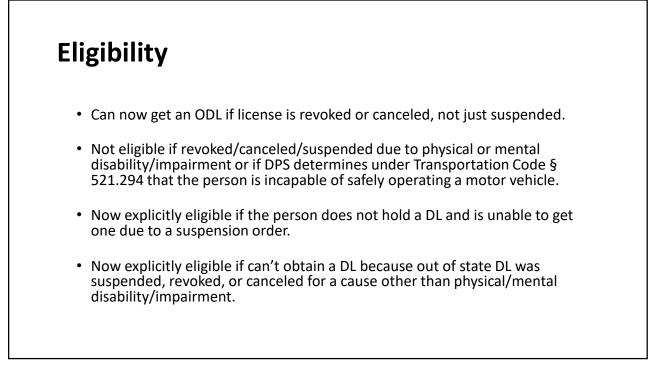
- 2023 Legislative Changes Related to ODL Procedures
- Scenarios and Discussion



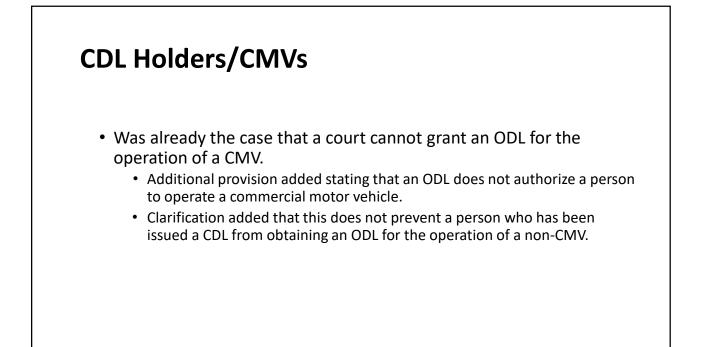
Flowchart Activity

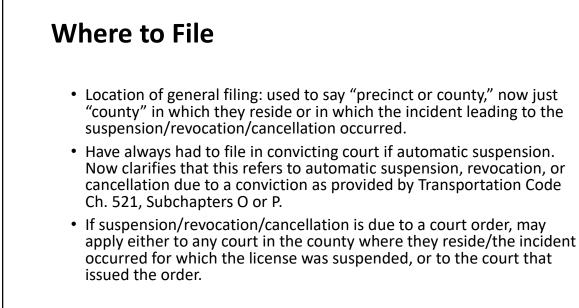
In groups, look at the newly updated ODL flowcharts and list as many changes as you can find from the 2023 legislative session.

Legislative Changes 2023 legislative changes to Transportation Code Ch. 521, Subchapter L Multiple changes to the ODL procedures – discussed on the following slides. "Occupational license" changed to "occupational driver's license"

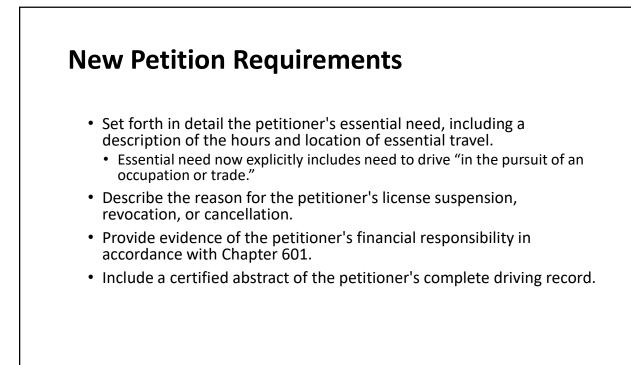


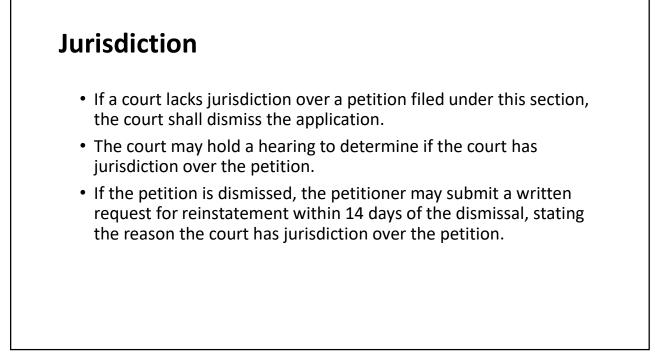




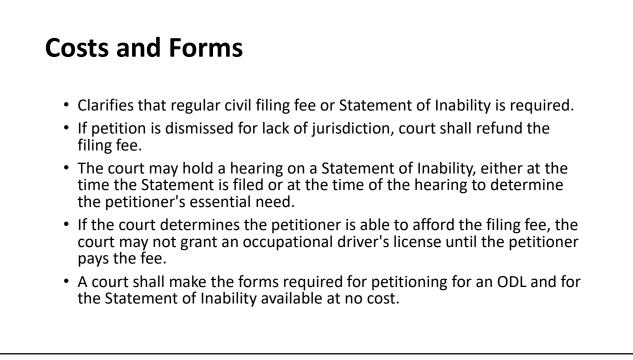


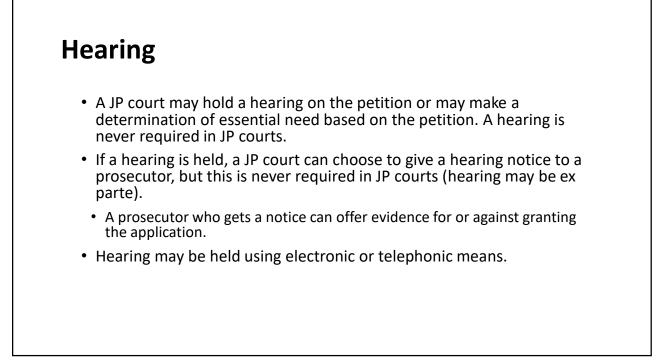




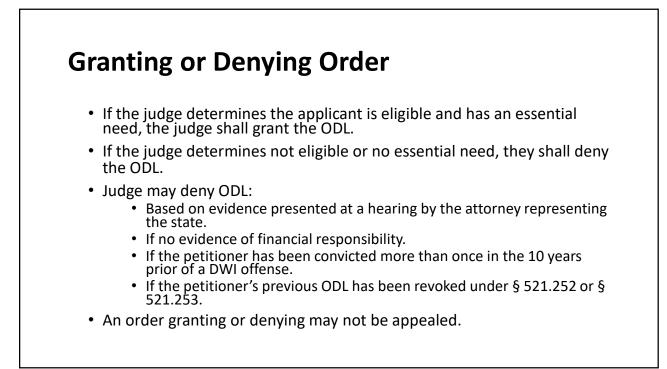


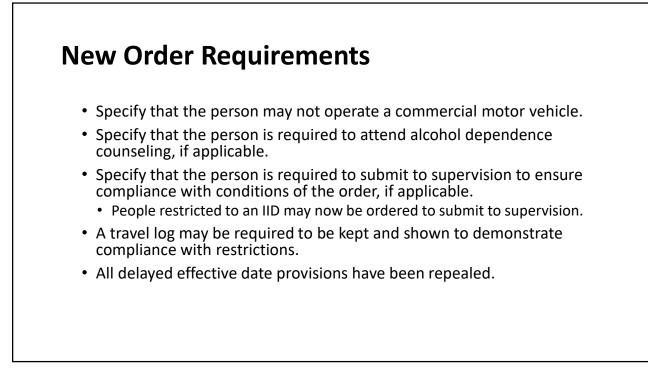




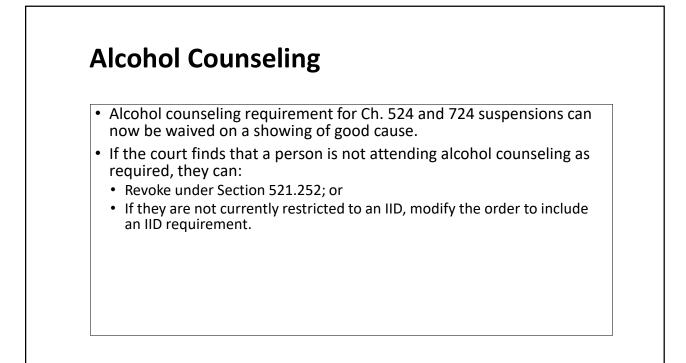


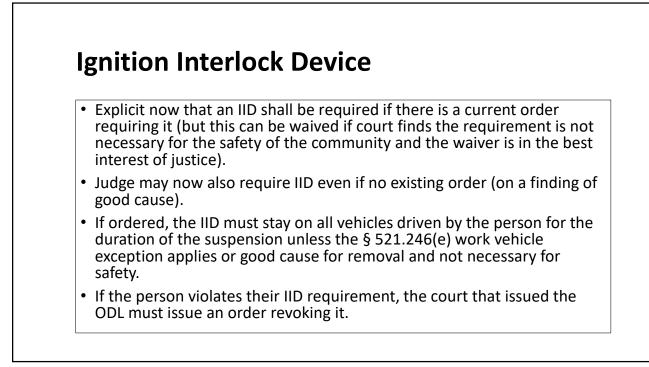


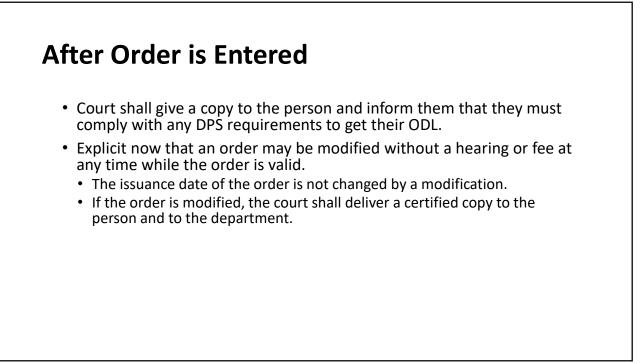






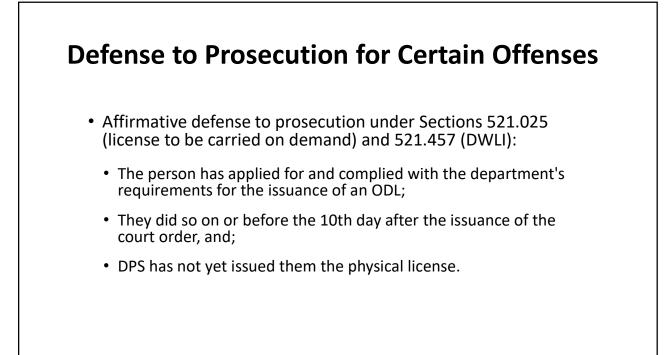


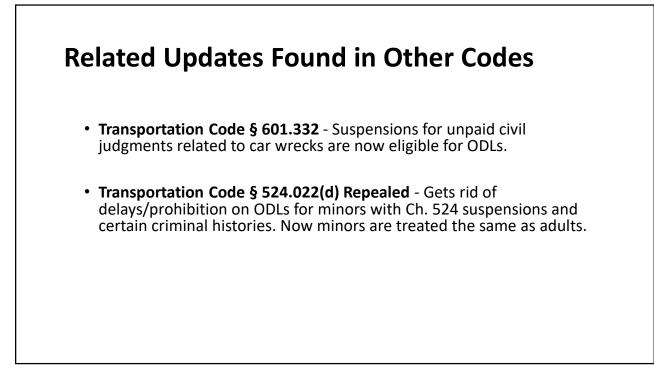




Conviction of § 521.253 (Violating Restriction or Not Having Court Order in Possession)

- Convicting court shall now:
 - Issue an order revoking the occupational driver's license; and
 - Deliver the revocation order to the person, the court that issued the order granting the occupational driver's license, and DPS.





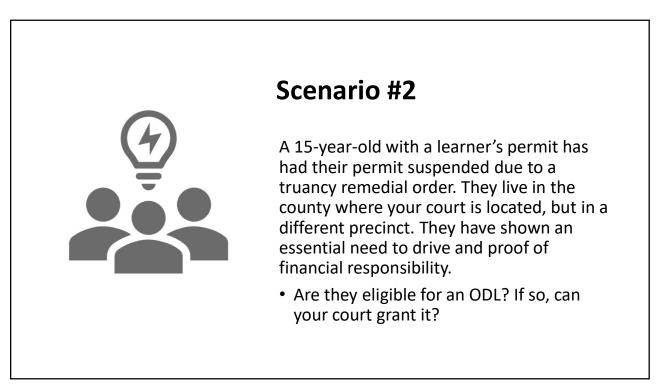
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Scenarios

Use Your ODL Flowcharts to Help Answer the Questions

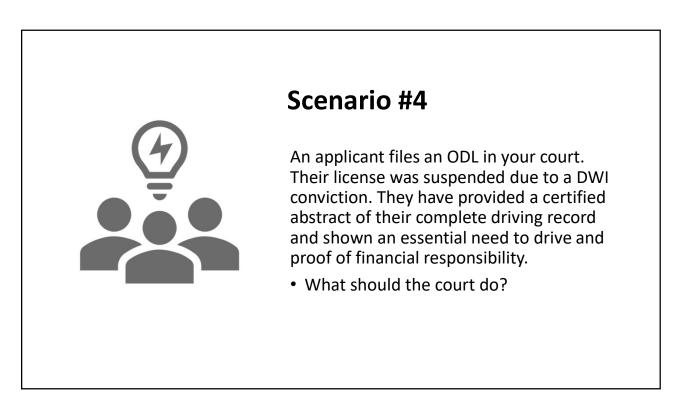
A defendant fails to satisfy a criminal judgment and you place them in Omni. When their license expires and they are unable to renew it, they file an application for an ODL in your court.

 Assuming the applicant is otherwise eligible and shows an essential need to drive, could the court issue an order granting an ODL?



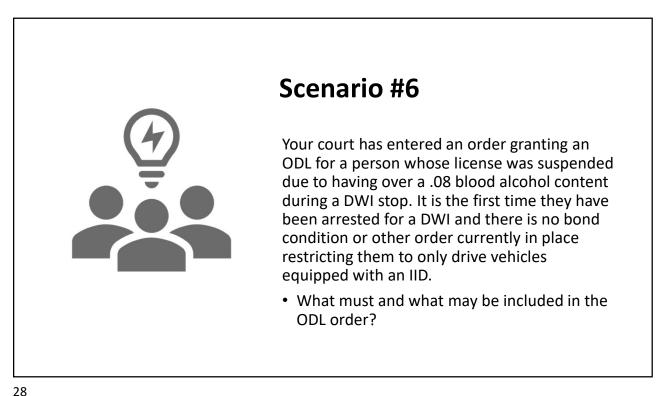
An applicant's license was suspended due to a Driving While License Invalid (DWLI) conviction in the county where your court is located. They have shown an essential need to drive and proof of financial responsibility.

• Are they eligible for an ODL? If so, can your court grant it?



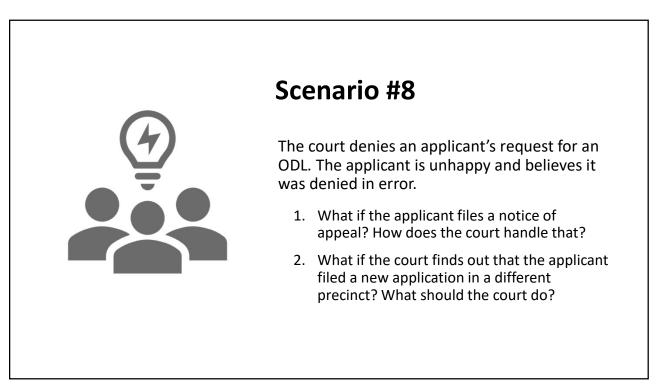
The court holds a hearing on an application for an ODL and sends a notice to the prosecutor. The prosecutor attends and provides evidence that the defendant has had numerous traffic offenses and states that they do not support the granting of the ODL. The applicant is otherwise eligible and has demonstrated an essential need to drive and evidence of financial responsibility.

- 1. Should the court grant or deny the application?
- 2. What if no prosecutor attended, but the court had the same information from the applicant's driving record?



Your court has entered an order granting an ODL for a person whose license was suspended due to an unpaid civil judgment against them for a car accident that they caused. Alcohol/drugs were not involved. Their work requires travel throughout the state and their work hours change from week to week.

• What must and what may be included in the ODL order? How can the order address the person's work needs?



Thank You!