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## CAUSE

## ORDER FOR SPECIALIZED DRIVING PRIVILEGES PURSUANT TO I.C. 9-30-16

This matter is before the Court on a verified Petition for Specialized Driving Privileges filed in accordance with IC 9-30-6-4.

The Court finds, preliminarily, that the Petition complies with the pleading requirements of IC 9-30-16-4(b), and has been properly served on the Prosecuting Attorney and Indiana Bureau of Motor Vehicles.

☐ Evidence was presented in support of the Petition.

or

☐ The Prosecuting Attorney does not object to the granting of Specialized Driving Privileges.

The Court further finds that the Petitioner is not ineligible for Specialized Driving Privileges. IC 9-30-16-1 and IC 9-30-16-3(d) provide ineligibility for:

- a person who has never had a valid Indiana driver's license
- a person who holds a commercial driver's license
- a person who has refused to submit to a chemical test offered under IC 9-30-6
- a person who has previously been granted specialized driving privileges and has more than one conviction for violation of the conditions of specialized driving privileges, as defined at IC 9-30-16-5

The Petitioner has disclosed active COURT ORDERED driving privilege suspensions:

REASON/OFFENSE/CONVICTION

CAUSE NO. /PERIOD OF SUSPENSION

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The Petitioner has disclosed active BMV administrative driving privilege suspensions:

REASON

PERIOD OF SUSPENSION

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☐ The Court now DENIES the Petition for Specialized Driving Privileges.

☐ The Court now GRANTS the Petition for Specialized Driving Privileges as follows:

The suspensions listed above are now stayed, and the Petitioner is granted **SPECIALIZED DRIVING PRIVILEGES** for a period of 5 years and 20 days, commencing the date of this ORDER. The conditions and limitations of those Specialized Driving Privileges are as follows:

**Specialized Privileges Related to Employment**

☐ If this box is checked, the Petitioner has been granted the special privilege to operate a vehicle directly to and from work/employment, specifically as follows:

From the Petitioner's home address, **as set out above**, directly to the Petitioner's place of work/employment **at the address set out above**, and then directly back to the Petitioner's home address.

☐ If this box is checked, this special privilege is limited to the following days of the week: ☐ M ☐ Tu ☐ W ☐ Th ☐ F ☐ Sa ☐ Su

☐ If this box is checked, this special privilege is further limited to the following hours of the day:

From \_\_\_\_ : \_\_\_\_ .m through \_\_\_\_ : \_\_\_\_ .m

☐ If this box is checked, the Petitioner shall be permitted to operate a vehicle, for work/employment purposes only, during the course of the work day, as long as otherwise also complying with this ORDER

☐ Pursuant to the attached schedule

☐ From \_\_\_\_ : \_\_\_\_ .m through \_\_\_\_ : \_\_\_\_ .m

☐ \_\_\_\_\_

**Specialized Privileges Related to Child Care and Other Child Responsibilities**

☐ If this box is checked, the Petitioner has been granted the special privilege of operating a vehicle for the limited purpose of taking a child/children to and from school. Vehicle operation

is limited to travel from the Petitioner's home address, as set out above, directly to the child's school, and then directly back to the Petitioner's home address.

☐ Child/ren's school(s): \_\_\_\_\_

☐ If this box is checked, this special privilege includes the listed extra-curricular activities:

☐ If this box is checked, this special privilege is limited to the following days of the week: ☐ M ☐ Tu ☐ W ☐ Th ☐ F ☐ Sa ☐ Su

☐ If this box is checked, this special privilege is further limited to the following hours of the day:

From \_\_\_\_:\_\_\_\_\_.m. through \_\_\_\_:\_\_\_\_\_.m.

☐ If this box is checked, the Petitioner has been granted the special privilege of operating a vehicle for the limited purpose of taking a child/children to and from a child care provider. Vehicle Operation is limited to travel from the Petitioner's home address, as set out above, directly to the child's care provider, and then directly back to the Petitioner's home address.

☐ Child's care provider and address: \_\_\_\_\_

☐ If this box is checked, this special privilege is limited to the following days of the week: ☐ M ☐ Tu ☐ W ☐ Th ☐ F ☐ Sa ☐ Su

☐ If this box is checked, this special privilege is further limited to the following hours of the day:

From \_\_\_\_:\_\_\_\_\_.m. through \_\_\_\_:\_\_\_\_\_.m.

#### **Specialized Privileges Related to Required Counseling/Therapy**

☐ If this box is checked, the Petitioner has been granted the special privilege of operating a vehicle for the limited purpose of attending counseling/therapy as required by a court or probation officer. Vehicle operation is limited to travel from the Petitioner's home address, as set out above, directly to the counseling program, and then directly back to the Petitioner's home address.

☐ Counseling Provider and address: \_\_\_\_\_

☐ If this box is checked, this special privilege is limited to the following days of the week: ☐ M ☐ Tu ☐ W ☐ Th ☐ F ☐ Sa ☐ Su

☐ If this box is checked, this special privilege is further limited to the following hours of the day:

From \_\_\_\_:\_\_\_\_\_.m. through \_\_\_\_:\_\_\_\_\_.m.

#### **Specialized Driving Privileges Related to Probation**

☐ If this box is checked, the Petitioner has been granted the special privilege of operating a vehicle for the limited purpose of attending appointments with his or her probation officer. Vehicle operation is limited to travel from the Petitioner's home address, as set out above, directly to the probation officer's address, and then directly back to the Petitioner's home address.

☐ Probation officer's address \_\_\_\_\_

☐ If this box is checked, this special privilege is limited to the following days of the week: ☐ M ☐ Tu ☐ W ☐ Th ☐ F ☐ Sa ☐ Su

☐ If this box is checked, this special privilege is further limited to the following hours of the day:

From \_\_\_\_:\_\_\_\_.m. through \_\_\_\_:\_\_\_\_.m.

#### **Other Specialized Privileges**

☐ If this box is checked, the Petitioner has been granted the special privilege of operating a vehicle for the limited purpose of \_\_\_\_\_.

Vehicle operation is limited to travel from the Defendant's home address, as set out above, directly to the address(es) set out below, and then directly back to the Defendant's home address.

☐ \_\_\_\_\_  
☐ \_\_\_\_\_  
☐ \_\_\_\_\_

☐ If this box is checked, this special privilege is limited to the following days of the week: ☐ M ☐ Tu ☐ W ☒ Th ☐ F ☐ Sa ☐ Su

☐ If this box is checked, this special privilege is further limited to the following hours of the day:

From \_\_\_\_:\_\_\_\_.m. through \_\_\_\_:\_\_\_\_.m.

☐ In all instances, the Petitioner shall only operate a vehicle equipped with an operating ignition interlock device.

☐

**IT IS FURTHER ORDERED**, that the person granted Specialized Driving Privileges by this Order must comply with the following requirements:

- Must maintain proof of future financial responsibility insurance, covering the entire period of specialized driving privileges, and must carry written proof of this insurance on his/her person or in the vehicle being operated.
- Must produce the written proof of future financial responsibility insurance upon the request of a law enforcement officer.
- Must carry on his/her person, a copy of this ORDER FOR SPECIALIZED DRIVING PRIVILEGES or have a copy of the order in the vehicle being operated by the Petitioner.
- Must produce the copy of this ORDER FOR SPECIALIZED DRIVING PRIVILEGES upon the request of a law enforcement officer.
- Must carry on his/her person, a valid license or permit issued by the Indiana Bureau of Motor Vehicles or have the valid license or permit in the vehicle being operated by the Petitioner.
- Petitioner shall NOT operate a vehicle if the Defendant has a blood alcohol content greater than 0.00 percent, and Defendant shall NOT operate a motor vehicle within 12 hours of consuming any alcoholic beverages. Defendant shall NOT operate a motor vehicle if the Defendant has consumed or injected any controlled substances, except medications, prescribed to Defendant and taken as prescribed, of any kind within 72 hours prior to operating the motor vehicle.

**MODIFICATION OF THIS ORDER FOR SPECIALIZED DRIVING PRIVILEGES** shall only be made by an Order of this Court. In the event that the Petitioner wishes to seek modification of this Order, the Petitioner must file a Petition for Modification of Specialized Driving Privileges. Any such Petition for Modification must:

- Be filed in this Court
- Be verified by the Petitioner
- Plainly and succinctly state the grounds for modification and the relief being sought
- Attach a copy of the original ORDER FOR SPECIALIZED DRIVING PRIVILEGES
- Be properly served upon the Indiana Bureau of Motor Vehicles and the Wayne County Prosecuting Attorney

A hearing will then be held, and if amendment is granted, the Petitioner will be given an AMENDED ORDER to be attached to the original order and carried/produced as required above.

**This Order for Specialized Driving Privileges DOES NOT SUPERSEDE:**

- any suspension of driving privileges ordered by a court of the State of Indiana on any date subsequent to the date of this Order
  - any suspension of driving privileges issued by the Indiana Bureau of Motor Vehicles on any date subsequent to the date of this Order, regardless of the Petitioner's knowledge or notice of such suspension
  - any suspension of driving privileges issued by the Indiana Bureau of Motor Vehicles or any court of the State of Indiana that was not disclosed to this Court prior to the granting of the Specialized Driving Privileges. In that regard, the following suspensions were disclosed to this Court, prior to the granting of Specialized Driving Privileges:
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**DURATION OF THIS ORDER FOR SPECIALIZED DRIVING PRIVILEGES**

The Specialized Driving Privileges granted by this Order, automatically expire at 11:59:59 p.m., 5 years and 20 days from the date of this ORDER. At that time, the stay of suspension(s) granted by this Order is lifted, and any active suspension(s) of the Petitioner's driving privileges shall be considered of full force and effect.

A Review Hearing is set \_\_\_\_\_ for \_\_\_\_\_, 20\_\_\_\_ at  
a.m./p.m.

ALL OF WHICH IS ORDERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_, Judge  
Johnson County Superior Court No. 2

**DISTRIBUTION:**

RJO  
Prosecuting Attorney  
Petitioner  
Petitioner's Counsel  
BMV