

**ORDER RESTORING DRIVING PRIVILEGE –
THIRD OFFENSE** COMMONWEALTH OF VIRGINIA

Case No.

..... Circuit Court
CITY OR COUNTY

.....
PETITIONER'S NAME

.....
ADDRESS

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN	HT.	WGT.	EYES	HAIR
		MO. DAY YR.	FT. IN.			

SSN:
.....

ON THE PETITION FOR RESTORATION OF DRIVING PRIVILEGE, AND ON THE EVIDENCE HEARD, INCLUDING THE EVALUATION OF THE VIRGINIA ALCOHOL SAFETY ACTION PROGRAM, IF APPLICABLE, THE COURT FINDS THAT:

The Petitioner's driver's license was revoked by the Department of Motor Vehicles

on pursuant to Virginia Code § 46.2-391(B)
DATE

AND THAT:

[] **A.** (Va. Code § 46.2-391(C)(1)) The Petitioner's driver's license was revoked based on and dependent upon at least three convictions pursuant to Virginia Code § 18.2-266, § 18.2-51.4 or Subsection A of § 46.2-341.24 or valid local ordinance or law of another state or jurisdiction relating to operating a motor vehicle under the influence of intoxicants or drugs, and;

- (i) At the time of the previous convictions, Petitioner was addicted to or psychologically dependent on the use of alcohol or other drugs; and
- (ii) At this time he is no longer addicted to or psychologically dependent on the use of alcohol or other drugs; and
- (iii) Five years have passed from the date of the last conviction upon which revocation of the Petitioner's license was based; and
- (iv) Petitioner does not constitute a threat to the safety and welfare of himself or others with respect to the operation of a motor vehicle; and
- (v) The Court has reviewed the evaluation of the Petitioner prepared by the Virginia Alcohol Safety Action Program and considered its recommendations.

B. (Va. Code § 46.2-391(C)(2)) The Petitioner’s driver’s license was revoked based on and dependent upon at least three convictions pursuant to Virginia Code § 18.2-266, § 18.2-51.4 or Subsection A of § 46.2-341.24 or valid local ordinance or law of another state or jurisdiction relating to operating a motor vehicle under the influence of intoxicants or drugs, and:

- (i) At the time of the previous convictions, Petitioner was addicted to or psychologically dependent on the use of alcohol or other drugs; and
- (ii) At this time he is no longer addicted to or psychologically dependent on the use of alcohol or other drugs; and
- (iii) *Three* years have passed from the date of the last conviction upon which revocation of the Petitioner’s license was based; or
 Petitioner’s last conviction resulted from a final order being entered after the successful completion of a Veterans Treatment Court Program, behavioral health docket, or other specialty docket established pursuant to § 18.2-254.2 or § 18.2-254.3 or Rule 1:25 of the Rules of Supreme Court of Virginia; and
- (iv) Petitioner does not constitute a threat to the safety and welfare of himself or others with respect to the operation of a motor vehicle.
- (v) The Court has reviewed the evaluation of the Petitioner prepared by the Virginia Alcohol Safety Action Program and considered its recommendations.

C. The Petitioner has not demonstrated sufficient evidence to grant the petition to restore the privilege to drive a motor vehicle in the Commonwealth.

IT IS THEREFORE ORDERED THAT:

Petitioner’s privilege to drive a motor vehicle in the Commonwealth is restored under Virginia Code § 46.2-391(C) subject to any other requirements for restoration under other provisions of law.

Petitioner’s privilege to drive a motor vehicle in the Commonwealth is restored subject to the following special conditions:

.....
.....

Petitioner is granted a restricted license to drive a motor vehicle in the Commonwealth pursuant to Virginia Code § 46.2-391(c)(1), until, for the purposes enumerated in the restricted driver’s license, during which time the petitioner shall be subject to the supervision of the Virginia Alcohol Safety Action Program.

- Ignition interlock
 - travel to/from the facility that installed or monitors the ignition interlock on Petitioner's vehicle(s).
- Travel to/from work Travel to/from VASAP Travel during work

NAME AND ADDRESS OF EMPLOYER	DAYS AND HOURS WORKED
NAME AND ADDRESS OF EMPLOYER	DAYS AND HOURS WORKED

- Travel to/from school Travel to/from school for child
- Travel to/from day care for child
- Travel to/from medical service facility for you minor child elderly parent
 person residing in Petitioner's household:
- Travel to/from court ordered visitation with child or children
- Travel to/from appointments with probation officer
- Travel to/from programs required by court or as a condition of probation
- Travel to/from place of religious worship

.....
NAME AND LOCATION OF PLACE OF WORSHIP

.....
DAY OF WEEK AND TIME FOR TRAVEL

- Travel to/from appointments approved by the Division of Child Support Enforcement of the Department of Social Services as a requirement of participation in an administrative or court-ordered intensive case monitoring program for child support
- Travel to/from jail to serve a sentence on weekends or nonconsecutive days
- Travel to/from a job interview for which you have with you written proof from your prospective employer of the date, time, and location of the job interview.
- Travel to/from the offices of the Virginia Employment Commission for the purpose of seeking employment.

Petitioner is granted a restricted driver's license to drive a motor vehicle in the Commonwealth pursuant to Virginia Code § 46.2-391(c)(2) for the purpose of driving to/from or in the course of the petitioner's employment.

..... NAME AND ADDRESS OF EMPLOYER DAYS AND HOURS WORKED
..... NAME AND ADDRESS OF EMPLOYER DAYS AND HOURS WORKED

- The petition to restore driving privileges in the Commonwealth of Virginia is denied.
- And this cause is ended.

.....
DATE

JUDGE