

revised 9/1/2011

ATTACHMENT "A"

offense 9/1/97 ->

2. DRIVER'S LICENSE SUSPENSION - CAUSE NO. _____

(check offense applicable)

- () Penal Code §49.04 Class B Misdemeanor DWI, §49.045 DWI With Child Passenger (9/1/2009-offense), §49.07 Intoxication Assault (using motor vehicle): driver's license suspension for not <90 days or >1 year [exceptions: 1 year suspension if current §49.07 offense 9/1/01-> & within 5 years of commission date of a prior §49.07 offense; 1 year suspension if <21 @ time of offense (18 months if a subsequent Subchapter O suspension); see below if placed on community supervision];
- () Penal Code §49.09(b) Felony DWI, §49.09(a) Class A Misd. DWI, §49.08 Intoxication Manslaughter: driver's license suspension for not <180 days or >2 years [exceptions: not <1 year or >2 years if current offense 9/1/01-> & within 5 years of commission date of prior Chapter 49 offense (using motor vehicle) or if current §49.08 offense 9/1/01-> & within 10 years of commission date of a prior §49.08 offense; 1 year suspension if <21 years @ time of offense (18 months if subsequent Subchapter O suspension); see below if placed on community supervision];

Chapter 49 Intoxication offenses community supervision exception: Driver's license is not suspended (revoked) if placed on community supervision and required to successfully complete C.C.P. Art. 42.12 §13(h) or (j) educational program: unless (1) punished under Penal Code §49.09 & has previously been required to attend an Art. 42.12 §13 educational program (or prior attendance waived); or unless (2) offense ≥9/1/2001 punished under Penal Code §49.09(a) or (b) & prior Chapter 49 offense (using motor vehicle) committed within 5 years of current offense date; or unless (3) 90 day suspension required if <21 years of age at time of §49.04-§49.08 offense 9/1/2009-> or if <21 years of age when convicted of §49.04-§49.08 offense committed prior to 9/1/2009).

- () Health & Safety Code Ch. 481 Controlled Substances offenses: driver's license suspension for 180 days on final conviction or if defendant did not hold a license on date of conviction, period of denial is 180 days after the date the defendant applies to the DPS for reinstatement or issuance of license (note - suspension/denial continues indefinitely thereafter until successfully completes required educational program);
- () Transportation Code §550.021 Accident Involving Personal Injury or Death; other motor vehicle law felonies; Penal Code §38.04 Evading Arrest or Detention (limited to "using motor vehicle" 9/1/2005->), §19.05 Criminally Negligent Homicide (using motor vehicle), §19.04 Manslaughter using motor vehicle (9/1/2007-> offense); Health & Safety Code Chapter 483 Dangerous Drugs offenses (if <21 @ time of offense) & Chapter 485 Abusive Volatile Chemical offenses (effective 9/1/2003 & if <21 @ time of offense): driver's license suspension for 1 year on final conviction (18 months if suspension is a subsequent Subchapter O suspension).