

INSTRUCTIONS FOR SPECIALIZED DRIVING PRIVILEGES

1. GET COPY OF DRIVING RECORD FROM BMV
2. FILL OUT ALL FORMS
3. ONE SUMMONS ADDRESSED TO THE PROSECUTOR'S OFFICE AND ONE TO THE BMV IN INDIANAPOLIS
4. YOUR NAME ON NOTICE OF HEARING

ONCE YOUR FORMS ARE ALL FILLED OUT, MAKE TWO(2) MORE COPIES. SHOULD HAVE THREE(3) COPIES TOTAL

BRING ALL COPIES TO THE CLERK'S OFFICE TO BE FILED WITH YOUR FILING FEE OF \$167.00

NO PERSONAL CHECKS

Addresses for filling out Summons:

DeKalb Co Prosecutor address: 100 S Main Auburn In 46706

BMV: BMV Records Management Division
100 N Senate Ave IGCN RM N413
Indianapolis In 46204

STATE OF INDIANA) IN THE _____ COURT
)SS:
COUNTY OF _____) CAUSE NO. _____

IN RE THE MATTER OF:)

_____))
Petitioner,) Petitioner Date of Birth _____
) Petitioner Operator License _____
)

v.)

_____))
County)
Prosecutor and The Commissioner)
for the Indiana Bureau of Motor)
Vehicles,)
Respondent.)

APPEARANCE BY UNREPRESENTED PERSON IN CIVIL CASE

This Appearance Form must be filed on behalf of every party in a civil case.

1. My name is _____ and I am filing this case on my own behalf. I am not represented by a lawyer.
2. Contact information for receiving legal service of document and case information as required by Court Rules.

Address: _____

Email address: _____

☐

I will accept service at the above email address.

Phone: _____

Fax: _____

3. This is an MI case type as defined in Administrative Rule 8(B)(3).
4. There are related cases: *(If yes, please indicate below)*

☐

Yes

☐

No

Caption and case number of related cases:

Caption: _____ Case No.: _____

Caption: _____ Case No.: _____

Caption: _____ Case No.: _____

Caption: _____ Case No.: _____

Caption: _____ Case No.: _____

Caption: _____ Case No.: _____

Additional information as required by local rule:

Signature

CERTIFICATE OF SERVICE

I hereby certify that I sent a copy of the document to:

The Commissioner for the Indiana Bureau of Motor Vehicles by

☐ electronic transmission **or**

☐ US Mail at:

Indiana Government Center North

Room 402

100 North Senate Avenue

Indianapolis, IN 46204

AND

the _____ County Prosecutor by

☐ US Mail **or**

☐ hand delivery **or**

☐ electronic transmission

on _____.

Date

Signature

Printed Name

STATE OF INDIANA) IN THE _____ COURT
)SS:
COUNTY OF _____) CAUSE NO. _____

IN RE THE MATTER OF:)
)
) Petitioner Date of Birth _____
) Petitioner Operator License _____
)

Petitioner,)
)
v.)
)

County)
Prosecutor and The Commissioner)
for the Indiana Bureau of Motor)
Vehicles,)
Respondent.)

Verified Petition for Specialized Driving Privileges
(I.C. 9-30-16)

Petitioner, _____, a self-represented litigant, respectfully moves the Court to grant Petitioner specialized driving privileges pursuant to I.C. 9-30-16.

Petitioner affirms under the penalties of perjury:

1. Petitioner's name as it appears on their driver's license is:
_____.
2. Petitioner is _____ years old and was born on _____.
3. Petitioner's address is:

_____.
4. Petitioner is currently, or has been in the past, an Indiana resident.
6. Petitioner's license suspension is not due to a refusal to submit to a chemical test offered under IC § 9-30-65.
7. Petitioner _____ now hold a commercial driver's license.
8. A current certified copy of Petitioner's Indiana Bureau of Motor Vehicles Driving Record is attached hereto as Exhibit A.

8. ☐ Petitioner has filed no other petitions under IC § 9-30-16.

-OR-

- ☐ Petitioner has filed other petitions (requests) under IC § 9-30-16 to seek specialized driving privileges, specifically, a petition filed in _____ County, Indiana on the _____ day of _____, 20 _____. That petition is _____.

9. ☐ There are no current criminal charges or traffic violations pending against Petitioner.

-OR-

- ☐ The following criminal charges or traffic violations are pending against Petitioner as follows:

Court	Cause Number	Case Type

10. Petitioner seeks stay of the current suspensions and grant of specialized driving privileges for the following suspensions (list every suspension):

11. Petitioner specifically seeks the following (state the grounds for relief and relief sought):

WHEREFORE, Petitioner respectfully requests this Court set this matter for hearing, issue specialized driving privileges pursuant to IC § 9-30-16 and for all other relief just and proper in the premises.

I affirm under penalties of perjury that the foregoing representations are true.

Respectfully submitted,

Signature

Printed Name

CERTIFICATE OF SERVICE

I hereby certify that I sent a copy of the document to:

The Commissioner for the Indiana Bureau of Motor Vehicles by

☐ electronic transmission or

☐ US Mail at:

Indiana Government Center North

Room 402

100 North Senate Avenue

Indianapolis, IN 46204

AND

the _____ County Prosecutor by

☐ US Mail or

☐ hand delivery or

☐ electronic transmission

on _____.

Date

Signature

Printed Name

STATE OF INDIANA

IN THE _____ COURT

COUNTY OF _____

CAUSE NO. _____

IN THE MATTER OF:

Petitioner,

v.

County
Prosecutor and The Commissioner
for the Indiana Bureau of Motor
Vehicles,
Respondents.

SUMMONS

TO: The Commissioner for the Indiana Bureau of Motor Vehicles, Indiana Government Center North, Room 402, 100 North Senate Avenue, Indianapolis, Indiana 46204

The above named Petitioner has filed a case in the court stated above for specialized driving privileges.

The nature of the suit is specialized driving privileges and is stated in the Petition which is attached to this document.

If you take no action the court may grant the relief requested.

I request service in the following manner:

The Commissioner for the Indiana Bureau of Motor Vehicles by:

- ☐ electronic transmission **or**
☐ US Mail at:
Indiana Government Center North
Room 402
100 North Senate Avenue
Indianapolis, IN 46204 **or**
☐ Service by sheriff

Date: _____

Clerk, _____ County Court

STATE OF INDIANA

IN THE _____ COURT

COUNTY OF _____

CAUSE NO. _____

IN THE MATTER OF:

Petitioner,

v.

County
Prosecutor and The Commissioner
for the Indiana Bureau of Motor
Vehicles,
Respondents.

SUMMONS

TO: The _____ County Prosecutor, at:

The above named Petitioner has filed a case in the court stated above for specialized driving privileges.

The nature of the suit is specialized driving privileges and is stated in the Petition which is attached to this document.

If you take no action the court may grant the relief requested.

I request service in the following manner:

the _____ County Prosecutor by

- ☐ US Mail **or**
☐ hand delivery **or**
☐ electronic transmission **or**
☐ service by sheriff

Date: _____

Clerk, _____ County Court

STATE OF INDIANA) IN THE _____ COURT
)SS:
COUNTY OF _____) CAUSE NO. _____

IN RE THE MATTER OF:)

) Petitioner Date of Birth _____

) Petitioner Operator License _____

Petitioner,)

v.)

County
Prosecutor and The Commissioner
for the Indiana Bureau of Motor
Vehicles,
Respondent.)

ORDER SETTING HEARING ON PETITION FOR SPECIALIZED DRIVING PRIVILEGES

Hearing on the Petition for Specialized Driving Privileges is set for:

In setting this hearing, the Court has not determined that the Petitioner qualifies for Specialized Driving Privileges. In addition to proving qualification for specialized privileges, the Petitioner should be prepared to address the following concerns at hearing:

- ☐ Use of Ignition Interlock
- ☐ Consent from Prosecutor if suspension was issued as a term of a plea agreement
- ☐ Specific days/times of day when driving will occur
- ☐ Specific route(s) of travel to be taken
- ☐ Payment of outstanding fees as required by BMV or resolution of outstanding tickets
- ☐ The Petition does not attach a driving record. The Petitioner is advised that the Court will not set this matter for hearing until a current, certified driving record has been filed.

The Petitioner is responsible for bringing to the hearing a **current copy** of Petitioner's Indiana Driving Record. Relief will not be granted in its absence.

The Petitioner is also responsible for bringing to the hearing adequate documentation of proof of future financial responsibility, and should not expect relief to be granted in the absence of that documentation.

Date

Judicial Officer

Distribution:

_____, Petitioner, _____
_____, County Prosecutor
Indiana BMV, 100 North Senate Avenue, Indianapolis, IN 46204

STATE OF INDIANA) IN THE _____ COURT
)SS:
COUNTY OF _____) CAUSE NO. _____

IN RE THE MATTER OF:)
)
) Petitioner Date of Birth _____
) Petitioner Operator License _____
)

Petitioner,)
)
v.)
)
) _____ County
Prosecutor and The Commissioner)
for the Indiana Bureau of Motor)
Vehicles,)
Respondent.)

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.

After reviewing I.C. 9-30-16-1 and I.C. 9-30-16-3(d), the Court further finds that the Petitioner is eligible for Specialized Driving Privileges.

The Petitioner has disclosed active COURT ORDERED driving privilege suspensions:

CAUSE NUMBER	DATES OF SUSPENSION	REASON/OFFENSE/CONVICTION

The Petitioner has disclosed active BMV administrative driving privilege suspensions:

DATES OF SUSPENSION	REASON

☐ 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 ____ 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, case manager, probation officer, parole officer, or community corrections 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.

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.
- If the person granted specialized driving privileges under this order holds a commercial driver's license, he/she may not, for the duration of the suspension for which the specialized driving privileges are sought, operate any vehicle that requires him/her to hold a commercial driver's license to operate the vehicle pursuant to Ind. Code 9-30-16-3(f).

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 _____ 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:

DURATION OF THIS ORDER FOR SPECIALIZED DRIVING PRIVILEGES

The Specialized Driving Privileges granted by this Order, automatically expire at 11:59:59 p.m., _____ 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 _____

ALL OF WHICH IS ORDERED _____

Judicial Officer

Distribution:

_____ County Prosecutor
_____, Petitioner, _____
Indiana BMV, 100 North Senate Avenue, Indianapolis, IN 46204