

STATE OF INDIANA

IN THE COURT

COUNTY OF

CAUSE NO: \_\_\_\_\_

STATE OF INDIANA

v.

\_\_\_\_\_  
Defendant

Home address (including county):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Employment address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DOB: \_\_\_\_\_

DL#: \_\_\_\_\_

**ORDER FOR SPECIALIZED DRIVING PRIVILEGES – ISSUED AT SENTENCING**

This matter was before the Court for sentencing, following conviction for a criminal offense in which the operation of a motor vehicle was an element of the offense.

As a part of the sentence imposed in this cause, the Court now issues this Order for Specialized Driving Privileges.

After review I.C. 9-30-16-1 and I.C. 9-30-16-3(d), the Court now finds that this Defendant is eligible for Specialized Driving Privileges.

**THE COURT NOW ORDERS AS FOLLOWS:**

The Defendant's driving privileges are now suspended, as a part of the sentence in this case, for a period of \_\_\_\_\_ days, commencing the date of this ORDER.

☐ If this box is checked, then the Court further orders that the Defendant's driving privileges shall be fully suspended, with no specialized privileges, for the first \_\_\_\_\_ days of the suspension indicated above. After the period of full suspension has been completed, the

balance of the suspension shall then be stayed, and the Defendant shall only then enjoy Specialized Driving Privileges as set out below in the section labeled "Specialized Driving Privileges."

☐ If this box is checked, then the Court further orders that the entire period of suspension be stayed and this Defendant shall be granted Specialized Driving Privileges as set out below in the section labeled "Specialized Driving Privileges."

### **Specialized Driving Privileges**

After serving any period of full suspension, if any such period is specifically ordered above, the Defendant shall be granted Specialized Driving Privileges for the "stayed" portion of the suspension period. The conditions and limitations of those Specialized Driving Privileges are as follows:

#### Specialized Privileges Related to Employment

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

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

☐ If this box is checked, the Defendant 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 Defendant 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 Defendant's home address, as set out above, directly to the child's school, and then directly back to the Defendant'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 Defendant 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 Defendant's home address, as set out above, directly to the child's care provider, and then directly back to the Defendant'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 Defendant 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 Defendant's home address, as set out above, directly to the counseling program, and then directly back to the Defendant'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 Defendant 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 Defendant shall only operate a vehicle equipped with an operating ignition interlock device.

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**IT IS FURTHER ORDERED**, that the Defendant 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 Defendant.
- 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 Defendant.

**MODIFICATION OF THIS ORDER FOR SPECIALIZED DRIVING PRIVILEGES** shall only be made by an Order of this Court. In the event that the Defendant wishes to seek modification of this Order, the Defendant 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 Defendant 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 Defendant'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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ALL OF WHICH IS ORDERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Judge, Greene Circuit/Superior Court

**DISTRIBUTION:**

RJO

Prosecuting Attorney

Defendant

Defendant's Counsel

BMV