

IGNITION INTERLOCK WAIVER AFFIDAVIT

STATE OF TEXAS

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COUNTY OF TRAVIS

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I, _____, AM CHARGED WITH _____, CAUSE # _____. I AM REQUESTING THAT I NOT BE REQUIRED TO INSTALL THE IGNITION INTERLOCK DEVICE AS A CONDITION OF MY BOND. THIS STATEMENT IS MADE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND THAT I SUBJECT MYSELF TO THE OFFENSE OF PERJURY BY MAKING A FALSE STATEMENT HEREIN.

- A1. _____ I DO NOT OWN A VEHICLE AT THIS TIME AND DO NOT DRIVE.
- A2. _____ I DO NOT HAVE ACCESS TO A VEHICLE TO DRIVE.
- A3. _____ MY DRIVERS LICENSE IS CURRENTLY SUSPENDED AND I DO NOT HAVE AN OCCUPATIONAL DRIVERS LICENSE AND THEREFORE WILL NOT OPERATE A MOTOR VEHICLE (DRIVE).
- A4. _____ I CAN NOT FULFILL THIS CONDITION OF BOND FOR THE FOLLOWING REASON(S):

- B. I WILL NOT DRIVE ANY VEHICLE PRIOR TO OR WITHOUT AN OPERATING IGNITION INTERLOCK UNIT INSTALLED.
- C. I WILL ADVISE FAMILY MEMBERS/FRIENDS IMMEDIATELY THAT I CANNOT DRIVE A VEHICLE UNLESS IT IS EQUIPPED WITH AN IGNITION INTERLOCK DEVICE AND THAT THEY ARE NOT TO ALLOW ME TO DRIVE ANY OF THEIR VEHICLES.
- D. AT SUCH TIME AS I PURCHASE OR HAVE ACCESS TO A VEHICLE, I WILL OBTAIN THE FOLLOWING:
 - 1. LIABILITY INSURANCE
 - 2. AN OCCUPATIONAL DRIVING LICENSE IF LICENSE SUSPENDED
 - 3. VALID DRIVER'S LICENSE IF LICENSE NOT SUSPENDED
 - 4. AN IGNITION INTERLOCK DEVICE INSTALLED ON THE VEHICLE WITHIN 24 HOURS OF POSSESSION OR ACCESS TO A VEHICLE.
- E. INSTALLATION, MAINTENANCE AND COSTS OF THE IGNITION INTERLOCK DEVICE WILL BE MY RESPONSIBILITY. I WILL NOT TAMPER WITH THE IGNITION INTERLOCK DEVICE.
- F. IF MY LICENSE IS SUSPENDED, I WILL NOTIFY THE IGNITION INTERLOCK OFFICER WHEN MY LICENSE IS REINSTATED OR WHEN I OBTAIN AN OCCUPATIONAL LICENSE.
- G. I UNDERSTAND THAT IF I DRIVE A VEHICLE WITHOUT AN IGNITION INTERLOCK DEVICE INSTALLED THAT THIS IS A VIOLATION OF MY BOND, A VIOLATION REPORT WILL BE SUMITTED TO THE COURT, AND THE COURT MAY REVOKE OR INCREASE MY BOND.
- H. I WILL PROVIDE THIS OFFICE WITH DOCUMENTS THAT SUPPORT MY REQUEST FOR WAIVER IF APPLICABLE, SUCH AS RECEIPTS OF SOLD VEHICLE, CAR BEING IN THE SHOP, OR SUSPENDED LICENSE.

I HAVE TOLD THE TRUTH CONCERNING THE ABOVE STATEMENTS AND UNDERSTAND THAT IF I AM BEING UNTRUTHFUL THAT I CAN BE CHARGED WITH PERJURY AND TAMPERING WITH A GOVERNMENTAL RECORD.

DATE: _____

DEFENDANT

SWORN AND SUBSCRIBED BEFORE ME ON THIS _____ DAY OF _____, 20__.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

(SEAL)

Copy of identification card or photo of defendant attached.

CAUSE NO. _____

STATE OF TEXAS

§

IN THE ____ DISTRICT COURT

§

VS.

§

IN THE COUNTY COURT ____

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TRAVIS COUNTY, TEXAS

MOTION TO MODIFY IGNITION INTERLOCK CONDITION OF BOND

Now comes the defendant, _____, represented by _____, and moves the Court to MODIFY the condition of bond requiring installation of the Ignition Interlock Device in the following manner:

_____ By WAIVING the installation of the ignition interlock device – *the condition remains in place and the defendant is not permitted to drive a vehicle unless it is equipped with a motor vehicle ignition interlock device.*

_____ By WAIVING the installation of the ignition interlock device for a period of _____ days from the date of the signing of the order – *the condition remains in place and the defendant is not permitted to drive a vehicle unless it is equipped with a motor vehicle ignition interlock device.*

_____ By REMOVING the condition of Ignition Interlock from the defendant’s bond – *the defendant is permitted to drive a vehicle without installing an Ignition Interlock Device.*

As grounds therefore, the Defendant would show the Court that the Defendant was released on bond on _____ with a bond condition to install a vehicle Ignition Interlock Device within _____ days of release.

CHECK IF APPLICABLE:

_____ A sworn affidavit is attached hereto setting forth the Defendant’s circumstances and understanding with regard to this motion.

WHEREFORE the Defendant prays that the Court enter an order granting the Motion above.

Attorney at Law

State Bar No. _____

Address: _____

Telephone & Fax: _____(t)

_____ (f)

CAUSE NO. _____

STATE OF TEXAS

§

IN THE ____ DISTRICT COURT

VS.

§

IN THE COUNTY COURT ____

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TRAVIS COUNTY, TEXAS

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ORDER MODIFYING IGNITION INTERLOCK CONDITION OF BOND

On _____ 20____, the Defendant moved the Court to modify the ignition interlock device bond condition. The Court, after reviewing the motion finds that the motion should be GRANTED.

IT is therefore ORDERED that the bond condition to install the Ignition Interlock Device be and is hereby AMENDED as follows:

_____ Installation of the Ignition Interlock device is WAIVED unless and until the defendant has access to and or possession of any motor vehicle along with proof of liability insurance, a valid driver’s license or occupation license – *the condition remains in place and the defendant is not permitted to drive a vehicle unless it is equipped with a motor vehicle ignition interlock device.*

_____ Installation of the Ignition Interlock device is WAIVED for a period of _____ days from the date of the signing of this order, by which time the defendant must install an ignition interlock device – *the condition remains in place and the defendant is not permitted to drive a vehicle unless it is equipped with a motor vehicle ignition interlock device.*

_____ The condition of Ignition Interlock is REMOVED from the defendant’s bond – *the defendant is permitted to drive a vehicle without installing an Ignition Interlock Device.*

PORTABLE ALCOHOL MONITORING

_____ Furthermore, it is ORDERED that the Defendant obtain a Portable Alcohol Monitoring Device by _____, and use that device until released by the Court or until the Defendant obtains an Ignition Interlock Device.

Date: _____

PRESIDING JUDGE