



**AUSTIN POLICE DEPARTMENT
GENERAL OCCURRENCE HARDCOPY**

GO# 2012-2552046 CLEARED BY ARREST
(IBRS)

2100-0 DWI

General Offense Information

Operational status: CLEARED BY ARREST (IBRS)
Reported on: Sep-11-2012 (Tue.) 2244
Occured on: Sep-11-2012 (Tue.) 2244
Approved on: Sep-19-2012 (Wed.) by: AP4604 - JENNINGS, MICHAEL
Report submitted by: AP5346 - GILBERT, ROBERT
Org unit: DWI TEAM 1 REG III HWY ENFORCEMENT
Address: 500 BLOCK CAMPBELL ST
Municipality: AUSTIN County: TRAVIS COUNTY
District: BA Beat: 2 Grid: 371
Felony/Misdemeanor: MISDEMEANOR
Bias: NONE (NO BIAS)
Family violence: NO

Offenses (Completed/Attempted)

Offense: # 1 2100-0 DWI - COMPLETED
Location: STREETS / HWY / ROAD / ALLEY
Offender suspected of using: ALCOHOL

Related Event(s)

CP 2012-2552046
AB 2012-40022

Related Person(s)

1. ARRESTED # 1 - STICK, JONATHAN DAVID

(Case Specific Information)

Sex: MALE
Race: WHITE
Date of birth: Feb-27-1966
Address: [REDACTED]
Municipality: AUSTIN, TEXAS 78746-

Particulars

Driver's license: [REDACTED]
Ethnicity: NOT-HISPANIC OR LATINO

Master Name Index Reference

Name: STICK, JONATHAN DAVID
Sex: MALE
Race: WHITE
Date of birth: Feb-27-1966
Ethnicity: NOT-HISPANIC OR LATINO
Address: [REDACTED]
Municipality: AUSTIN, TEXAS 78746-

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AUSTIN POLICE DEPARTMENT
GENERAL OCCURRENCE HARDCOPY

GO# 2012-2552045 **CLEARED BY ARREST**
(IBRS)

2100-0 DWI

Phone numbers

HOME: (512) 470-2970

Linkage factors

Resident status : **RESIDENT OF AUSTIN**

Condition : **ALCOHOL CONTRIBUTED**

Armed with : **NONE**

Offense: **2100- 0 DWI - COMPLETED**

Arrest date: **Sep-11-2012 (Tue.)**

Arrest type: **ON VIEW ARREST (LOCAL ARREST NO WARRANT)**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Related Vehicle(s)

1. **IMPOUNDED (SEIZED/TOWED) # 1** - [REDACTED] TX VIN# [REDACTED]

(Case Specific Information)

License number: [REDACTED]

State of issue: [REDACTED]

VIN #: [REDACTED]

License type: **PASSENGER**

Year of issue: **2013**

Vehicle type: **AUTOMOBILES (SUV, MINI VANS)**

Make and model: **GENERAL MOTORS CORP. YUKON**

Style: **CARRY-ALL (e.g. BLAZER, JEEP, BRONCO)**

Year: **2009**

Color: **BLACK**

[REDACTED]

Master Vehicle Index Reference

License number: [REDACTED]

State of issue: **TEXAS**

License type: **PASSENGER**

Year of issue: **2013**

Owner Information

Owner type: **PERSON**

Owner role: **IMPOUNDED (SEIZED/TOWED)**

[REDACTED]

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Related Text Page(s)

Document: **PRESS RELEASE**

Author: **AP5346 - GILBERT, ROBERT**

Related date/time: **Sep-12-2012 (Wed.) 101**

On 091112 initiated a traffic stop. Report written.

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Related Text Page(s)

Document: INITIAL REPORT

Author: AP5346 - GILBERT, ROBERT

Related date/time: Sep-12-2012 (Wed.) 146

On 091112 at 10:44 PM, I was on duty in full uniform; I was driving a marked stealth police vehicle, unit # 1494. On this date and time, I came into contact with the following driver:

Stick, Jonathan W/M 022766

VEHICLE IN MOTION

I was sitting in the 1100 block of W 6th St observing traffic that was traveling in the area. I observed a dark colored vehicle traveling westbound in the 1000 block at a high rate of speed. I checked the vehicle's speed at 45 mph using stationary radar. The posted speed limit in the 1000 block of W 6th St is 30 mph. The vehicle was traveling in the left lane. In the 1100 block of W 6th St the vehicle moved from the left lane to the center lane without signaling any intent. The vehicle then followed a slower moving car at an unsafe distance of less than one car length. In about the 1300-1400 blocks the vehicle drifted back and forth to the left, crossing the lane line into the left lane as well as straddling the lane line as it continued westbound. In about the 1500 block the vehicle moved from the center lane to the left lane, again without signaling any intent. The vehicle then stopped for the red light at the intersection of W 6th St and West Lynn, stopping past the clearly marked stop line and crosswalk into the intersection. Once the light turned green and the vehicle started moving I activated my emergency lights. The vehicle turned southbound onto Campbell and came to a stop.

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

CONCLUSION OF ASSESSMENT

At the conclusion of all the tests, I formed the opinion that the driver was intoxicated and unable to operate a motor vehicle safely. I placed the driver under arrest; handcuffs were double locked and checked for proper clearance.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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Related Image - ATTCHMENTS

Attachment Description: DWI / PAPAERWORK
Reference Number:

CAUSE NO _____
THE STATE OF TEXAS §
COUNTY OF TRAVIS §
IN THE MUNICIPAL COURT
CITY OF AUSTIN
IN TRAVIS COUNTY, TEXAS
12-2552046
21

AFFIDAVIT FOR WARRANT OF ARREST AND DETENTION

The undersigned Affiant, who after being duly sworn by me, on oath, makes the following statement:
I have good reason to believe and do believe that

(Suspect) Jonathan Stetk (Race) White (Sex) M (DOB) 02/27/1966
(Driver's License number) (State)

On or about 09/11/2012, in the incorporated limits of the City of Austin, County of Travis, Texas, did then and there commit the offense of:

DRIVING WHILE INTOXICATED - Offense Level: Class B

My belief of the foregoing statement is based upon ☒ personal knowledge ☐ information provided to me by Officer _____ an officer working for _____ who personally observed such offense.

I / Officer GILBERT 5346 observed the aforesaid accused driving / operating a 2009 Black GMC Yukon LP upon 500 Black Campbell, a public place in Austin, Texas.

I / Officer GILBERT 5346 stopped / contacted the said accused for the following reason:
Subject was driving westbound in the 1000 block of W 6th St at a high rate of speed. I checked the vehicle at 45 mph using stationary radar. The posted speed limit in the 1000 block is 30 mph. The vehicle then moved from the left lane to the center lane without signaling any intent. The vehicle followed a slower moving car at an unsafe distance (less than 1 car length). In about the 1300-1400 block of W 6th St the vehicle drifted back and forth the left, crossing the lane line into the left lane as well as straddling the lane line as the vehicle continued westbound. In about the 1500 block the vehicle failed to signal intent again when it moved from the center lane to the left lane. When the vehicle stopped at the red light at the intersection of W 6th and West Lynn it failed to stop at the designated point, stopped well past the clearly marked stop line, past the first crosswalk line and into the intersection.

A citizen _____, residing at (City/State only) _____ identified the said
Accused to Officer _____ as the driver of 2009 Black GMC Yukon LP at the scene of said
collision / offense, at 500 Black Campbell, a public place in Austin, Texas.

The offense was: _____

(describe offense if other than collision)

Officer GILBERT, ROBERT - AP5346 observed the said accused at the scene of said offense and formed the opinion the said accused was intoxicated based upon the following conditions exhibited by the said accused;

Clothing:	<input type="checkbox"/> Disorderly	<input type="checkbox"/> Soiled	<input checked="" type="checkbox"/> Mussed	<input type="checkbox"/> Disarranged	<input type="checkbox"/> Orderly
Alcoholic Beverage Odor:	<input type="checkbox"/> Strong	<input type="checkbox"/> Moderate	<input type="checkbox"/> Faint	<input type="checkbox"/> None	
Eyes:	<input checked="" type="checkbox"/> Bloodshot	<input checked="" type="checkbox"/> Watery	<input checked="" type="checkbox"/> Glassy	<input type="checkbox"/> Dilated	<input type="checkbox"/> Constricted
Speech:	<input type="checkbox"/> Stumbled	<input checked="" type="checkbox"/> Slurred	<input type="checkbox"/> Confused	<input type="checkbox"/> Not understandable	<input type="checkbox"/> Mushmouthed
	<input type="checkbox"/> Stuttered	<input checked="" type="checkbox"/> Fair	<input type="checkbox"/> Good	<input type="checkbox"/> Accent	<input type="checkbox"/> Thick Tongued
Balance:	<input checked="" type="checkbox"/> Wobbling	<input type="checkbox"/> Falling	<input checked="" type="checkbox"/> Swaying	<input checked="" type="checkbox"/> Unsure	<input type="checkbox"/> Needed Support
Attitude:	<input type="checkbox"/> Excited	<input type="checkbox"/> Humorous	<input type="checkbox"/> Belligerent	<input checked="" type="checkbox"/> Uncooperative	<input type="checkbox"/> Profanity
	<input type="checkbox"/> Sleepy	<input type="checkbox"/> Combative	<input type="checkbox"/> Indifferent	<input type="checkbox"/> Cooperative	<input type="checkbox"/> Insulting
Unusual Actions:	<input type="checkbox"/> Hiccoughing	<input type="checkbox"/> Belching	<input type="checkbox"/> Hallucinating	<input type="checkbox"/> Vomiting	<input checked="" type="checkbox"/> Lying
	<input type="checkbox"/> Fighting	<input type="checkbox"/> Restless	<input type="checkbox"/> Laughing	<input type="checkbox"/> Disoriented	<input type="checkbox"/> Unconscious
Walking:	<input type="checkbox"/> Staggering	<input checked="" type="checkbox"/> Swaying	<input type="checkbox"/> Staggering	<input type="checkbox"/> Stumbling	<input checked="" type="checkbox"/> Unsure
Turning:	<input type="checkbox"/> Staggering	<input type="checkbox"/> Staggering	<input checked="" type="checkbox"/> Staggering	<input type="checkbox"/> Staggering	<input type="checkbox"/> Unsure

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The following field sobriety tests were administered in order to determine impairment of physical and mental faculties: (5 tests)

☒ HORIZONTAL GAZE NYSTAGMUS (HGN)

☒ REFUSED

☐ L ☐ R - Lack of Smooth Pursuit

☐ L ☐ R - Onset of Nystagmus Prior to 45 degrees

☐ I am certified to administer the HGN test

☐ Vision in Both Eyes ☐ Equal Tracking ☐ Equal Pupil Size

☐ L ☐ R - Distinct & Sustained Nystagmus at Maximum Deviation

☐ Yes ☐ No - Vertical Nystagmus

☒ WALK & TURN

☐ Performed as instructed

☐ Lost balance during instructions ☐ Began before being instructed to start

☒ REFUSED

☐ Failed to touch heel to toe

☐ Took wrong # of steps

☐ Used arms for balance

☐ Turned improperly

☐ Stepped off line

☐ Stopped while walking

☒ ONE LEG STAND

☐ Performed as instructed

☒ REFUSED

☐ Swayed

☐ Hopped

☐ Used arms for Balance

☐ Put foot down

☐ ROMBERG BALANCE (Also known as the Head Tilt or Modified Attention)

☒ REFUSED

☐ Exhibited _____ inch sway front to back

☐ Estimated 30 seconds as _____ seconds

☐ Exhibited _____ inch sway side to side

☐ Exhibited _____ inch circular sway

☐ FINGER TO NOSE

☐ Performed as instructed

☐ REFUSED

☐ Failed to touch tip of finger to tip of nose _____ out of _____ times

Field Sobriety Tests Were Not Administered Because (if applicable): Subject refused all SFST's

Collision ☐ Yes ☒ No

Serious Injury? ☐ Yes ☒ No

If

Yes,

Victim

is

Medication Taken? ☒ Yes ☐ No If Yes, What? Advil, Liplitor

Accused in Possession of Alcohol/Drugs ☐ Yes ☒ No Describe: _____

Pre-Arrest Admissions by Accused: Stated he had 2 drinks then stated that he had 4 drinks

Other Field Sobriety Test Administered/Signs of Intoxication (other than those stated above, if any): MISSED AND UNBUTTONED SHIRT, STATED TO JUST TAKE HIM TO JAIL

Was the motor vehicle occupied by a child younger than 15 years of age? ☐ Yes ☒ No If yes, quantity and age _____

Time of call: 2244

Time of Intoxilyzer/PBT: _____

Intoxilyzer Administered?

☐ Yes ☐ No

☒ Refused

If yes, Results: _____

PBT (preliminary breath test)

☐ Yes ☐ No

☒ Refused

If yes, Results: _____

Blood Test Administered?

☐ Yes ☐ No

☒ Refused

Previous Driving While Intoxicated Convictions?

☐ Yes ☒ No

Counties/Dates: _____

Affiant

On this, the 11 day of Sept., 2012, I hereby acknowledge that I have examined the foregoing affidavit and have determined that probable cause exists for the issuance of an arrest warrant for the individual accused therein.

Magistrate, Municipal Court, Austin, Travis County, Texas
Austin Police Incident Number: 122552046
PD00148

Sworn and subscribed to before me by the said Affiant on this 11 day of SEPTEMBER, 2012

Peace Officer in the State of Texas

Officer: GILBERT, ROBERT - AP5346

Bond:
\$2,000.00

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AUSTIN POLICE DEPARTMENT
GENERAL OCCURRENCE HARDCOPY

GO# 2012-2552046 CLEARED BY ARREST
(IBRS)

2100-0 DWI

STATUTORY WARNING

DIC - 24 (REV. 9/11)

Jonathan Stick
SUBJECT'S NAME

DL NO. / STATE

02/27/1966
DOB

PHYSICAL DESCRIPTION (if unlicensed) Race: White Sex: M Height: 506 Weight: 145 Eyes: BLU Hair: BRO

DATE OF ARREST: 09/11/2012 TIME OF ARREST: 10:44PM COUNTY OF ARREST: Travis County

You are under arrest for an offense arising out of acts alleged to have been committed while you were operating a motor vehicle in a public place, or a watercraft, while intoxicated, or an offense under Section 106.041, Alcoholic Beverage Code. You will be asked to give a specimen of your breath and/or blood. The specimen will be analyzed to determine the alcohol concentration or the presence of a controlled substance, drug, dangerous drug or other substance in your body.

If you refuse to give the specimen, that refusal may be admissible in a subsequent prosecution. Your license, permit or privilege to operate a motor vehicle will be suspended or denied for not less than 180 days, whether or not you are subsequently prosecuted for this offense.

If you refuse to submit to the taking of a specimen, the officer may apply for a warrant authorizing a specimen to be taken from you.

If you are 21 years of age or older and submit to the taking of a specimen and an analysis of the specimen shows that you have an alcohol concentration of 0.08 or more, your license, permit or privilege to operate a motor vehicle will be suspended or denied for not less than 90 days, whether or not you are subsequently prosecuted for this offense.

If you are younger than 21 years of age and have any detectable amount of alcohol in your system, your license, permit or privilege to operate a motor vehicle will be suspended or denied for not less than 60 days. However, if you submit to the taking of a specimen and an analysis of the specimen shows that you have an alcohol concentration of less than 0.08, you may be subject to criminal penalties less severe than those provided for under Chapter 49, Penal Code.

If you were operating a motor vehicle and you refuse to give the specimen or provide a specimen that shows you have an alcohol concentration of 0.08 or more, you may be disqualified from driving a commercial motor vehicle for a period of not less than one year.

You may request a hearing on the suspension or denial. This request must be received by the Texas Department of Public Safety at its headquarters in Austin, Texas, no later than 15 days after you receive or are presumed to have received notice of suspension or denial. The request can be made by written demand, fax, or other form prescribed by the Department.

I certify that I have informed you both orally and in writing of the consequences of refusing to submit to the taking of a specimen or providing a specimen. I have provided you with a complete and true copy of this statutory warning.

I am now requesting a specimen of your ☒ Breath ☐ Blood

☐ Subject refused to allow the taking of a specimen and further refused to sign below as requested by this officer.
OR

☒ Subject refused to allow the taking of a specimen as evidenced by his/her signature below.

Subject's Signature

☐ I further certify that because you are a child as defined in Section 51.02, Family Code, the above request for a specimen and your response have been videotaped.

Officer's Signature

GILBERT, ROBERT - AP5346

Officer's Printed Name

AUSTIN POLICE DEPARTMENT

Agency

974-5000

Telephone No.

FOR DEPARTMENT USE ONLY

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AUSTIN POLICE DEPARTMENT GENERAL OCCURRENCE HARDCOPY

GO# 2012-2552046 CLEARED BY ARREST
(IBRS)

2100-0 DWI

NOTICE OF SUSPENSION TEMPORARY DRIVING PERMIT

DIC-25 (Rev. 10/09)

Jonathan Stick
SUBJECT'S NAME

DOB NO/STATE

02/27/1986
DOB

ADDRESS:

PHYSICAL DESCRIPTION (If unlicensed) Race: White Sex: M Height: 506 Weight: 145 Eyes: BLU Hair: BRO

DATE OF ARREST: 09/11/2012 TIME OF ARREST: 10:44PM COUNTY OF ARREST: Travis County

YOUR LICENSE, PERMIT OR PRIVILEGE TO OPERATE A MOTOR VEHICLE OR WATERCRAFT WILL BE SUSPENDED OR DENIED EFFECTIVE 40 DAYS AFTER THE DATE YOU RECEIVE THIS NOTICE BECAUSE YOU:

ADULT:

- ☒ REFUSED to provide a specimen or specimens of breath or blood following an arrest for an offense prohibiting the operation of a motor vehicle or watercraft while intoxicated, while under the influence of alcohol, or while under the influence of a controlled substance.
- ☐ PROVIDED a specimen of breath or blood, and an analysis of the specimen showed an alcohol concentration of .08 or greater following an arrest for an offense involving the operation of a motor vehicle or watercraft.

MINOR (Under 21):

- ☐ REFUSED to provide a specimen or specimens of breath or blood following an arrest for an offense prohibiting the operation of a motor vehicle or watercraft while intoxicated, while under the influence of alcohol, or while under the influence of a controlled substance.
- ☐ PROVIDED a specimen of breath or blood, and an analysis of the specimen showed either an alcohol concentration of .08 or greater or a detectable amount of alcohol following an arrest for an offense involving the operation of a motor vehicle or watercraft.
- ☐ WERE NOT REQUESTED TO SUBMIT to the taking of a specimen following an arrest involving the operation of a motor vehicle or watercraft, as the presence of alcohol was detected or measured by other means.

If your Texas driver license was confiscated, this document will serve as your temporary driving permit. It is subject to the same restrictions and endorsements as your Texas driver license. If you hold a commercial driver license, this permit authorizes the operation of commercial motor vehicles. This permit does not provide you with any driving privileges if you do not have a Texas driver license or if your Texas driver license is expired, suspended, revoked, cancelled, or disqualified. This permit is valid for 40 days from the date of service shown below. If you request a hearing, this permit will remain in effect until the administrative law judge makes a final decision in your case.

Driver License Confiscated: ☒ Yes ☐ No If no, explain _____

Date Notice Served: 09/11/12

Officer's Signature

GILBERT, ROBERT - AP5346

Officer's Printed Name

AUSTIN POLICE DEPARTMENT

Agency

974-5000

Telephone No.

FOR DEPARTMENT USE ONLY

DRIVER INFORMATION

You may request a hearing to contest the suspension by calling (800) 394-9913, faxing (512) 424-2650 or writing the Texas Department of Public Safety, Driver Improvement Bureau, at PO Box 4040, Austin, Texas 78765-4040. All correspondence must include the following information: Full name, date of birth, driver license number and state, arrest numbers, date and county of arrest, arresting agency, arresting officer, whether the last was a hearing or not. Information as requested by the Department. Please specify if you wish to have your hearing by telephone or in person. The request for hearing must be received by the Texas Department of Public Safety no later than 15 days after you receive or are presumed to have received notice of suspension. Failure to request a hearing within this time is a waiver of your right to a hearing. You will be notified of the date, time, and location of your hearing. You will be required to pay a \$125 reinstatement fee to the Texas Department of Public Safety, Driver Improvement Bureau, PO Box 15990, Austin, Texas 78761-5999, in addition to any other fees required by law. See reverse side for periods of suspension and statutory references.

DPS Copy—White

Driver's Copy—Yellow

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AUSTIN POLICE DEPARTMENT GENERAL OCCURRENCE HARDCOPY

GO# 2012-2552046 CLEARED BY ARREST
(IBRS)

2100-0 DWI

PERIODS OF SUSPENSION

ADULTS:

Refused to provide a specimen or specimens of breath or blood following an arrest for an offense prohibiting the operation of a motor vehicle or watercraft while intoxicated, while under the influence of alcohol or while under the influence of a controlled substance (Tex. Transp. Code Ann. Ch. 724):

180 DAYS First Offense
2 YEARS If previously suspended for failing or refusing a breath or blood test or previously suspended for a DWI, Intoxication Assault or Intoxication Manslaughter conviction during the 10 years preceding the date of arrest.

Provided a specimen of breath or blood with an alcohol concentration of 0.08 or greater following an arrest for an offense under Section 49.04, 49.07 or 49.08, Penal Code, involving the operation of a motor vehicle or watercraft (Tex. Transp. Code Ann. Ch. 524):

90 DAYS First Offense
1 YEAR If previously suspended for failing or refusing a breath or blood test or previously suspended for a DWI, Intoxication Assault or Intoxication Manslaughter conviction during the 10 years preceding the date of arrest.

MINORS (UNDER 21 YEARS OF AGE):

Refused to provide a specimen or specimens of breath or blood following an arrest for an offense prohibiting the operation of a motor vehicle or watercraft while intoxicated, while under the influence of alcohol or while under the influence of a controlled substance (Tex. Transp. Code Ann. Ch. 724):

180 DAYS First Offense
2 YEARS If previously suspended for failing or refusing a breath or blood test or previously suspended for a DWI, Intoxication Assault or Intoxication Manslaughter conviction during the 10 years preceding the date of arrest.

Provided a specimen of breath or blood with an alcohol concentration of 0.08 or greater or a detectable amount of alcohol following an arrest for an offense under Section 49.04, 49.07 or 49.08, Penal Code, or Section 106.041, Alcoholic Beverage Code, involving the operation of a motor vehicle or watercraft (Tex. Transp. Code Ann. Ch. 524):

60 DAYS First Offense
120 DAYS If previously convicted of an offense under Sections 49.04, 49.07 or 49.08, Penal Code, or Section 106.041, Alcoholic Beverage Code, involving the operation of a motor vehicle or watercraft.
180 DAYS If previously convicted twice or more of an offense under Sections 49.04, 49.07 or 49.08, Penal Code, or Section 106.041, Alcoholic Beverage Code, involving the operation of a motor vehicle or watercraft.

COMMERCIAL DRIVER LICENSE (CDL) HOLDERS: Pursuant to Tex. Transp. Code Ann. Chapter 522, your commercial driving privilege will be disqualified for one year (three years if transporting hazardous material required to be placarded) if you refused to submit to a test under Chapter 724 to determine your alcohol concentration or the presence in your body of a controlled substance or drug while operating a motor vehicle in a public place; or if an analysis of your breath or blood under Chapter 524 determines that you had an alcohol concentration of 0.08 or more while operating a motor vehicle, other than a commercial motor vehicle, in a public place.

DRIVER LICENSE REINSTATEMENT FORM

Name Jonathan Stick

DL No. [REDACTED]

DOB 02/27/1966

Address [REDACTED]

You are required to pay a \$125 fee to reinstate your driver license. Payment must be made in the form of a cashier's check or money order made payable to the Texas Department of Public Safety. Please complete this form and return it, along with your reinstatement fee, to the Texas Department of Public Safety at the following address: DRIVER IMPROVEMENT BUREAU, PO BOX 15999, AUSTIN TX 78761-5999.

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