

DEFENDANT’S REQUEST FOR A DRIVING SAFETY COURSE

Under the laws of the State of Texas, you may be able to have this charge dismissed by completing a driving safety course. Before taking the course, you must receive permission prior to the appearance date on the ticket, from the Court. However, you are **NOT eligible** if you have been charged with:

1. a speeding violation of 25 Mph or more above the posted speed limit;
2. an offense that occurred in a construction zone while workers are present;
3. Failure to give information or render aid at/or leaving scene of accident;
4. Passing a school bus;
5. Reckless driving, fleeing or attempting to elude a Peace Officer;
6. Serious traffic violation or accident involving damage to a vehicle
7. or if you have a commercial driver’s license (CDL);

I (print name) _____ hereby enter my appearance on the complaint of the offense of: _____ (in person)(by counsel)(by certified mail). I understand that I have a right to a jury trial. I hereby waive my right to a jury trial, plead no contest, and elect under Article 45.0511, Code of Criminal Procedure, to take a driving safety course.

I understand that I must present the Court the following with this request:

1. a valid Texas driver’s license or permit, or proof that I am a member, or the spouse or dependent child of a member, of the United States military forces serving on active duty;
2. proof of financial responsibility pursuant to Chapter 601, Transportation Code (automobile liability insurance);
3. payment of court costs \$ 134.00; and
4. payment of a \$ 10.00 nonrefundable administrative reimbursement fee.

I understand that I must:

1. complete a driving safety course or motorcycle operator training course as applicable within 90 days of this request; <https://www.texasapprovedcourses.com/approved-defensive-driving-list/>
2. submit by the 90th day from this request a uniform certificate of course completion of a driving safety course or a verification of course completion of a motorcycle operator training course as evidence that I have completed such a course;
3. submit by the 90th day from this request an affidavit that I was not taking such a course nor had I completed one within the preceding 12 months from the date of my current offense that is not shown on my driving record as maintained by the Texas Department of Public Safety (or if I am on active military duty, or am the spouse or dependent child of a member of the United States military forces serving on active duty, that I have not taken a course in another state in the preceding 12 months nor am taking such a course at the time of this request); and
4. submit by the 90th day from this request a certified copy of my driving record as maintained by the Texas Department of Public Safety. <https://www.dps.texas.gov/DriverLicense/driverrecords.htm>

I understand that:

1. if I comply with the court order granting the taking of a driving safety/motorcycle operator training course and submit all the required evidence as ordered, the Court will dismiss my case and report to the Texas Department of Public Safety the date that I completed my course for inclusion on my driving record;
2. if I fail to submit all the evidence required by the Court, I will be notified of a show cause hearing and be required to appear before the Court to show cause why I did not present the required evidence of course completion;
3. the judge may at the show cause hearing enter a final adjudication against me and require me to pay the fine; and
4. the failure to appear at the show cause hearing will result in a final adjudication being entered against me, and that I will be required to pay the fine and any additional costs required by law.

I ATTEST THAT I HAVE READ THIS DOCUMENT.

Defendant's Signature	Date	Defendant’s Attorney (if applicable)	Date
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Current mailing address	City	Zip	Contact Phone #
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Email address to receive court communications _____

The 5 listed items must be sent Certified Mail postmarked by the appearance date indicated on the ticket:

1. This Completed Request Form
2. Copy of Ticket
3. Copy of Texas Driver’s License
4. Copy of Proof of Insurance
5. Money Order for \$144.00 made payable to: Roman Forest Municipal Court

KEEP A COPY FOR YOUR RECORDS

2430 Roman Forest Blvd., Roman Forest, Texas 77357

AFFIDAVIT FOR A DRIVING SAFETY COURSE (Art. 45.0511(c)(3), C.C.P.)

STATE OF TEXAS

_____ COUNTY, TEXAS

AFFIDAVIT

I, (print name) _____, state under oath that on the date of my request for a driving safety course/motorcycle operator training course in the above numbered cause that I was not taking such a course nor had I completed one within the 12 months preceding the date of my current offense that is not shown on my driving record as maintained by the Texas Department of Public Safety (or as maintained by the state that issued my driver's license - active military duty personnel only).

Defendant's Signature

Sworn and subscribed before me, the undersigned authority on this the ____ day of _____, 20 ____.

(Notary Public in and for the State of Texas)
(Judge)(Court Clerk)(Deputy Court Clerk)