

REQUEST FOR DEFENSIVE DRIVING AFFIDAVIT

TELEPHONE CALLS AND EMAILS DO NOT CONSTITUTE AN APPEARANCE BEFORE THE COURT

Mail to the Justice Court indicated on your Citation.
Enclose a copy of the Citation, your Driver's License & proof of insurance with your reply.

Name (as it appears on license) _____
Citation No. _____ Date of Citation _____
Appearance Date _____ Driver's License No. _____
Mailing Address _____
Physical Address _____
E-mail Address _____
Telephone No. (Home) A/C _____ / _____ - _____ (Cell) A/C _____ / _____ - _____

DRIVING SAFETY COURSE (DSC) OR MOTORCYCLE OPERATOR TRAINING COURSE

Under the laws of the State of Texas, you may be able to require that **(one)** charge be dismissed by taking a driving safety course. However, you must provide written notice of your intent to the Court **on or before the appearance date** as shown on your citation.

NOTE: "A person who holds a Commercial Driver's License (CDL) is not eligible to take a Driving Safety Course to dismiss the charge nor is the Court allowed, by law, to grant a deferred sentence." Also, if your charge is for a Construction/Maintenance Zone Violation (with workers present) or Passing a School Bus Loading or Unloading you are NOT eligible to take a Driving Safety Course or receive a deferred sentence.

A CHARGE MAY BE DISMISSED BY COMPLETING A DRIVING SAFETY COURSE PROVIDED THE FOLLOWING REQUIREMENTS ARE MET:

1. You are charged with a moving traffic violation other than Speeding 25 miles or more above the posted speed limit;
2. You have not used this option during the preceding 12 months and you are not in the process of using this option for another offense;
3. You have a valid Texas Driver's License;
4. You provide the Court with proof of financial responsibility (insurance) that complies with state laws;
5. You provide a copy of your driving record and a certificate of course completion approved by the State of Texas (Due date will be given by the Court).

IF REQUESTING DSC, READ AND HAVE FORM NOTARIZED AND RETURN TO THE COURT WITH YOUR PROOF OF FINANCIAL RESPONSIBILITY (INSURANCE), COPY OF DRIVER'S LICENSE AND YOUR FEE ON OR BEFORE YOUR APPEARANCE DATE AS SHOWN ON YOUR CITATION.

I hereby request to take a Driving Safety Course (DSC) or Motorcycle Operator Training Course and enter a plea of no contest to the charge of: _____ and request the Court to dismiss the charge as provided by law. I certify that I have read and meet all the requirements as set forth above for DSC eligibility. I further understand that the DSC must be submitted to the Court within 90 days from the appearance date; otherwise the original fine amount must be paid.

DRIVING SAFETY COURSE COURT FEE IS:

If citation issued PRIOR to September 1, 2019 fee is **\$110.00 only** – unless DSC not turned in by due date.
If citation issued AFTER to September 1, 2019 fee is **\$130.00 only** – unless DSC not turned in by due date.

Under the penalty of perjury: _____
Signature of Defendant

SWORN to and subscribed before me this _____ day of _____, _____.

(Notary Public or someone authorized to administer oaths)

Check one (If requesting Defensive Safety Course, you do not need to complete the section below).

1. I hereby enter a plea of ___ No Contest or ___ Guilty and wish to pay my fine. Payment of the fine amount is enclosed.
2. ___ I hereby enter a plea of NOT GUILTY and request: A. ___ Trial by Court (Waiving Trial by Jury)
B. ___ Trial by Jury

Signed this _____ day of _____, 20____. Signature _____