

REQUEST FOR A DRIVING SAFETY COURSE (Art. 45.0511(b), C.C.P.)

CAUSE NUMBER: _____

STATE OF TEXAS

IN THE JUSTICE COURT

VS.

PCT 1

ERATH COUNTY, TEXAS

DEFENDANT'S REQUEST FOR A DRIVING SAFETY COURSE

I hereby enter my appearance on the complaint of the offense of: _____. I understand that I have a right to a jury trial. I hereby waive my right to a jury trial, plead (guilty)(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); and
3. payment of \$112.00 (\$137.00 if it was in a school zone).

I understand that I must:

1. complete a driving safety course or motorcycle operator training course as applicable within 90 days of this request;
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 dependant 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.

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

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

CAUSE NUMBER: _____

STATE OF TEXAS

IN THE JUSTICE COURT

VS.

PCT 1

ERATH COUNTY, TEXAS

AFFIDAVIT

I, _____, 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__.

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

Editor's Note: Required to be filed within 90 days of the request for a driving safety course/motorcycle operator training course.