

## DEFENSIVE DRIVING

Defensive Driving is a method to keep a citation off of your driving record. Upon the timely completion of an approved driver's safety course and the return of the Certificate of Completion and a copy of your Driving Record (obtained from the Texas Department of Public Safety) to the court, the court dismisses your citation.

**\*\*\*\*\*DO NOT TAKE DEFENSIVE DRIVING UNTIL IT HAS BEEN APPROVED BY THE COURT.\*\*\*\*\***

**Once you determine that you are eligible for Defensive Driving you must:**

1. Make a timely request to the court for defensive driving (within your appearance date) **DO NOT TAKE DEFENSIVE DRIVING BEFORE APPROVAL FROM THE COURT\*\***
2. Present satisfactory proof of all the requirements (driver's license & insurance)
3. Pay the court cost plus applicable fee in full at the time of your request.

The court will then sign an order allowing you to complete defensive driving. You will have 90 days from the date of the court's order to complete your course and submit all paperwork (Certificate of Completion and Driving record).

If you do not turn in your Defensive Driving Certificate and your Driving Record to the court by the last day of your probation, you will be deemed to have failed the course. Extensions of time are not granted.

**REQUIREMENTS FOR DEFENSIVE DRIVING:**

**BY MAIL:**

PLEA FORM (ATTACHED)

DEFENSIVE DRIVING REQUEST FORM (ATTACHED)

COPY OF VALID TEXAS DRIVER'S LICENSE

COPY OF INSURANCE

MONEY ORDER OF COURT COST \$144.00 or \$169 for Speeding in School Zone

MAKE MONEY ORDER OUT TO: GILMER MUNICIPAL COURT

110 BUFFALO ST, GILMER, TX 75644

**IN PERSON:**

PLEA FORM

DEFENSIVE DRIVING REQUEST

COPY OF VALID DRIVER'S LICENSE

COPY OF INSURANCE

CASH, CHECK, MONEY ORDER, CREDIT CARD (service fee applied for card transactions)

**If requirements are received by the following methods:**

**Mail:** Court will process and mail everything back to you to the address that you provided. Please provide telephone number also.

**In Person:** You will be given all information on your appearance.

**TO BE ELIGIBLE FOR DEFENSIVE DRIVING:**

1. You must make the request for Defensive Driving either in writing or by appearing in person at the Municipal Court by the appearance date given on citation.
2. You must enter a plea of "guilty" or "no contest" and sign and submit a plea form.
3. You must pay the court costs of \$144.00 or \$169 (speeding in school zone) in full at the time you make the request. There are no extensions or payment plans for this payment.
4. You must show proof of valid automobile insurance with your name on the policy.
5. You must show proof of current valid Texas Driver's License.
6. You must not have taken a course for ticket dismissal within the 12 months preceding the date of your citation.

**YOU ARE NOT ELIGIBLE IF:**

1. You are accused of speeding 25 miles per hour or more than the posted limit.
2. Your violation occurred in a construction zone when workers were present.
3. You have a Commercial Driver's License.
4. You are accused of Fail to stop and give information/render aid.
5. You are accused of Passing a School Bus.
6. Leaving the scene of an accident (hit and run).

CAUSE NUMBER: \_\_\_\_\_

STATE OF TEXAS

VS.

§  
§  
§

IN THE MUNICIPAL COURT

CITY OF \_\_\_\_\_

\_\_\_\_\_ COUNTY, TEXAS

DEFENDANT'S REQUEST FOR A DRIVING SAFETY COURSE

I 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 (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);
3. payment of court costs; and
4. payment of a \$\_\_\_\_\_ nonrefundable administrative fee (not to exceed \$10).

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

STATE OF TEXAS

§

CITATION NUMBER:

VS.

§

\_\_\_\_\_  
*(print the citation number)*

§

OFFENSE DATE:

\_\_\_\_\_  
Defendant *(print your name)*

\_\_\_\_\_  
*(print the date of offense)*

**Plea Form**

For the offense of \_\_\_\_\_ I wish to enter a plea of:  
*(print the offense listed on the citation)*

Guilty/Culpable

I waive my right to a jury trial or hearing by the Court, and agree to pay the fine and costs assessed. I understand that my plea may result in a conviction on either a criminal record or a driver's license record. Furthermore, if I have posted a cash bond, I give my permission to apply my bond towards the fine and costs on the case number listed above.

No Contest/Ninguna Competencia

I waive my right to a jury trial or hearing by the Court, and agree to pay the fine and costs assessed. I understand that my plea may result in a conviction on either a criminal record or a driver's license record. Furthermore, if I have posted a cash bond, I give my permission to apply my bond towards the fine and costs on the case number listed above.

Not Guilty/No Culpable

By pleading Not Guilty I understand I am no longer eligible for a Driver Safety Course.

I want a jury trial.

I waive my right to a jury trial and request a trial before the Court.

I have read and understand my plea. Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Defendant *(sign your name)*