

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

CAUSE NUMBER: _____

STATE OF TEXAS § **IN THE JUSTICE COURT**
VS. § **OF SHACKELFORD**
_____ § **COUNTY, TEXAS**

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 Art. 45.0511, CCP, to take a driving safety course.

I understand that I must present to the court the following with this request: 1- 4 within 30 days of citation!

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 cost 98.10 ; and
4. payment of a \$10.00 nonrefundable fee.

I understand that I must:

1. complete a driving safety course or motorcycle operator training course as applicable within 90 days of your citation;
2. submit by the 90th day a uniform certificate of course completion of a driving safety course or a verification of course completion of a motorcycle operator course as evidence of 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 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 course and submit all the required evidence as ordered that 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. failure to submit all the evidence required by the court, that 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 enter 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

Date

Defendant's Attorney (if applicable)

Editor's Note: Effective September 1, 2007, a defendant who is charged with speeding 95 miles per hour or more is prohibited from seeking dismissal through a driving safety course or motorcycle operator course pursuant to Article 45.0511(b) of the Code of Criminal Procedure.

AFFIDAVIT FOR DRIVING SAFETY COURSE (Art. 45.0511(c)(3), CCP)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE JUSTICE COURT

VS.

§

OF SHACKELFORD

§

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

_____, 200__.

(seal)(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 course.

DRIVING SAFETY: NOTICE TO DEFENDANT TO SHOW CAUSE (Art. 45.0511, CCP)

CAUSE NUMBER: _____

STATE OF TEXAS

§

IN THE JUSTICE COURT

VS.

§

OF _____

§

COUNTY, TEXAS

Name: _____

Offense: _____

Address: _____

You are hereby ordered to appear before the _____ Justice Court at _____ o'clock __.m., on the _____ day of _____, 200__, to show cause why you failed to comply with the Court's order in this case by _____, 200__.

Failure to appear on this date and time will result in the issuance of a capias pro fine (arrest warrant) against you based on the judgment of \$ _____ entered against you when you submitted your plea and request for a driving safety course.

(Judge)(Clerk), Justice Court

City of _____

_____ County, Texas

Date: _____