

AFFIDAVIT AND REQUEST FOR DRIVER OR MOTORCYCLE SAFETY COURSE

Name: _____ Address: _____

Phone: _____ Email: _____

Citation Number: _____ (Top, right corner on your citation)

Charge: _____ (for example, Speeding, FMFR, etc. This is listed on your citation)

I, the defendant in the above titled and numbered case, do hereby enter my plea of: ☐ NO CONTEST or ☐ GUILTY and, by signing below, acknowledge that I waive my right to a trial by judge or jury, the right to review evidence, and the right to appeal in this case. I hereby elect under Article 45.0511, Code of Criminal Procedure, to take a driving safety course.

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

- 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);
- proof of financial responsibility (automobile liability insurance);
- payment of court costs and fee of \$144.00 (or \$169.00 for school zone offenses).

I understand that, WITHIN 90 DAYS of this request, I must RETURN TWO (2) DOCUMENTS. I must -

1. complete a DRIVING SAFETY COURSE approved by the Texas Department of Licensing and Regulation (or motorcycle operator training course as applicable) and submit to the court a SIGNED uniform certificate of course completion (for TDLR approved providers go to <https://www.tdlr.texas.gov/DESSearch>, click "I want to take a class or course," then choose "Driving Safety-Defensive Driving") -AND -
2. submit to the Court a certified copy of my DRIVING RECORD (Type 3A) as maintained by the Texas Department of Public Safety. (to request this document online, go to www.texas.gov).

I do solemnly swear and affirm that the following statements are true and correct:

- I am the person named in the above-referenced citation;
- I possess a valid Texas driver's license or permit;
- I possess proof of financial responsibility (automobile liability insurance);
- I am not currently taking a driving safety course nor have I completed a driving safety course within the 12 months before the date of this citation;
- I am not charged with driving 25 mph or more over the posted speed limit or speeding 95 mph or more;
- I did not hold a Commercial Driver's License (CDL) on the offense date or currently hold a CDL;
- The offense did not occur in a construction zone with workers present;
- The offense did not involve failing to give information at an accident, leaving the scene of an accident, passing a school bus, or serious traffic violation;

I understand that:

- **if I comply with the Court's Order** and submit all the required evidence, 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;
- **if I fail to submit any of the evidence within 90 days** as required by the Court:
 - 1) I will be required to appear before the Court to show cause why I did not present the required evidence;
 - 2) at the show-cause hearing the judge may enter a FINAL CONVICTION and require me to PAY THE FINE;
 1. if I fail to appear at the hearing, a final conviction will be entered and I will be required to pay the fine and any additional costs required by law.

Defendant's Signature

Date

