

CITY OF LA FERIA MUNICIPAL COURT
115 E. COMMERCIAL AVE, LA FERIA TX 78559
DRIVING SAFETY COURSE REQUEST FORM & AFFIDAVIT



CITATION # _____ DOCKET/CAUSE # _____

NAME: _____ DOB: _____

ADDRESS: _____

CITY, STATE, ZIP: _____ PHONE: _____

I hereby enter my appearance on the complaint of the offense of: _____

I understand that I have the right to a jury trial. I hereby waive my right to jury trial, plead _____, and request to take a driving safety course.

I understand that I must:

- 1) Provide the court a copy of a valid Texas Driver's license or permit.
- 2) Provide the court proof of financial responsibility (Automobile Ins.)
- 3) Present to the court a certified copy of my driving record from DPS DR 1 Form: <http://www.dps.texas.gov/> (fee may apply)
- 4) Take a driving safety course approved by the Texas Education Agency, or if operating a motorcycle, a motorcycle operator's training approved by the Department of Public Safety, completed by _____.
- 5) Present to the court a uniform certificate of driving safety course completion from a Texas Education Agency approved course (or from a DPS approved motorcycle course) by _____.
- 6) Upon return of this form, it MUST be accompanied by an administrative fee plus court costs in the amount of \$_____ within fifteen (15) days.

I understand that:

- 1) If I complete a driving safety course within 90 days, the charge against me will be dismissed and that the court will report to the Department of Public Safety the completion date of the driving safety course for inclusion on my driving record.
- 2) If I fail to present to this court proof of completion of the driving safety course (original court copy) by _____, the court will require my appearance at a show cause hearing;
- 3) If I fail to appear at the show cause hearing, the court will impose the Fine with a Guilty verdict and may issue a warrant for my arrest.

Completion date: _____

Defendant's Signature Date

A F F I D A V I T

I, _____, state under oath that I am not in the process of taking a driving safety course under Art. 45.0511(d), C.C.P., nor have I completed a course under that section that is not yet reflected on my driver's record as maintained by the Texas Department of Public Safety.

Defendant's Signature

Sworn and Subscribed before me, the undersigned authority on this the _____ day of _____, 20____.

Notary Public in and for the State of Texas

JUDGE'S STANDING ORDER NO. 7 – DRIVING SAFETY COURSE

IT IS ORDERED that the Clerk may accept a request for the Driving Safety Course (DSC) at the Clerk's window if the following requirements are met:

1. The defendant requests DSC no later than the "appearance date" stated on the citation. If the appearance date falls on a non-business day, then the first business day after the appearance date stated on the citation.
2. The defendant files with the court a signed affidavit complying with all eligibility requirements for DSC set forth in Sec. 45.0511(c)(3) of the Texas Code of Criminal Procedure (CCP).
3. The defendant provides proof of financial responsibility, pursuant to the Texas Transportation Code (TC), valid in force as of the date the Defendant "signs up" for DSC with the Court. Proof must conform to Standing Order No. 5.
4. The defendant presents a valid Driver's License or permit.
5. The defendant is not under 17 years of age,
6. The defendant pays the DSC fee instanter.

IT IS ORDERED that the Clerk may accept proof of completion of a Driving Safety Course for dismissal of the case at the Clerk's window or by mail under the following circumstances:

1. The defendant presents a certificate indicating timely completion of the DSC and a driving record certified by the Texas Department of Public Safety (DPS) issued after the offense date.
2. The driving record presented by the Defendant indicates the Defendant has not completed a driving safety course for the purpose of dismissing a moving violation citation within the twelve (12) months preceding the date of the citation.
3. The course certificate indicates "court copy," is signed by the Defendant and contains no alterations, modifications or erasures.

IT IS ORDERED that upon presentation and verification of completion; the Clerk shall present the case to the Court for dismissal.

If the Defendant fails to provide evidence of successful completion of the DSC within the time period allowed, the Clerk shall summon the Defendant to court to Show Cause why such evidence was not submitted timely. If the Defendant fails to appear, a final judgment shall be prepared for the Court's signature.

No time payment fee shall be assessed until the 31st day after a final judgment has been entered by the Court.

SIGNED AND ENTERED on this the 16th day of December, 2019.

William L. Pope
Presiding Judge