



JUSTICE OF THE PEACE
SMITH COUNTY, TEXAS

TO QUALIFY FOR A DEFENSIVE DRIVING COURSE YOU MUST:

1. HOLD A VALID TEXAS DRIVER'S LICENSE (CANNOT BE A CDL LICENSE)
2. IF YOU ARE AN ACTIVE MEMBER OF THE MILITARY AND WISH TO TAKE A DEFENSIVE DRIVING COURSE, AND YOU QUALIFY, THEN YOU MUST SEND A COPY OF YOUR MILITARY ID ALONG WITH YOUR INSURANCE CARD AND \$112.00 COURT COSTS.
3. NOT EXCEED THE SPEED LIMIT MORE THAN 24 MILES OVER OR CANNOT BE SPEEDING 95 MPH OR MORE.
4. CANNOT BE CHARGED WITH PASSING A SCHOOL BUS, COMMITTING A TRAFFIC OFFENSE IN A CONSTRUCTION OR MAINTENANCE WORK ZONE WITH WORKERS PRESENT, FAILING TO STOP AND GIVE INFORMATION OR RENDER AID FOLLOWING A TRAFFIC ACCIDENT, OR ON STRIKING AN UNATTENDED VEHICLE OR FIXTURE OR HIGHWAY LANDSCAPE.
5. NOT HAVE HAD DEFENSIVE DRIVING IN THE LAST 12 MONTHS TO DISMISS A CITATION
6. MUST SHOW COURT PERSONAL PROOF OF LIABILITY INSURANCE THAT SHOWS YOU LISTED AS AN INSURED DRIVER ON THE DAY OF THE OFFENSE.

IF THE ABOVE RULES APPLY THEN YOU MAY TAKE THIS COURSE

1. WRITE A LETTER TO THE COURT BY THE ORIGINAL DUE DATE ON THE CITATION REQUESTING DEFENSIVE DRIVING. ALONG WITH THIS LETTER INCLUDE A CASHIER'S CHECK OR MONEY ORDER (**NO PERSONAL CHECKS**) FOR \$112.00 TO PAY THE COURT COSTS ON YOUR CITATION. THIS FEE IS NON-REFUNDABLE AND MUST BE POSTMARKED BY THE POST OFFICE BY THE ORIGINAL DUE DATE ON YOUR CITATION. YOU ALSO MUST INCLUDE PROOF OF LIABILITY INSURANCE SHOWING YOU AS A COVERED DRIVER ON THE OFFENSE DATE WITH THIS REQUEST.
2. THE SECOND PAGE OF THIS PACKET IS A FORM TO GET A CERTIFIED COPY OF YOUR DRIVING RECORD. FILL THIS FORM OUT COMPLETELY AND SEND IT TO AUSTIN AT THE ADDRESS LISTED AT THE TOP OF THE FORM. IF YOU KNOW THAT THE RECORD WILL RETURN SHOWING YOU HAVE NOT HAD A DEFENSIVE DRIVING COURSE DURING THE LAST TWELVE MONTHS, GO AHEAD AND TAKE THE COURSE.
3. WITHIN YOUR 90 DAY TIME LIMIT, YOU MUST SEND IN A CERTIFICATE SHOWING YOU COMPLETED THE COURSE AND SEND TO AUSTIN TO GET A COPY OF YOUR DRIVING RECORD SENT TO THE COURT, YOU MAY ALSO REQUEST A COPY OF YOUR DRIVING RECORD ONLINE AT THE TEXAS DEPARTMENT OF PUBLIC SAFETY WEBSITE. FAILURE TO TURN IN THE CERTIFICATE AND DRIVING RECORD TO THE COURT WITHIN YOUR 90 DAY TIME LIMIT WILL RESULT IN AN ADDITIONAL CHARGE OF \$304.00 BEING ADDED TO YOUR ORIGINAL FINE. IF YOU QUALIFY TO TAKE THE DEFENSIVE DRIVING COURSE, YOUR CERTIFICATE OF COMPLETION AND DRIVING RECORD WILL BE DUE IN THE COURT BY 90 DAYS FROM THE ORIGINAL DUE DATE ON YOUR CITATION.

SINCERELY,

JUSTICE OF THE PEACE. PRECINCT _____

THE STATE OF TEXAS
VS.

IN THE JUSTICE COURT
OF SMITH COUNTY
PRECINCT _____, PLACE 1

DRIVING SAFETY COURSE REQUEST FORM (BY ADULT)

I HEREBY PLEAD (GUILTY)(NO CONTEST) TO THE OFFENSE, A MOVING VIOLATION, AS STATED ON THE ATTACHED CITATION, AND WAIVE A TRIAL BY JURY. I CERTIFY THAT:

1. I HAVE A VALID TEXAS DRIVERS LICENSE (NOT A COMMERCIAL DRIVERS LICENSE).
2. MY DRIVING RECORD AS MAINTAINED BY THE TEXAS DEPARTMENT OF PUBLIC SAFETY DOES NOT INDICATE COMPLETION OF A DRIVING SAFETY COURSE TO OBTAIN DISMISSAL OF A TICKET WITHIN THE ONE YEAR PRECEEDNG THE DATE OF THIS CITATION.
3. I AM NOT CHARGED WITH SPEEDING MORE THAN 24 MPH OVER THE POSTED LIMIT OR SPEEDING 95 MPH OR MORE.
4. I AM NOT CHARGED WITH PASSING A SCHOOL BUS, COMMITTING A TRAFFIC OFFENSE IN A CONSTRUCTION OR MAINTENANCE WORK ZONE WITH WORKERS PRESENT, FAILING TO STOP AND GIVE INFORMATION OR RENDER AID FOLLOWING A TRAFFIC ACCIDENT, OR ON STRIKING AN UNATTENDED VEHICLE OR FIXURE OR HIGHWAY LANDSCAPE.
5. I DO NOT POSSESS A COMMERCIAL DRIVER'S LICENSE.
6. I HAVE ATTACHED PROOF OF FINANCIAL RESPONSIBILITY AS REQUIRED BY SECTION 1A, TEXAS MOTOR VEHICLE SAFETY RESPONSIBILITY ACT.
7. I UNDERSTAND THAT THE COURT WILL ENTER A JUDGMENT AGAINST ME FOR A FINE AND COSTS IN THE AMOUNT OF MY ORIGINAL FINE AND WILL DEFER THE IMPOSITION OF THE JUDGMENT FOR 90 DAYS TO ALLOW ME TO TAKE THE DEFENSIVE DRIVING SAFETY COURSE AND FURNISH PROOF OF SUCCESSFUL COMPLETION OF THE COURSE, WHEN THE COURT WILL REMOVE THE JUDGMENT AND DISMISS THE CHARGE.

I UNDERSTAND THAT FAILURE TO COMPLETE THE DEFENSIVE DRIVING COURSE WITHIN THE ALLOTTED TIME WILL RESULT IN A FINE BEING ASSESSED, AND IF I WAIT UNTIL THE 90 DAY LIMIT HAS EXPIRED A FAILURE TO APPEAR OF \$304.00 WILL BE ADDED TO MY FINE.

I UNDERSTAND THAT I HAVE 90 DAYS FROM THE ORIGINAL DUE DATE ON MY CITATION TO RETURN PROOF OF SUCCESSFUL COMPLETION OF A DRIVING SAFETY COURSE APPROVED UNDER THE TEXAS DRIVER AND TRAFFIC SAFETY EDUCATION ACT OR I WILL BE REQUIRED TO PAY THE FINE AND COSTS. I ALSO UNDERSTAND THAT THE COURT MAY ENTER MY CITATION INTO THE TEXAS OMNI SYSTEM FOR SUSPENSION OF MY DRIVERS LICENSE UNTIL THESE CHARGES ARE TAKEN CARE OF.

DEFENDANT'S SIGNATURE

THE STATE OF TEXAS
COUNTY OF SMITH

BEFORE ME, THE UNDERSIGNED AUTHORITY, APPEARED _____ WHO
UPON STATED THAT (HE)(SHE) IS NOT IN THE PROCESS OF TAKING A COURSE UNDER ARTICLE 543.103,
TRANSPORTATION CODE OR ARTICLE 45.011 CCP, AND HAS NOT COMPLETED A COURSE UNDER THAT
SECTION THAT IS NOT YET REFLECTED ON THE DRIVING RECORD.

DEFENDANT

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS THE _____ DAY OF _____, _____.

NOTARY PUBLIC
STATE OF TEXAS, COUNTY OF _____

DEFENDANT'S ACKNOWLEDGEMENT

I, THE DEFENDANT, UNDERSTAND THAT ON MY PLEA OF (GUILTY)(NO CONTEST), THE COURT WILL
ENTER JUDGMENT AGAINST ME ASSESSING A FINE IN THE AMOUNT OF \$_____. I ALSO
UNDERSTAND THAT I AM REQUIRED TO PRESENT A UNIFORM CERTIFICATE OF COMPLETION OF THE
DRIVING SAFETY COURSE ON OR BEFORE 90 DAYS FROM THE ORIGINAL DUE DATE ON THE CITATION. I
HEREBY GIVE MY PROMISE TO COMPLETE THE COURSE AND FURNISH THE REQUIRED EVIDENCE OF
COMPLETION OF THE DRIVING SAFETY COURSE WITHIN THE NINETY DAY PERIOD SPECIFIED, THE COURT
WILL REQUIRE ME TO APPEAR AT THE TIME AND PLACE SPECIFIED IN THE NOTICE MAILED TO THE
ADDRESS APPEARING ON THE CITATION, TO SHOW CAUSE WHY I HAVE NOT PRESENTED EVIDENCE ON
COMPLETION OF THE DRIVING SAFETY COURSE. I UNDERSTAND THAT MY FAILURE TO APPEAR AT THE
TIME AND PLACE STATED IN THAT NOTICE SHALL CONSTITUTE AN OFFENSE PUNISHABLE BY A FINE OF
NOT MORE THAN \$200.00 PLUS COURT COSTS IF I FAIL TO APPEAR, IN ADDITION, THE COURT MAY
ISSUE A CAPIAS PROFINE STATING THE AMOUNT OF THE JUDGMENT AND COMMANDING THE SHERIFF
OR CONSTABLE TO BRING ME BEFORE THE COURT.

DATE: _____
DEFENDANT

HOME PHONE: _____ ADDRESS: _____
EMPLOYMENT: _____
WORK ADDRESS: _____
WORK PHONE: _____
IN CASE OF EMERGENCY NOTIFY: _____

GENERAL INFORMATION

THIS INFORMATION IS FURNISHED TO YOU TO PROVIDE BASIC INFORMATION RELATIVE TO THE LAW
GOVERNING PROCEDURES FOR TRAFFIC CASES IN THE SMITH COUNTY JUSTICE COURTS. THE SMITH
COUNTY JUSTICES OF THE PEACE AND THE CLERKS OF THE SMITH COUNTY JUSTICE COURTS ARE NOT
ALLOWED TO GIVE LEGAL ADVICE. YOU ARE URGED TO REVIEW THE APPLICABLE LAWS AND TO
CONSULT AN ATTORNEY OF YOUR CHOICE FOR FURTHER INFORMATION OR YOUR ANSWERS TO
SPECIFIC LEGAL QUESTIONS. YOU HAVE THE RIGHT TO A TRIAL BY A JURY AND TO BE REPRESENTED BY

AN ATTORNEY OF YOUR CHOICE, OR TO REPRESENT YOURSELF. TRAFFIC OFFENSES, GENERALLY, ARE PUNISHABLE BY A FINE OF NOT MORE THAN \$200.00 PLUS ALL COSTS OF COURT.

DISCLAIMER: THE LAW IS CONSTANTLY CHANGING AND THERE MAY BE TIMES WHEN THE INFORMATION ON THIS WEB SITE WILL NOT BE CURRENT. THIS INFORMATION IS PROVIDED FOR GENERAL INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED AS LEGAL ADVICE. THIS INFORMATION IS NOT A COMPREHENSIVE TREATMENT OF THE SUBJECT AND IS NOT A SUBSTITUTE FOR ADVICE FROM AN ATTORNEY.

