

CITATION NO. _____

STATE OF TEXAS

§

IN THE TOWN OF TALTY

§

VS.

§

MUNICIPAL COURT

§

_____, Defendant

§

KAUFMAN COUNTY, TEXAS

DEFENDANT’S PLEA AND REQUEST FOR A DRIVING SAFETY COURSE

I hereby enter my appearance on the complaint of the offense of: _____ by **certified mail (or personally delivered)**. I understand that I have a right to a jury trial. I hereby waive my right to a jury trial, decline my right to review documents or evidence in my case, **plead 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 \$10 nonrefundable administrative fee.

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 dependent 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.

BY SIGNING THIS DOCUMENT, I ATTEST that I have read and understand this document, that I am eligible for the Driving Safety Course, and I do hereby **plead no contest** to the offense as charged, **waive** my right to a jury trial or hearing by the Court and request the Court grant my request to take the Driving Safety Course for the citation listed above.

▶ _____ ▶ _____
Defendant's Signature Date

Defendant's Printed Name Citation Number Citation Date

Address City State Zip Code

Daytime Phone/Cell Number Email Address

**IF REQUEST IS MAILED, AFFIDAVIT MUST BE SIGNED AND SWORN BEFORE A NOTARY PUBLIC.
IF REQUEST IS MADE AT COURT OFFICE, AFFIDAVIT MAY BE SIGNED AND SWORN BEFORE
COURT CLERK.**

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 _____,
20__.

(municipal court seal)

▶ _____
[Notary Public in and for the State of Texas]
[Court Clerk]

*Please enclose a copy of your driver's license, proof of insurance, affidavit and a money order payable to Town of Talty for \$109 (or \$134 if speeding in a school zone), and mail **by Certified Mail**, or personally deliver, with this form to **Town of Talty Municipal Court, 9550 Helms Trail, Suite 500, Forney, Texas 75126.***

Incomplete or unsworn requests will be returned back to you.

The State Fee does not include the cost for the driving safety course or obtaining your certified driving record. You may take a "State Approved" course anywhere in the State of Texas. To obtain the required certified copy of your driving record, contact the Department of Public Safety at <http://www.txdps.state.tx.us/>.