

# DRIVING SAFETY COURSE ELIGIBILITY & REQUIREMENTS

## **Do not take the driving safety course without approval from the court.**

A defendant may request a driving safety course if the following criteria are met:

- You must be at least 17 years of age at the time of the offense;
- Haven't taken the driving safety course within the 12 months preceding the date of the current offense;
- Must have a valid Texas driver's license or permit (**holders of Commercial Driver's License are NOT eligible**) or are a member, or the spouse or dependent child of a member, of the United States military forces serving on active duty; and
- Have proof of financial responsibility (automobile liability insurance). Your name must be listed on the policy.

You do not qualify for the driving safety course if:

- Alleged speed was 25 mph or more over the speed limit **or** speed exceeded 95 mph;
- Traffic offenses committed by a person with a commercial driver's license;
- Offense was committed in a construction zone with workers present;
- Passing a school bus offenses; or
- Fail to stop and render aid offenses.

If you meet the requirements above, you can make your request **in person or by mail**.

To request the driving safety course by mail:

1. Download, print, and complete the request/affidavit for a driver's safety course. The affidavit must be sworn to and notarized prior to being sent to the court.
2. Include the following with your request:
  - Request/affidavit for a driving safety course (must be notarized);
  - A 3A certified copy of driving record maintained by the Texas Department of Public Safety. (Driving Records can be obtained at the following DPS website:  
<http://www.dps.texas.gov/DriverLicense/driverrecords.htm>)
  - A copy of proof of financial responsibility (automobile liability insurance);
  - A copy of your valid Texas driver's license or permit or proof that you are a member, or the spouse or dependent child of a member, of the United States military forces serving on active duty; and
  - A **money order** payable to Montgomery County in the amount of \$115 with your cause number written on the memo line. **No personal checks are accepted.**

Requests should be mailed to the following: Justice of the Peace Pct. 3, 1520 Lake Front Circle, Ste. 100, The Woodlands, TX 77380.

**YOUR REQUEST MUST BE POSTMARKED ON OR BEFORE YOUR APPEARANCE DATE LISTED ON THE CITATION.**

After your request has been processed, the receipt you receive from the court is proof you have been approved to take defensive driving. The 90 days begins the day the court receipts the payment and processes the above mentioned paperwork. The defendant must take a 6 hour TDLR (Texas Department Licensing and Regulation) approved driving safety course and present the **SIGNED COURT COPY** of the course completion by the 90<sup>th</sup> day either in person or by mail. Defendant is also required to present to the court a certified copy of their driving record as maintained by DPS by the 90<sup>th</sup> day.

**DRIVING SAFETY OR MOTORCYCLE OPERATOR COURSE AFFIDAVIT**

Cause: \_\_\_\_\_

State of Texas

§

Offense: \_\_\_\_\_

vs.

§

\_\_\_\_\_ (Defendant name)

§

Ticket number: \_\_\_\_\_

Mailing address:

§

Phone:

I give my consent for the court to send all correspondence by email, and I understand I will no longer receive mail correspondence. Email: \_\_\_\_\_

**I am requesting the option to complete a state approved 6 hour driving safety course or motorcycle operator course to dismiss my ticket. I hereby state that:**

I am pleading  GUILTY  NOLO CONTENDERE (check one) to the charge and I am waiving my right to trial by jury.

I have a valid Texas License or Permit. I DO NOT hold a commercial driver's license.

I have not taken and I am not currently taking a driving safety or motorcycle operator course to dismiss a ticket in the past twelve (12) months immediately preceding the date of this offense.

I certify that I have shown to the court proof of financial responsibility (liability insurance) as required by law.

I understand I must present a *copy of my driving record (Form 3A Certified)* maintained by the Texas Department of Public Safety. Driving records may be obtained at the DPS website: [dps.texas.gov/DriverLicense/driverrecords.htm](http://dps.texas.gov/DriverLicense/driverrecords.htm)

I understand I must present to the court proof of completion of a TDLR (Texas Department Licensing and Regulation) approved driving safety within 90 days from the date my fees are received. The *signed court copy of completion certificate* can be submitted in person or by mail. Courses can be found at: [www.tdlr.texas.gov/DESSearch](http://www.tdlr.texas.gov/DESSearch)

It is my responsibility to verify that the court has recorded my proof and dispositioned my charge accordingly.

If for any reason I do not complete the course and present proof to the court within 90 days from the date my fees are received, I will be required to appear in court. If I fail to appear as required, it may result in a warrant being issued for my arrest. I will be required to pay the additional fine amount of \$202.00. A \$25.00 time payment fee may be applicable. Any amount paid at the time of my request is non-refundable. It does not go toward the fine amount due of \$202.00.

\_\_\_\_\_  
Defendant's Signature

\_\_\_\_\_  
Date

Signed before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

**RETURN SIGNED COURT COPY OF CERTIFICATE AND COPY OF DRIVING RECORD.  
NOTIFY THE COURT OF ANY ADDRESS CHANGES.**

**\*\*\*DO NOT FAX OR EMAIL PROOF. ONLY ORIGINAL PROOF WILL BE ACCEPTED\*\*\***