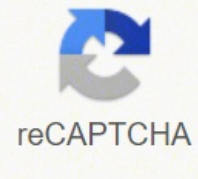




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## How to request defensive driving texas

Information about Traffic Cases Dismissal for Driving Safety Course or Motorcycle Operator Training Course If you are charged with an offense involving the operation of a motor vehicle or a motorcycle defined by Subtitle C of the Texas Transportation Code (Rules of the Road), you may require that your citation be dismissed by successfully completing a driving safety course or a motorcycle operator training course. You will lose that right if you do not provide the court with notice of your request to take the course on or before your appearance date. You do not have the right to take a course if you are currently taking a course, or have completed a course within the 12 months preceding the date of the offense and the course was taken to secure a dismissal of a traffic citation. You do not have the right to complete a course if you hold a commercial driver's license or if you held a commercial driver's license when the offense was committed. You do not have the right to complete a course if you are charged with: (i) passing a school bus, (ii) failing to stop and give information or render aid following an accident, or on striking an unattended vehicle or fixture or highway landscape, (iii) a traffic offense committed in a construction and maintenance work zone while workers were present, (iv) speeding 95 miles per hour or more, or (v) speeding 25 miles per hour or more over the posted speed limit. You must have a valid Texas driver's license or permit, or you must be a member of the United States military forces serving on active duty, or the spouse or a dependent child of a member of the United States military forces serving on active duty. You must have proof of financial responsibility (liability insurance). You may not take the course if you are taking the course at the time of this request, or if you have completed a course within the 12 months preceding the date of the offense. How to Request a Training Course Dismissal On or before the appearance date on your citation, you must: (i) enter a plea of guilty or no contest; (ii) waive a trial by jury; (iii) submit to the court a Driving Safety Course Request Form; (iv) hold a valid Texas driver's license, or be a member, or the spouse or dependent child of a member, of the United States military forces serving on active duty; and (v) provide proof of automobile liability insurance or other proof of financial responsibility as required by Chapter 601 of the Texas Transportation Code. Court Costs for Driving Safety Course Pay court costs and fees in the amount of \$115 (if the offense was committed August 31, 2019 or earlier) or \$135 (if the offense was committed September 1, 2019 - December 31, 2019) or \$144 (if the offense was committed January 1, 2020 or later). If eligible, you may apply and pay the court costs for the driving safety course online by using the Justice Courts' web site. When you have qualified and have paid the court costs, the court will assess a fine but will defer the imposition of the judgment for 90 days to allow you successfully to complete the driving safety course or motorcycle operator training course. Do not take the course until you receive an Order from the court allowing you to do so. Members of the United States Military If you do not have a valid Texas driver's license but you are a member, or the spouse or dependent child of a member of the United States military forces serving on active duty, you must submit an affidavit stating that you were not taking a course in another state on the date the request to take the course was made, and that you have not completed such a course within the 12 months preceding the date of the course. Requesting Your Driving Record You may order your driving record by using the State electronic Internet portal at [www.texas.gov](http://www.texas.gov). You may also order your driving record from the Texas Department of Public Safety by sending an Application for Copy of Driver Record (DR-1) to: Driver Records Bureau Texas Department of Public Safety Box 149246, Austin, TX, 78714-9246 Completing the Course and Dismissal If you are allowed to take a driving safety course or motorcycle operator training course, you have 90 days within which to complete the course and present to the court: (1) a uniform certificate of driving safety course completion, or verification of completion of the motorcycle operator training course; (2) your driving record as maintained by the Department of Public Safety to show that no driving safety course or motorcycle operator training course was completed within the 12 months preceding the date of the offense; and (3) an Affidavit stating that you were not taking a driving safety course or motorcycle operator training course, as applicable, under Article 45.0511, Texas Code of Criminal Procedure, on the date the request to take the course was made, and that you had not completed such a course that is not shown on your driving record within the 12 months preceding the date of the offense; or if you are a member, or the spouse or dependent child of a member of the United States military forces serving on active duty who does not have a valid Texas driver's license, an Affidavit stating that you were not taking a driving safety course or motorcycle operator training course, as applicable, in another state on the date the request to take the course was made and had not completed such a course within 12 months before the offense date. In some instances, you may be required to pay a fee not to exceed the maximum fine for the offense. If you successfully complete the driving safety course or motorcycle operator training course as required, the charge against you will be dismissed. The Driving Safety Course must be a course approved by the Texas Department of Education. Driver Training and Education Schools and Classroom Locations may be found at [www.escl3.net/drivers](http://www.escl3.net/drivers). Texas approved Online Driving Safety Courses are listed at [www.texas.gov](http://www.texas.gov). Texas approved traditional Driving Safety Courses are listed by City at [www.texas.gov](http://www.texas.gov). The Motorcycle Safety Unit of the Department of Public Safety administers the Texas Motorcycle Operator and Safety Program. For information on locations of motorcycle training centers, visit the Motorcycle Safety Unit Website at [www.texas.gov](http://www.texas.gov). \*You may avoid an appearance in court by submitting the required documentation to the court, either in person or by mail, at any time before the date you are required to appear. If you are submitting your proof of completion and affidavit by mail, it is recommended that you keep copies of these documents. Failure to Comply If you fail to comply with the requirements for a driving safety or motorcycle operator training course dismissal, the court will notify you by mail, at your address on file with the court, or at the address that appears on the citation, of a time and place to appear to show cause why the evidence was not timely submitted to the court. Failure to appear as required in the notice, or failure to show good cause, will result in the imposition of judgment requiring you to immediately pay the fine. The court may, for good cause, extend the time during which you shall present a uniform certificate of course completion or a verification of completion of the motorcycle operator-training course. Failure to appear at this show cause hearing shall constitute an offense punishable by a maximum fine in the amount of \$200.00. More Options for Responding to Traffic Cases >> General Information This information is furnished to you to provide basic information relative to the law governing procedures for traffic cases in the Harris County Justice Courts. The Harris County Justices of the Peace and the Clerks of the Harris 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 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 and 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. You are eligible to take a defensive driving class if you have a valid Texas driver's license and you have not taken a defensive driving class within the last twelve (12) months immediately preceding the date of the alleged offense and are not currently taking the course for another traffic violation in the State of Texas. Defensive driving may only be taken for ticket dismissal on moving violations. The following violations do NOT qualify for defensive driving: speeding 25 mph or more over the posted limit speeding 95 mph or more passing a stopped school bus moving violation within a posted construction zone while workers are present holders of a CDL license regardless of whether or not they are driving a commercial vehicle leaving the scene of an accident fail to stop and given information and render aid fleeing from police officer reckless driving You may request defensive driving in person, through the mail or online. Juveniles under the age of 17, however, must appear in open court with a parent or guardian. Below is a "Request for Defensive Driving" form that you may send by email or print out and mail or fax to the court, or apply online at municipal court online. In order to request defensive driving by mail or fax you must submit the following items: FIRST: The completed Defensive Driving Request Form below, or apply online at municipal court online. SECOND: A photocopy of your Texas Liability Insurance Card. The proof of insurance must either be in your name or state that you are a policy member. (This can be uploaded if applying online). THIRD: A photocopy of your Texas Driver's License. (This can be uploaded if applying online). FOURTH: A cashier's check or money order (PERSONAL CHECKS ARE NOT ACCEPTED) made payable to the City of Leander in the amount of the appropriate court fees. If you submit your request for defensive driving by email through the form below you may also pay your court fees online at Online Payments (with a small processing fee) under banner "make municipal court payment." A violation in a school zone \$169 All other violations \$144 For mailing or faxing your requests: City of Leander 201 N Brushy St Leander, TX 78641 Fax: 512-690-2214 Email: [court@leandertx.gov](mailto:court@leandertx.gov) YOUR REQUEST MUST BE RECEIVED BY YOUR SCHEDULED APPEARANCE DATE. ONCE YOU ARE APPROVED BY THE MUNICIPAL COURT, YOU WILL RECEIVE A CONFIRMATION LETTER ALONG WITH FURTHER INSTRUCTIONS FOR COMPLETING YOUR REQUIREMENTS. (see below) Defensive Driving Requirements Upon approval by the court for defensive driving, you will receive a confirmation of approval with a list of requirements and your due date. Please do not complete any requirements until you have been approved by the court for defensive driving. For proper ticket dismissal, you will be required to return two (2) items to the court on or before your due date. 1. The first requirement is the court copy of your defensive driving certificate of completion. If you have not received or you have lost your defensive driving certificate, you must contact the Class Provider for a duplicate copy. 2. The second requirement is a copy of your Texas Driving Record. You may request your driving record from DPS by accessing their web site the link below or by calling (512) 424-2600. An application for your driving record will be mailed to you with your confirmation letter. YOUR REQUIREMENTS MUST BE RECEIVED BY YOUR SCHEDULED DUE DATE. YOU MAY RETURN YOUR REQUIREMENTS IN PERSON OR MAIL THEM TO: Leander Municipal Court 201 N Brushy St. Leander, TX 78641

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