

AFFIDAVIT /REQUEST FOR DRIVING SAFETY COURSE

CAUSE NUMBER: _____

STATE OF TEXAS
VS.

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§

IN THE MUNICIPAL COURT
CITY OF NACOGDOCHES
NACOGDOCHES COUNTY, TEXAS

Defendant's Name

Under Code of Criminal Procedure Art. 45.051, you may be able to have this one (1) charge dismissed by taking a driving safety course. However, you will lose that right if you do not provide written notice to the Court of your desire to do so on or before your appearance date.

I UNDERSTAND I MUST ANSWER YES TO ALL OF THE FOLLOWING:

- 1) I hereby enter my appearance to the offense of _____. I understand that I have the right to a jury trial. I hereby waive my right to a jury trial, plead nolo contendere and request to take a driving safety course.
- 2) I have not taken a driving safety course in lieu of paying a fine within the 12 months proceeding the date of the offense.
- 3) I DO NOT possess a commercial drivers license.
- 4) I did not receive a citation in a construction zone.
- 5) I did not receive a citation for passing a school bus.
- 6) I did not receive a citation for speeding 25 miles an hour or more over the posted speed limit.
- 7) I ENCLOSE proof of a valid TEXAS drivers license or permit. Copies only, absolutely no originals.
- 8) I ENCLOSE proof of financial responsibility (insurance).
- 9) I ENCLOSE a non-refundable fee in the amount of \$107.00 or \$132.00 if the violation occurred in a school zone.
- 10) I will request a copy of my certified driving record as maintained by the Texas Department of Public Safety on the form provided by the Court (this form will be mailed to you upon receipt of this request)
- 11) I understand if I complete a driving safety course, 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.
- 12) I understand if I fail to present proof of completion of the driving safety course within 90 days, the court will require my appearance at a show cause hearing.
- 13) I understand if I fail to complete the course or appear at the show cause hearing, the court will impose the fine and the offense will be reported as required by law.
- 14) I understand it my responsibility to notify the court within 10 days of any change of address.
- 15) I understand this form must be notarized and received by the Court on or before my answer date.
- 16) I understand if I answered yes to all the above I am eligible to take the course and I am responsible for completing a Texas Education Agency approved Driving Safety Course and remitting the signed court copy completion certificate to the Court before the Expiration of the 90 day extension

Defendant's Signature

Date

Address

Sworn to and subscribed before me, the undersigned authority on this the _____ day of _____, _____.

Notary Public in and for the State of Texas.