

Citation # _____

STATE OF TEXAS
VS

IN THE MUNICIPAL COURT
CITY OF MAGNOLIA
MONTGOMERY COUNTY, TEXAS

(Print full Name)

DRIVING SAFETY COURSE OR MOTORCYCLE OPERATING COURSE REQUEST

I hereby enter my appearance, by mail, to the offense of (enter the alleged violation) _____. I understand that I have the right to request discovery of information in possession of the prosecutor and the right to a jury trial. I hereby acknowledge that I do not intend to request any information or items from the prosecutor and that I waive my right to a jury trial or any trial, plead NO CONTEST and request to take either a driving safety course, approved by the Texas Department of Licensing and Regulation or a motorcycle operating course, if the violation occurred while driving a motorcycle, approved by the Texas Department of Public Safety under Article 45.0511, Code of Criminal Procedure.

BEFORE PERMISSION IS GRANTED, I understand that I must:

- 1.) Present to the Court a valid class "C" Texas driver's license or permit. **(Commercial driver's license (CDL) holders do not qualify.)**
- 2.) Present to the Court proof of valid financial responsibility (Auto Insurance) with my name listed as a driver.
- 3.) Not have taken a driving safety course or a motorcycle operating course for the purposes of dismissing a ticket in the past twelve (12) months from the date of this offense. I must not have been allegedly speeding 25 mph or over the posted speed limit, or my alleged speed was not 95 mph or over. My violation cannot have occurred in a construction zone with workers present. I understand that if my violation was Passing a School Bus I do not qualify for any safety course.
- 4.) **For violations issued before 1-1-2020, pay court cost in the amount of \$129.00 or \$154.00, if the offense occurred in a school zone. For violations issued 1-1-2020 and after, pay court cost in the amount of \$144 or \$169, if the offense occurred in a school zone. Please make checks and money orders payable to the MAGNOLIA MUNICIPAL COURT. Please do not send cash in the mail. Business and temporary checks will not be accepted.**
- 5.) Present to the Court the attached Affidavit notarized by a notary public.
- 6.) Not take a drivers safety course or a motorcycle operating course until the Court has granted me permission to do so. I understand that the Court will not grant permission to take a driving safety course or a motorcycle operating course unless I have paid all court cost and provided all the required documents.
- 7.) Submit the original, signed and notarized request, all other required documents and court cost by mail on or before the date that is listed at the bottom of my citation. I understand that faxed requests or faxed documents regarding this case will not be accepted.

AFTER PERMISSION IS GRANTED, I understand that:

- 1.) I must present to the Court a signed certificate of course completion from either a driving safety course or a motorcycle operating course.
- 2.) I must provide the Court with a certified copy of my driving record **(version 3A)** obtained from the Texas Department of Public Safety.
- 3.) If I comply 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;
- 4.) 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 good cause as to why I did not present the required evidence of course completion; the judge may, at the Show Cause Hearing, enter a final disposition against me and order me to pay the fine in full. I understand as a result, it will be a conviction against my driving record.
- 5.) Failure to appear at the Show Cause Hearing will result in a final disposition being entered against me, and payment of the fine will be ordered. The Court may issue a Capias Pro Fine Warrant for my arrest, which will add additional fees.

Defendant Signature Date

Current and complete mailing address and telephone: _____

Email address: _____

AFFIDAVIT

I, _____, state under oath on the date of this request to take either a driving safety course or a motorcycle operating course and that I am not in the process of taking such a course under Article 45.0511, Texas Code of Criminal Procedure, nor have I completed a course within the preceding 12 months under that statute that is not yet reflected on my driver's record as maintained by the Texas Department of Public Safety. Furthermore; I state that my Texas driver's license is valid and not under suspension and my automobile insurance is valid and currently in effect.

Defendant Signature

Sworn and subscribed before me, the undersigned authority on this the _____ day of _____, 20 _____.

(Notary Public)