

## DRIVER SAFETY COURSE DISMISSAL ELECTION LETTER

To the City of Tomball Municipal Court

Dear Judge:

In order to avoid having a conviction on my driving record, I wish to require dismissal of my citation by completing an approved Driver Safety Course (DSC) or Motorcycle Operator Training and Safety Program (MOTSP). In order to have my case dismissed, I understand that I must enter a plea and submit my election on or before the appearance date listed on my citation and that I must meet all the requirements set forth in Texas Code of Criminal Procedure Article 45.0511.

My signature below means that I agree with the following statements:

- 1.) I waive my rights to trial and discovery and enter my plea of "GUILTY" or "NO CONTEST" (circle one)
- 2.) I was charged with an offense that is eligible for DSC/MOTSP dismissal and I have verified this fact by contacting the Court at 281-351-7894 or by speaking to Court staff in person.
- 3.) I have not previously taken a DSC or MOTSP to have a citation dismissed in the 12 months prior to my citation date and I am not now enrolled in such a class.
- 4.) I do not possess a Commercial Driver's License (CDL) in any state and I did not have a CDL at the time of the citation.
- 5.) I have a valid Texas Driver's License or occupational license. (Not required if active military or family of active military).
- 6.) I have proof of a current auto liability insurance policy issued to me or other legal proof of financial responsibility as required by law.
- 7.) I understand that I must pay court costs and fees. (The total is \$144. If the offense occurred in a school zone, the total is \$169).
- 8.) I understand that after I enter a timely plea, timely elect, timely submit the required documents, and pay the required costs and fees, the Court will enter a judgment and defer imposition of the judgement for 90 days during which time *I must present the following:*
  - a. a uniform certificate of completion of the DSC/MOTSP,
  - b. a copy of my DPS driving record showing that I have not completed a DSC or MOTSP for the purpose of dismissing a ticket within the 12 months preceding the date of my citation, and
  - c. an affidavit stating that I have not taken a DSC or MOTSP not shown on the DPS driving record on the date of election or at any time during the 12 months preceding the date of my citation.
- 9.) I understand that I must notify the Court if my address or phone number changes before this case is finally disposed.

10.) I understand that if I fail to submit a certificate of DSC/MOTSP completion or my DPS driving record and affidavit by the end of the 90 day deferral period, I will be summoned to a hearing to show why the items were not timely submitted.

11.) I understand that if I do not show good cause for my failure to comply with all the requirements of my DSC/MOTSP Judgment/Order of Deferral, then there will be a conviction reported to DPS and I will have to pay the full fine. If I am unable to pay the full fine, I have a duty to apply for indigent status so that the judge may consider alternatives to payment. I also understand that I have a duty to notify the Court immediately if I have any difficulty complying with court orders.

12.) This request is for the following citation:

Citation # \_\_\_\_\_

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

Mailing Address (print please)

"Sworn before me this date: \_\_\_\_\_"

\_\_\_\_\_

Deputy / Court Clerk or

\_\_\_\_\_

Notary Public

\_\_\_\_\_

"My commission expires: \_\_\_\_\_"

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

13.) Bring this form in person or mail/email to the address below:

Tomball Municipal Court  
401 Market Street  
Tomball, TX 77375  
court@tomballtx.gov

Phone: 281-351-7894  
Fax: 281-290-1016  
M thru Th – 7:45am to 5:00pm  
Fri – 7:45am to 4:00pm

14.) You must include with this letter: (1) a copy of your valid Texas Driver's License, (2) a copy of your valid and current insurance policy, (3) a signed and notarized DSC Affidavit, and (4) your payment for court costs and fees.