

Comparison of Deferred Disposition and Driving Safety Course Dismissals

| | Deferred Disposition | Driving Safety Course |
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| Authorizing Statute | CCP Art. 45.051 | CCP Art. 45.0511 |
| Up to Court's Discretion? | Yes | Not if defendant meets "mandatory" eligibility requirements |
| Eligible Offenses | Everything except Disqualified Offenses listed below | Rules of the Road except Disqualified Offenses listed below For Defendants <25 years old, Moving Violations except Disqualified Offenses below |
| Disqualified Offenses | Offenses related to motor vehicle control committed by CDL holders Rules of the Road offenses (other than inspection and seat belt offenses and offenses committed by pedestrians) committed in work zones with workers present | Speeding ≥ 25 mph over limit Speeding ≥ 95 mph total speed Passing school bus loading/unloading children Leaving scene of accident without exchanging info Failing to stop and render aid after injury accident Any offense committed by person holding a CDL or who held one at time of offense |

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| Length of Deferral Period | | Any offense committed in a work zone with workers present other than a vehicle emissions inspection or maintenance offense, a pedestrian offense, a child passenger safety seat offense or a seat belt offense |
| | 1-180 days | 90 days |
| Costs and Fees | Court Costs + Initial Fine (initial fine may not exceed the maximum fine for the offense) | “Mandatory DSC”: Court Costs + “Reimbursement Fee” which is capped at \$10 |
| | Upon conviction, may impose fine as punishment (must credit any “initial fine” paid toward this fine) | “Discretionary DSC”: Court Costs + fine (fine may not exceed maximum fine for the offense) |
| Texas DL required? | No | Yes, unless active duty U.S. service member or dependent |
| Proof of Insurance required? | No | Yes |