**CAUSE NO. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

STATE OF TEXAS § IN THE JUSTICE COURT

§

v. § PRECINCT \_\_\_\_

§

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ §

Defendant § \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, TEXAS

**DRIVING SAFETY COURSE (DSC) ORDER**

Judge Presiding: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Offense and Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Defendant’s Plea: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Court Costs: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Reimbursement Fee or Initial Fine: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Fine Assessed if Convicted: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Defendant appeared on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_ and freely and voluntarily entered the plea indicated and waived the right to trial by jury.

The court **FINDS** that:

Defendant was charged by:

* Complaint 🞏Citation/written notice.

Defendant appeared:

* In person.
* By mail (*in accordance with Code of Criminal Procedure Article 27.14*).
* By counsel \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

The court **FINDS** that Defendant waived the right to trial by jury and entered a plea of guilty or nolo contendere (or “no contest”) to the charged offense after being properly admonished by the court.

The court **FINDS** that Defendant does not hold a commercial driver’s license and did not hold a commercial driver’s license at the time that the offense occurred.

The court **FINDS** that the charged offense:

* Is an offense involving a motor vehicle defined by Transportation Code § 472.022, Subtitle C, Title 7, or Transportation Code § 729.001(a)(3), other than:
  + Speeding at a speed of 95 miles per hour or more or 25 miles per hour or more over the posted speed limit,
  + Failure to stop and provide information after an accident,
  + Failure to render aid after an accident,
  + Passing a school bus while loading or unloading children, or
  + An offense in a construction zone to which Transportation Code § 542.404 applies.
* Is an offense, committed by a person younger than 25 years of age, involving a motor vehicle and classified as a moving violation, other than speeding at a speed of 95 miles per hour or more or 25 miles per hour or more over the posted speed limit, passing a school bus while loading or unloading children, or an offense in a construction zone to which Transportation Code § 542.404 applies.

The court **FINDS** that:

* Defendant has not completed an approved driving safety course or motorcycle operator training course for the purpose of obtaining the dismissal of a traffic offense within the 12 months preceding the date of the offense.
* Defendant completed an approved driving safety course or motorcycle operator training course for the purpose of obtaining the dismissal of a traffic offense within the 12 months preceding the date of the offense, but the court in its discretion determined it is in the best interest of society and Defendant to defer imposition of the judgment in this cause.

The court **FINDS** that Defendant:

* Has a valid Texas driver's license or permit.
* Is a member, or the spouse or dependent child of a member, of the United States military forces serving on active duty.

The court **FINDS** that Defendant has provided evidence of financial responsibility as required by Transportation Code Chapter 601.

The court **FINDS** that, in this case:

* Defendant entered the plea indicated above on or before the answer date on the notice to appear, and the court is required by law to defer imposition of the judgment in this cause.
* Defendant entered the plea indicated above on or before the answer date on the notice to appear but did not receive the warning required by Code of Criminal Procedure Article 45.0511(q). The court is required by law to defer imposition of the judgment in this cause.
* Defendant entered the plea indicated above after the answer date on the notice to appear, but the court in its discretion determined it is in the best interest of society and the Defendant to defer imposition of the judgment in this cause.

The court **ORDERS** Defendant to complete a:

* Driving safety course.
* Motorcycle operator training course.
* Specialized driving safety course approved by the Texas Department of Licensing and Regulation that encourages the use of child passenger safety seat systems and the wearing of seat belts and emphasizes: the effectiveness of child passenger safety seat systems and seat belts in reducing the harm to children being transported in motor vehicles; and the requirements of Transportation Code § 545.412 and 545.413, and the penalty for noncompliance.

The court **ORDERS** Defendant to complete the course above within 90 days of the issuance of this order. The court further **ORDERS** Defendant to provide the following to the court:

* A uniform certificate of completion of the driving safety course or a verification of completion of the motorcycle operator training course.
* A copy of Defendant's driving record as maintained by the Department of Public Safety of Texas *(showing that Defendant has not completed a course within the 12 months preceding the date of the offense)*.
* An affidavit stating that Defendant was not taking a driving safety course or motorcycle operator training course under this article on the date the request to take the course was made and had not completed such a course that is not shown on the defendant's driving record within the 12 months preceding the date of the offense.
* An affidavit stating that Defendant was not taking a driving safety course or motorcycle operator training course in another state on the date the request to take the course was made and that Defendant had not completed such a course within the 12 months preceding the date of the offense. *(Required if the Defendant does not have a valid Texas driver's license or permit and is a member, or the spouse or dependent child of a member, of the United States military forces serving on active duty.)*

The court:

* **ORDERS** Defendant to pay a reimbursement fee or initial fine in the amount of $\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
* Elects not to assess a reimbursement fee or initial fine in this case.

The court:

* **WAIVES** court costs because Defendant is indigent, lacks sufficient resources or income to pay the court costs, or was a child at the time of the offense.
* **ORDERS** Defendant to pay court costs, in the amount indicated above, to the State in the following manner:
* Defendant shall pay the court costs, in the amount indicated above, immediately.
* Defendant shall pay $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of the court costs in installments:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**If any amount is paid on or after the 31st day from date this order is signed, a $15 time payment reimbursement fee will be assessed.**

The court admonishes Defendant that full and complete compliance with this order will result in the dismissal of the charged offense. If Defendant fails to comply with the court’s order, the court will summon Defendant to a hearing. If Defendant fails to appear for the hearing or fails to show good cause at the hearing for the failure to comply with the order, the court will issue a judgment of conviction and impose the fine assessed in the amount indicated above.

**ISSUED AND SIGNED** on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_**.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

JUSTICE OF THE PEACE, PRECINCT \_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY, TEXAS