

REQUEST FOR DRIVER'S SAFETY COURSE

You may qualify to take a driving safety course if you have not taken one in the 12 months preceding this citation. **You are NOT eligible if you were cited for speeding 25 or more over the limit, have a commercial driver's license, have an out-of-state license, speeding in a construction zone, passing a school bus, or leaving the scene of an accident.** The following items must be submitted to the court on or before the appearance date shown on the citation to be eligible to take the course:

1. Court costs of \$144.00, or \$169.00 (for school zone violations).
2. Complete and return "Options/Plea" page and "Request for Driving Safety Course" page of this pamphlet
3. Copy of your Texas driver's license and current proof of insurance, listing you as a covered driver. Military personnel and their dependents may submit a copy of their state driver's license and military identification card.

Once we receive the items noted above, we will send you an instruction letter. You will then have 90 days to complete a Texas Education Agency approved course, and to present your certificate of completion and driving record (DR). If you fail to take the course in the allotted time required and/or fail to present the Court with any of the required documents, the Court will change the disposition to a CONVICTION on the Driving Record and you will be required to pay the remaining balance of the citation. The following website will advise for approved courses: <https://www.tdlr.texas.gov/DESSearch/>
UPDATED 5-18-2020

AFFIDAVIT for Driver's Safety Course

Citation Number: _____

I _____ swear or affirm that:
(Print Name)

I am not in the process of taking nor have I completed a driver's safety course within the 12 months preceding the date of this citation. I understand I have a right to a jury trial. I hereby waive my right to a jury trial, enter a plea of **no contest**, and request to take a driver's safety course.

SIGNATURE _____

EMAIL ADDRESS _____

PHONE _____



Office Address: 116 E. Haning Street
Court Appearance Address: 700 W. Haning Street
Mailing Address: P.O. Box 518
Howe, Texas 75459

Phone - 903-532-5571 / Fax: 903-532-6320
Hours - Monday – Thursday, 7:30 am – 4:30 pm
Friday, 7:30 am – 3:00 pm
www.cityofhowe.org

Court Clerk: Kerri Cheatham; Email: court@cityofhowe.org

Please read this pamphlet BEFORE contacting the court.

This pamphlet is provided as a courtesy to assist you in resolving the charge filed against you. Depending on the violation, some of your options may include: pay the citation in full (points/surcharge fees may be assessed by DPS), request to take a driver's safety course for dismissal, request deferred disposition (probation) for dismissal, or plead "not guilty" and request a trial. In addition, some violations may be dismissed with proof of compliance, some requiring a \$10.00 - \$20.00 dismissal fee. All of these options are discussed in more detail inside this pamphlet.

The Police Department must first file the charge with the court before we can assist you so please **WAIT TWO BUSINESS DAYS** before appearing or calling. Failure to make a proper appearance by your due date will result in additional fees/OMNI hold being placed on your Driver's License. Your Court date is provided on your citation. It states that you **promise to appear** "on or before" and a date is provided. **You must contact the Court no later than the date provided.**

SPECIAL INSTRUCTIONS FOR JUVENILES AND MINORS **JUVENILES (16 and Under)**

All defendants 16 years or younger are required to appear before the judge with a parent or legal guardian. *The court will notify you of your court date by mail, to the address listed on the citation. You may disregard the date on the citation.*

MINORS (17-20)

Minors charged with **alcohol / tobacco / drug paraphernalia / theft or disorderly conduct** offenses must also appear before the judge. If you are under the age of 18, you must appear with a parent or legal guardian. *The court will notify you of your court date by certified mail, to the address listed on the citation. Disregard date on citation.*

COMPLIANCE DISMISSALS

No Insurance (Failure to Maintain Financial Responsibility): Citations for no proof of insurance will be dismissed at no charge upon presentation to the court of proof that the driver or vehicle (if you had the owner's permission to drive their vehicle) was covered by a valid liability insurance policy at the **time cited**. Insurance coverage will be verified.

Expired Registration: Court may dismiss with \$20.00 fee **IF** renewed within 20 business days of the citation, and you provide a copy of the registration receipt to the court.

Fail to Display Registration: Court may dismiss with \$10.00 fee if registration was current and if registration is properly placed on vehicle.

Expired Driver's License: Court may dismiss with \$20.00 fee, **IF** renewed within 20 business days of the citation, and you provide a copy of your new license to the court no later than your due date.

Fail to Display Driver's License: Court may dismiss with \$10.00 fee upon presentation of a driver's license that was valid at the time the citation was issued.

Fail to Report Change of Address/Name: Court may dismiss with \$20.00 fee if change of address is filed with DPS within 20 business days. Proof required.

Equipment Violation: Court may dismiss with \$10.00 fee if violation is corrected prior to appearance date listed on citation. Proof required. Not applicable if operating a commercial motor vehicle.

ALL FINES ARE SUBJECT TO CHANGE WITHOUT NOTICE

For Speeding violations, you must contact the Court for your fine amount.

Expired Registration: \$208.90

Fail to Display Registration: \$203.90

Expired Driver's License: \$208.00

No Driver's License: \$208.90

Failure to Provide Proof of Insurance: \$341.00

Driving While License Invalid: \$233.90

Possession Drug Paraphernalia: \$481.00

Open Container - Driver: \$233.90

Stop Sign Violation: \$203.90

Disregard No Passing Zone: \$203.90

Fail to Display License: \$203.90

PAYMENT METHODS: We accept cash, checks, money orders, Visa and Mastercard. Make checks payable to "Howe Municipal Court". Credit card payments may be made online for the FULL AMOUNT ONLY at www.cityofhowe.org (will be reported as a conviction) or **by phone, call 903-532-5571.**

*****DRIVING RECORD REQUEST - www.texas.gov*****

OPTIONS / PLEA SHEET

*****Complete and Email / Mail back this page*****

CHECK ONE

_____ **Pay citation in full** - appear in person, mail in payment, or call to make credit/debit card payments. Submitting full payment for your fine and costs constitutes a plea of no contest and the offense will be reported as a conviction.

_____ **Driver's Safety Course (DSC)** - follow the instructions on the back page of this pamphlet. **This option may not be available after appearing before the Court.**

*Details on Back.

_____ **Deferred Disposition (probation)** - enter your plea below and submit it to the court with a **copy of your DL, proof of insurance, and your Driving Record at end of Deferral**. If approved, the probation period **COULD** be up to 180 days. **If you are under the age of 25 you will also be required to complete the DSC as a condition of the deferral; this option is offered by the Judge ONLY.** The deferral period will begin at the time of *payment*. The required fee for this option will be the fine, state mandated court costs plus the \$50.00 special expense fee. **CDL holders are not eligible for deferred. Drivers cited in a work zone with worker's present are not eligible for deferred. This option may not be available after appearing before the Court.**

_____ **Appear before the Judge** - appear in person or mail in your request (post-marked) on or before your due date and a new date to appear will be scheduled for you.

_____ **Not Guilty** - check "not guilty" below and choose either a trial "by judge" or "by jury". Submit this form to the court prior to your due date and then your pretrial will be scheduled.

CHECK ONE

() I enter a plea of **no contest and** waive my right to a jury trial. This selection means that you do not contest the State's charge(s) against you but are not admitting guilt and agree to pay the fine/costs assessed by the judge.

() I enter a plea of **guilty, and** waive my right to jury trial. This selection means that you do not contest the State's charge(s) against you and admit guilt and agree to pay the fine/costs assessed by the judge.

() I enter a plea of **not guilty and** understand that I must appear in Court on my scheduled Court date to enter this plea. This selection means that you intend to contest the charge(s) against you.

Defendant's Signature / Printed Name

Date

Email Address / Phone Number

*****EMAIL MAY BE USED TO PROVIDE ANY/ALL DOCUMENTS*****