

# DRIVING SAFETY COURSE AFFIDAVIT



# LAVACA COUNTY



**YOU ARE NOT ELIGIBLE FOR DSC:** IF you were cited for driving 25 MPH or more over the posted speed limit; IF you were cited in a construction zone with workers present; IF you were passing a school bus while loading or unloading; IF you possess a Commercial Drivers License per C.C.P. 45.051(f) and 45.0511(s) or IF you have taken the course within 12 months prior to the date of this ticket.

**THIS REQUEST MUST BE MADE IN PERSON OR SENT BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.**

The above named person, having been duly sworn, upon oath states the following:

a. I have not completed a Driving Safety Course under Chapter 543, Subchapter B., Texas Transportation Code for a traffic violation within the past 12 months immediately preceding the date of this citation.

b. I am not currently enrolled nor approved to take a Driving Safety Course under Chapter 543, Subchapter B., Texas Transportation Code, nor have I taken one within the 12 months immediately preceding the date of this citation that is not yet reflected on my Driving Record as maintained by the Texas Dept. Of Public Safety.

c. I do possess a valid TEXAS DRIVER'S LICENSE or PERMIT and **enclose a copy** of my **TEXAS DRIVER'S LICENSE**.

d. I do have liability insurance/financial responsibility pursuant to the Texas Motor Vehicle Safety-Responsibility Act, Chapter 601, Texas Transportation Code and **enclose a copy** of proof of **INSURANCE**.

e. I am enclosing a **MONEY ORDER/CASHIER'S CHECK (NO PERSONAL CHECKS OR CASH) IN THE AMOUNT OF \$146.00, PAYABLE TO LAVACA COUNTY JUSTICE COURT.** (THIS IS FOR COURT COSTS ONLY, YOU DO NOT PAY FINE)

Based upon the foregoing, I hereby waive trial, enter a plea of ( ) **GUILTY** or ( ) **NO CONTEST**, and request that the Court defer proceedings for 90 days to allow me to complete a Driving Safety Course approved by the Texas Education Agency. I understand that I MUST SIGN and RETURN an ORIGINAL COURT CERTIFICATE OF COMPLETION along with a certified copy of my Driving Record as maintained by the Texas Department of Public Safety. A form to order my Driving Record from the Texas Department of Public Safety will be sent to me from the Court.

DEFENDANT'S SIGNATURE: \_\_\_\_\_

DEFENDANT'S PRINTED NAME: \_\_\_\_\_

DEFENDANT'S ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ TEXAS ZIP: \_\_\_\_\_

TELEPHONE #:(\_\_\_\_\_) \_\_\_\_\_ DRIVER'S LICENSE #: \_\_\_\_\_

CITATION #: \_\_\_\_\_ APPEARANCE DATE: \_\_\_\_\_

Notary Seal ↘

SWORN to and SUBSCRIBED before me, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Notary Signature: \_\_\_\_\_

**THIS FORM MUST BE NOTARIZED AND ALL OF THE ABOVE INFORMATION MUST BE RECEIVED BY YOUR COURT APPEARANCE DATE IN ORDER FOR PERMISSION TO BE GRANTED.**

**JP PCT. 1 (361) 798-3945**

**JUDGE MARK IVEY**  
Court Clerk, Len Estrada  
Lavaca County Criminal Justice Center  
P.O. Box 288  
38 F.M. 318  
Hallettsville, TX 77964

Fax (361) 798-9541  
Pay at: lavacajp1tix.com  
or call 1-800-701-8560

**JP PCT. 2 (361) 596-8308**

**JUDGE TRAVIS HILL**  
P.O. Box 328  
401 N. Lavaca St.  
Moulton, TX 77975

Fax (361) 596-8888  
Pay at: lavacajotp2.govtportal.com  
or call 361-866-5388

**JP PCT. 3 (361) 594-8505**

**JUDGE WAYNE DENSON**  
P.O. Box 1479  
116 W. 6<sup>th</sup> St. Ste. A-3  
Shiner, TX 77984

Fax (361) 594-8051  
Pay at: lavacajp3tix.com  
or call 361-298-1157

**JP PCT. 4 (361) 293-9146**

**JUDGE HALLIE HALL**  
Court Clerk, Lindsay Ruppert  
113 Nelson St.  
Yoakum, TX 77995

Fax (361) 293-5818  
Pay at: lavacajp4tix.com  
or call 361-298-1158

**\*READ CAREFULLY BEFORE CONTACTING THE COURT\***

## REPLY FORM

PRINTED NAME: \_\_\_\_\_

CITATION NO. \_\_\_\_\_ DL # \_\_\_\_\_

CHECK APPROPRIATE BOXES BELOW, SIGN AND RETURN TO PROPER COURT:

I hereby enter a plea of NOT GUILTY and request a trial by ( ) Judge ( ) Jury. I will be represented by an attorney ( ), I waive my right to be represented by an attorney ( ).

I hereby enter a plea of ( ) GUILTY or ( ) NO CONTEST and waive appearance for trial. A Cashier's Check or Money Order made **PAYABLE TO LAVACA COUNTY JUSTICE COURT** in the amount of the fine is enclosed. **(NO PERSONAL CHECKS OR CASH)**

I hereby enter a plea of ( ) GUILTY or ( ) NO CONTEST and waive appearance for trial and have made payment to the court by credit card. *(Convenience fee will apply)*

I hereby enter a plea of ( ) GUILTY or ( ) NO CONTEST and waive appearance for trial. I request a **30 day extension from appearance date to pay the fine. MONEY ORDER/CASHIER'S CHECK ONLY made PAYABLE TO LAVACA COUNTY JUSTICE COURT. NO PERSONAL CHECKS OR CASH.**

(Signature) \_\_\_\_\_ (date) \_\_\_\_\_

\*\*\*\*\*Mail completed form to the Court above\*\*\*\*\*

## SCHEDULE OF FINES

This letter is furnished as a **courtesy** to you by the Justice Courts of Lavaca County, Texas, to assist you in making disposition of the charge(s) filed against you. **PLEASE NOTE: The Judge CANNOT discuss the merits of a pending judicial proceeding prior to trial.**

1. A Phone call is **NOT AN APPEARANCE**. You **MUST** enter a Plea in **PERSON** or **WRITING**. IF YOU FAIL TO RESPOND TO THE CHARGE(S) BY THE APPEARANCE DATE SHOWN ON THE CITATION, an additional charge may be filed against you for "FAILURE TO APPEAR" and a WARRANT will be issued for your arrest.

2. IF YOU WISH TO ENTER A PLEA OF "NOT GUILTY" and desire a trial, please indicate your plea in the space provided. You will be notified by return mail of the Court Date set for your Hearing.

3. IF YOU WISH TO ENTER A PLEA OF "GUILTY" or "NOLO CONTENDERE" (no contest), please indicate your plea in the space provided. The fine for NOLO CONTENDERE is the same as that for a plea of GUILTY. Either plea indicates that you agree to waive appearance before the Court.

4. You may refer to the fine schedule on page three to determine the amount of the fine and costs. It will be necessary to contact the Court for the amount of fine and costs for any offense not appearing on the fine schedule. Make your remittance by **CREDIT CARD, CASHIER'S CHECK or MONEY ORDER** to the Justice of the Peace circled on page one of the information sheet. **NO PERSONAL CHECK OR CASH WILL BE ACCEPTED.** Please return a copy of the citation along with the completed reply form with your remittance to assure proper credit.

5. **ANY PAYMENT AFTER 30 DAYS REQUIRES A \$15.00 LATE FEE. ANY PAYMENT PLAN REQUIRES A ONE TIME \$15.00 PAYMENT FEE AND EACH payment shall require a \$2.00 Transaction fee.**

6. Under the laws of the State of Texas, you **MAY** be able to have this charge dismissed by successfully completing a Driving Safety Course or Motorcycle Operator Training Course. **YOU WILL LOSE THAT RIGHT IF, ON OR BEFORE YOUR APPEARANCE DATE, YOU DO NOT COMPLY WITH THE FOLLOWING:**

- A. Pay amount of court costs
- B. **COMPLETELY** fill out Affidavit (found on page four) and sign in front of a notary
- C. Submit request in person or by mail. If by mail, reply **MUST** be Postmarked **ON** or **BEFORE** appearance date on citation
- D. Enclose copy of your valid driver's license
- E. Enclose copy of proof of liability insurance

IF this is all received properly by Appearance Date, you will be granted permission and will receive paperwork to proceed with the Driving Safety Course. **DO NOT TAKE THE COURSE UNTIL PERMISSION HAS BEEN GRANTED.** You will have 90 days to complete the course and return necessary paperwork back to the court.

**NOTE: A 30% delinquency fee will be added to all outstanding cases and after 60 days will be sent to "Collections". FAILURE TO RESOLVE YOUR CITATION MAY PREVENT YOU FROM RENEWING YOUR DRIVERS LICENSE.**

### **SPEEDING:**

|                        |          |
|------------------------|----------|
| 1 to 10 MPH over.....  | \$208.00 |
| 11 to 15 MPH over..... | \$228.00 |
| 16 to 20 MPH over..... | \$268.00 |
| 21 to 25 MPH over..... | \$298.00 |
| 26 to 30 MPH over..... | \$318.00 |
| 31 MPH and over.....   | \$336.00 |

### **OTHER VIOLATIONS:**

|   |          |
|---|----------|
| Assault.....                            | \$583.00 |
| Defective Equipment.....                | \$200.00 |
| Disorderly Conduct.....                 | \$583.00 |
| Disregard Traffic Device.....           | \$222.00 |
| Driving while license invalid.....      | \$583.00 |
| Expired Driver's License.....           | \$155.00 |
| Expired/NO MV Registration.....         | \$165.00 |
| FAILURE TO APPEAR.....                  | \$500.00 |
| Fail to Yield Right of Way.....         | \$228.00 |
| Fail to Chg Address on DL.....          | \$165.00 |
| Fail to Control Speed.....              | \$238.00 |
| Fail to Obey Stop Sign/Signal.....      | \$222.00 |
| Fail to Slow for Emergency Vehicle..... | \$287.00 |
| Following too Closely.....              | \$208.00 |
| MINOR IN POSSESSION...CONTACT COURT     |          |
| Mud Flap Violation.....                 | \$200.00 |
| No Driver's License.....                | \$283.00 |
| No Liability Insurance.....             | \$433.00 |
| No Liability Insurance (Sub).....       | \$983.00 |
| Open Container-Alcohol.....             | \$202.00 |
| Park in Prohibited Area.....            | \$211.00 |
| Pass in No Passing Zone.....            | \$222.00 |
| Permit Unlicensed Driver.....           | \$283.00 |
| Poss. Drug Paraphernalia.....           | \$583.00 |
| Public Intoxication.....                | \$383.00 |
| Seat Belt Violation (ADULT).....        | \$186.00 |
| Seat Belt Violation (CHILD).....        | \$334.00 |

### **OTHER VIOLATIONS CONT:**

|   |          |
|---|----------|
| Turning Violations.....                   | \$198.00 |
| Unsafe Speed.....                         | \$238.00 |
| Unsecured Load.....                       | \$256.00 |
| Violate Driver's License Restriction..... | \$165.00 |
| Wrong side of the Road-not passing.....   | \$228.00 |

### **COMMERCIAL MOTOR VEHICLE:**

|                                     |          |
|-------------------------------------|----------|
| Fail to Stop at Marked RR Xing..... | \$282.00 |
| Fire Extinguisher Violation.....    | \$200.00 |
| Log Book Violation.....             | \$180.00 |
| Over Length.....                    | \$283.00 |
| Warning Device not Displayed.....   | \$222.00 |
| Waste Hauler's Permit.....          | \$283.00 |

### **OVER GROSS WEIGHT:**

|                           |             |
|---------------------------|-------------|
| Less than 2,500 LBS.....  | \$583.00    |
| 2,500 - 5,000 LBS.....    | \$1083.00   |
| 5,001 - 10,000 LBS.....   | \$2,583.00  |
| 10,001 - 20,000 LBS.....  | \$5,083.00  |
| 20,001 - 40,000 LBS.....  | \$7,083.00  |
| More than 40,000 LBS..... | \$10,083.00 |

### **OVERWEIGHT Single/Tandem/Group Axles:**

|                          |            |
|--------------------------|------------|
| Less than 2,500 LBS..... | \$583.00   |
| 2,500 - 5,000 LBS.....   | \$1,083.00 |
| More than 5,000 LBS..... | \$2,583.00 |

NOTICE: Moving violations committed in a "School Zone" or "Construction or Work Zone" CONTACT THE COURT

**FOR VIOLATIONS NOT LISTED,  
PLEASE CONTACT THE COURT  
TO GET CORRECT AMOUNT.**

**IF YOU REQUEST A RECEIPT,** Please include a stamped, self-addressed envelope with your payment. Remember to enclose a copy of the citation to ensure proper credit.

.....THANK YOU.....

**FOR MORE INFORMATION SEE THE COUNTY WEBSITE:**

[WWW.CO.LAVACA.TX.US](http://WWW.CO.LAVACA.TX.US)

**Click on County Offices and select Justice of the Peace**