

STATE OF TEXAS
vs.

IN THE JUSTICE COURT
PRECINCT 1
WINKLER COUNTY, TEXAS

Defendant _____

AFFIDAVIT for Driving Safety Course / Motorcycle Operator Course - CCP 45.0511(b) (2) and (3)

Before me, the undersigned Justice Court clerk in and for the County of Winkler, State of Texas, on this day personally appeared the undersigned affiant, and who after being by me duly sworn, deposes and says:

(Initial) _____ I hereby waive my right to a jury trial and legal counsel and have entered a plea of (*circle one*) **guilty** or **no contest**. If I decide not to take the Driving Safety Course or Motorcycle Operator Course within the prescribed time, the total fine will be due.

(Initial) _____ I hold a valid Texas Drivers License and have evidence of financial responsibility (Insurance coverage).

(Initial) _____ I have not completed an approved Driving Safety Course or Motorcycle Operator Course within 12 months presiding the date of this offense. I am not currently signed up to take a Driving Safety Course or Motorcycle Operator Course for any other traffic citations which is not yet reflected on my driving record.

(Initial) _____ I understand that I have **90 calendar days** from today's date to complete the approved Driving Safety Course or Motorcycle Operator Course; additionally: I am responsible for returning to this Court with written proof showing that I have completed the approved Driving Safety Course or Motorcycle Operator Course and I hereby promise to present such proof by mail or in person no later than **90 calendar days** from today's date.

(Initial) _____ I understand that I am required to obtain my driving record from the Texas Department of Public Safety and return the driving record to the Court with the uniformed certificate of completion of the Driving Safety Course or Motorcycle Operator Course.

(Initial) _____ I understand that if I fail to comply with the **90-day** provision, I will be required to appear in the Court to Show Cause why I have failed to furnish proof of successful completion of the Driving Safety Course or Motor cycle Operator Course & if I failed to appear a **Capias Pro-Fine Warrant** will be issued out for my arrest. I further understand that my case **WILL NOT BE DISMISSED** until the Court receives all the following:

1. This Affidavit
2. Original uniformed certificate of completion from an approved Driving Safety Course or Motorcycle Operator course showing it was completed **BEFORE** the **90-day due date** for courts: JP 1
3. Certified driving record, type 3A from the Texas Department of Public Safety.
4. Copy of valid Insurance coverage.
5. Paid \$110.00 fee/costs for the court fee and court costs.

(Initial) _____ I understand when I have completed the above conditions and have returned proof thereof, the Court will dismiss my traffic citation and the violation will not appeared on my driving record, and that it will be noted on my driving record that I have completed the Driving Safety Course or Motorcycle Operator Course.

(Initial) _____ I understand that the State approved Driving school will charge a fee for the Driving Safety course or the Motorcycle Operator course.

(Initial) _____ I understand that the **Court fee/costs** is *non-refundable*, whether or not I complete the Driving Safety course or Motorcycle Operator Course.

Subscribed and sworn to before me, this
_____ Day Of _____,

Affiant (Signature) Date

Date of Birth TX DL

Justice Court Clerk/Notary Public

Current Address City/State/Zip Code

Phone Number

YOUR DEADLINE IS _____, 20____
-NO EXTENSIONS-
Or pay the fine amount of
\$ _____.

You may be eligible to require that a charge be dismissed by successfully completing a Driving Safety Course or a Motorcycle Operator Training Course or a Specialized Driving Safety Course.

You will lose the right if you do not provide the court with written notice of your request to take the course on or before your appearance date.

ELIGIBILITY

You are **NOT** eligible for this option if you circle **Y** for **YES** to any of the following questions:

- | | | |
|---|---|--|
| Y | N | 1. Do you hold a commercial driver's license? |
| Y | N | 2. Did you take a driving safety or a motorcycle operator training or specialized driving safety course within the 12 months preceding the date of this offense? |
| Y | N | 3. Did the offense occur in a Construction or Maintenance Work Zone while workers were present? |
| Y | N | 4. Were you speeding 25 mph or more over the posted speed limit? |
| Y | N | 5. Is your ticket for an offense other than a moving traffic violation? |
| Y | N | 6. Were you cited for passing a school bus? |
| Y | N | 7. Were you cited for not having valid liability insurance or a valid Texas Driver's License? |
| Y | N | 8. Were you charged with a violation of a state law related to motor vehicle traffic control, including a law regulating the operation of vehicles on highways, arising in connection with a fatal accident, i.e., improper or erratic traffic lane change or following the vehicle ahead too closely? |

INSTRUCTIONS

Taking a Driving Safety Course or Motorcycle Operator Course or Specialized Driving Safety Course

You must return the following CHECKED documents in person or send by certified mail, return receipt requested:

ORIGINAL AFFIDAVIT FORM

1. Read, complete, sign, and date the *Affidavit* form, and **bring it in person to this court**, or **send it by certified mail, return receipt requested**. You must sign the form before a notary public and it must be *notarized*.

Original Driving Safety Course Certificate of Completion or Motorcycle Operator Training Course Verification of Completion

Note: A violation for No Seat Belt of a passenger 5 years or younger will require the Specialized Driving Safety Course Completion

2. To be accepted, the Course Certificate of Completion (*consult yellow pages for State Approved Courses*) MUST indicate "COURT COPY" in the upper right hand corner and "Keri Jones PCT 1 Winkler County" under **COURT** in the bottom left hand corner. The Course must be taken in Texas and before the 90th day indicated on the *Affidavit*.

Original certified copy of your driving record from the Texas Department of Public Safety Website: www.dps.texas.gov

3. To obtain a certified copy of your driving record, complete the Application for Copy of Driver Record (DR1 form) and **mail it, along with \$10.00, to the address listed at the top of the form** as soon as possible. Be sure to indicate your correct mailing address to ensure that you receive a certified copy of your driving record.

COPY OF INSURANCE COVERAGE

4. Send a copy of your Insurance (*Proof of Financial Responsibility*).

ALL DOCUMENTS/ITEMS LISTED ABOVE must be returned to this office
Between the hours of 8:00 a.m. and 5:00 p.m., Monday thru Friday

Judge Keri Jones, Justice of the Peace, Precinct 1
100 E Winkler St., Winkler County Courthouse, Kermit, Texas 79745