

Driver's Safety Request



With a plea of guilty or no contest, you may be eligible to take a Driver's Safety Course for certain traffic violations, which would require the citation to be dismissed. However, you will lose that right if you do not appear at the Municipal Court before the 10th calendar day after the date of the citation.

Texas Law provides that a court shall defer proceedings and allow a person 90 days to present a course completion certificate and a certified copy of their driving record from the Texas Department of Public Safety (DPS) in Austin.

The Court requires the Request for Driver's Safety Form and payment of a fee and court costs by cash, check, money order or credit/debit card upon request.

You are eligible to request driver's safety if you:

1. Have a valid Texas driver's license or permit, which is **NOT** a CDL (Commercial Driver's License), or are a member, or the spouse or dependent child of a member, of the U.S. military forces on active duty;
2. Have current liability insurance on the vehicle you were driving, including rental vehicles;
3. Have not requested or taken driver's safety for any other traffic offense within the past 12 months preceding the date of the offense on your current citation;
4. Are not currently taking a course for another traffic violation;
5. Are charged with an offense involving the operation of a motor vehicle under either Subtitle C, Section 472.002 or Section 729.001(a)(3) of the Texas Transportation Code; and
6. Your citation is **NOT** for one of the following offenses:
 - Speeding 25 mph or more over the posted speed limit;
 - Speeding at a speed of 95 mph or more;
 - Failure to give information or render aid at scene of an accident;
 - Leaving scene of an accident;
 - Reckless driving, fleeing or attempting to elude the Police;
 - Passing a school bus; or
 - Any moving violation within a construction zone when workers were present, and is not a severe infraction of the law.

*NOTE: It is your responsibility to determine if you have taken a driver's safety course in the preceding 12 months. If the Court, upon review of the certified copy of your driving record (that you are required to provide at the end of the 90 days), determines that you were not, in fact, eligible to take Driver's Safety because you have already completed Driver's Safety in the past 12 months, then the Court will **NOT** accept your certificate and the balance will be due in full.*



Request for Driver's Safety:

If making the request in person at the court, you MUST:

1. Present your valid Texas driver's license;
2. Present your valid liability insurance covering the vehicle you were driving, including rental vehicles;
3. Enter a plea of guilty or no contest; and
4. Pay a court cost and administrative fee of \$144.00 in a regular zone or \$169.00 in a school zone.

If making the request by mail, you MUST:

1. Provide a clear and legible copy of your valid Texas driver's license;
2. Provide a clear and legible copy of your valid liability insurance covering the vehicle you were driving, including rental vehicles;
3. Enter a plea of guilty or no contest;
4. Provide a letter requesting to complete a Driver's Safety Course that is postmarked by your due date; and
5. Pay a court cost and administrative fee of \$144.00 in a regular zone or \$169.00 in a school zone.

Compliance:

You will have 90 days from the date of your request to submit the following documents to the Court:

1. A certificate from a driver's safety course that has been approved by the Texas Education Agency (TEA), or, if you were operating a motorcycle as the time of the offense, a motorcycle operator's course approved by the Department of Public Safety (DPS). The certificate must be the designated court copy, it must be signed by you, and it must reflect that you have completed the course for the Benbrook Municipal Court within 90 days from the date of your request. Certificates not meeting these requirements will NOT be accepted. Further, driver's safety courses offered by AARP, employers or other organizations do not meet this requirement.
2. A certified copy of your driving record obtained from the Texas Department of Public Safety (DPS) in Austin.

*****DO NOT PROCRASTINATE --- DEADLINES FOR SUBMITTING DOCUMENTS ARE STRICTLY ENFORCED. NO EXTENSIONS WILL BE GRANTED.*****

If you comply as described above, and the Court confirms that you were, in fact, eligible to complete Driver's Safety; then, your citation will basically be dismissed, you will pay no further fines or costs, and the violation will not appear on your driving record.



If you fail to comply as described above, you will be set for a show cause hearing before the Judge. The Court will mail written notice of this hearing to the last address you provided to the Court. If your address changes after you request Driver's Safety, it is your responsibility to notify the Court of your correct address.

At the show cause hearing, if the Judge determines that you did not comply with the terms of Driver's Safety, then the Judge will find you guilty of the offense, this conviction will appear on your driving record and you will have to pay the additional amount specified by the Judge. Failure to be present at that hearing may result in a Warrant for your arrest.

If you still have questions regarding eligibility, please contact the Municipal Court at 817-249-6083 or in person at:

911 Winscott Road
Benbrook, TX 76126