

Ector County, Texas - Can I take Defensive Driving?

If you are charged with a traffic offense under the Subtitle C, Transportation Code, you may request, before the appearance date on the citation, either in person or in writing, to take a driving safety course. If you were operating a motorcycle and request to take a driving safety course, you must take a motorcycle operator's training course.

At the time of the request, you must do the following:

1. Present a valid Texas driver's license, which is **NOT** a Commercial Driver's License/Permit;
2. Plead guilty or nolo contendere;
3. Pay court costs and an administration fee that total \$140.00 (cash, credit/debt, or money order);
4. If you are choosing to do Defensive Driving when your violation occurred in a school zone the law requires a \$25.00 Child Safety Fee that the state receives for those violations occurring in a school zone. (Thus the court costs, administration fee and Child Safety Fee would total \$165.00.); and
5. **Photo copy your Driver's License and Insurance card to send in along with the form (print form below) and payment. (Cash, credit/debt, cashier's check or money order accepted.)**

Prosecution of the traffic offense will be postponed for 90 days to allow you time to complete the course. You are required to attend a driving safety course that has been approved by the Texas Education Agency or a motorcycle operator's course approved by the Department of Public Safety.

You are eligible to request this course if you:

1. Have not requested and completed a driving safety course for a traffic offense within the last 12 months;
2. Are not currently taking the course for another traffic violation;
3. Have not committed the offense of speeding 25 mph over the speed limit or of speeding 95 mph or over; and
4. Have not committed one of the following offenses:
 - Failure to give information at accident scene;
 - Leaving scene of accident;
 - Fleeing or attempting to elude police officer;
 - Reckless driving;
 - Passing a school bus; or
 - A serious traffic violation as defined under Chapter 522, Transportation Code.

On or before the end of that 90-day period, you must provide to the court a completion certificate issued by the Texas Education Agency or the Texas Department of Public Safety and a Driving Record. If you fail to provide this certificate, the court will send you a notice requiring you to return to court and explain why you failed to show proof of completion. If you have a good reason why you were unable to present your proof within 90 days, the judge may (but is not required to) grant you an extension. Your failure to be present at that hearing may result in a warrant for your arrest being issued.