

WARNING - MUST READ

DRIVER RESPONSIBILITY PROGRAM

Effective September 1, 2003, the State of Texas adopted a program that assigns points to a person's driver's license for certain moving violations. Basically, (2) two points are assigned for each conviction arising out of a separate transaction; (3) three points if the violation resulted in an accident. Additional information can be found in Chapter 708 of the State of Texas Transportation Code.

IMPORTANT MESSAGE

Annually, traffic law violations are recorded as a factor in about 85% of the rural traffic accidents in Texas. Approximately 60% of the traffic deaths in Texas occur on rural highways. The enforcement actions taken against you and any subsequent court actions are intended to secure compliance with the traffic laws by you and all other users of the highways. **Failure to comply with your written promise to appear in court as made on this citation will constitute a separate offense with which you maybe charged and result in warrants begin issued for your arrest. Failure to appear in court or failure to satisfy a judgment ordering payment of a fine and cost in the manner ordered by the Court may result in the denial of renewal of your driver's license.**

Fail to Maintain Financial Responsibility: "A second or subsequent conviction of an offense under the Texas Motor Vehicle Safety Responsibility Act will result in the suspension of your driver's license and motor vehicle registration unless you file and maintain proof of financial responsibility with the Department of Public Safety for two (2) years from the date of conviction. The department may waive the requirement to file evidence of financial responsibility if you file satisfactory evidence with the Department showing that at the time the citation was issued, the vehicle was covered by a motor vehicle liability insurance policy or that you were otherwise exempt from the requirements to provide evidence of financial responsibility."

If you are convicted of a Misdemeanor offense involving violence where you are or were a spouse, intimate partner, parent or guardian of the victim or are or were involved in another, similar relationship with the victim, it may be unlawful for you to possess or purchase a firearm, including a handgun or long gun, or ammunition, pursuant to Federal Law under 18 U.S.C. Section 922(g) (9) or Section 46,04(b), Texas Penal Code. If you have any questions whether these laws make it illegal for you to possess or purchase a firearm, you should consult an attorney.

COURTESY LETTER

MERKEL MUNICIPAL COURT
100 KENT ST
MERKEL, TX 79536
325-928-4911

PLEASE READ AND FOLLOW THESE INSTRUCTIONS CAREFULLY

****If under the age of 17, please refer to pamphlet: Municipal Court Procedure Children**

YOUR SIGNATURE on the traffic citation you received is a legal commitment to appear before the Court. This may be done in person or by signing and mailing this letter to the Court. If you do not respond on or before the appearance (due) date noted on the bottom of your citation, a FAILURE TO APPEAR charge, which carries an additional FINE OF UP TO \$500.00 can be filed against you. Warrants will be issued for your arrest and your driver's license will not be renewed.

If you hold an out-of-state driver's license, failure to comply with this citation could result in suspension of your driver's license in your home state under the non-resident violator compact agreement.

NOT GUILTY means you will be set for pre-trial hearing. Mail this letter and a copy of citation to the court which will notify you by mail of your court date. You **MUST** be present in court at the time and date set for your pre-trial.

GUILTY OR NO CONTEST (NOLO CONTENDERE) fines are the same. Either plea indicates you agree to waive appearance for trial. Enter a plea, sign and date this letter, and mail it with a CASHIER'S CHECK or MONEY ORDER for the amount shown on the fine schedule on the reverse side of this form.

Each offense requires a separate signed plea; make additional copies if needed.

MUST ENTER YOUR PLEA BELOW

_____ I hereby enter a plea of NOT GUILTY and request a court date for a pre-trial hearing.

_____ I hereby enter a plea of GUILTY and waive my right to a trial by jury.

_____ I hereby enter a plea of NO CONTEST and waive my right to a trial by jury.

OPTIONS AFTER ENTERING PLEA

_____ Having made a plea of No Contest or Guilty, I hereby request the opportunity to take a Texas Certified Driver's Safety Course.

_____ Having made a plea of Guilty or No Contest to the charge, I hereby request Deferred Disposition.
If under 25 years of age you will be required to take a mandatory Driver's Safety Course.

SIGNED THIS THE _____ DAY OF _____, 20_____.

DEFENDANT'S SIGNATURE

On the above date, the Defendant appeared and swore, or affirmed, on Affidavit, under oath, that the information set forth herein is true and correct.

(Seal)

Notary Public, State of Texas

DRIVING SAFETY COURSE(DSC) OR DEFERRED DISPOSITION OPTIONS

You may be able to require that this charge be dismissed by successfully completing a Driving Safety Course or by Deferred Disposition. You will lose that right, if on or before your appearance date, you do not provide the Court with written notice of your request. Please read this information carefully and follow the instructions if you wish to make a request. Contact the Court before your due date if you have any questions.

Driving Safety Course:

1. Only persons holding a valid Texas driver's license or are a member of the United States military forces serving on active duty are eligible for this option, and the DSC must be approved by the Texas Education Agency.
2. You are not eligible for the DSC option if:
 - ❖ Your offense occurred in a construction zone with workers present.
 - ❖ You were passing a school bus.
 - ❖ You were speeding 25 MPH or more above the posted speed limit.
 - ❖ Your speed was 95 MPH or more.
 - ❖ You hold a commercial driver's license (CDL).
 - ❖ You have taken a DSC within the last twelve months.
3. If you are eligible for the DSC option, enter your plea, sign and date the form and return it to the Court with a \$109.10 **CASHIER'S CHECK OR MONEY ORDER payable to MERKEL MUNICIPAL COURT, with PROOF OF LIABILITY INSURANCE, and copy of current DRIVER'S LICENSE.**
4. Your request may be submitted in person or by **CERTIFIED MAIL**. Your request must be made to the Judge and could be denied.

Deferred Disposition:

1. You are not eligible for Deferred Disposition if:
 - ❖ Your offense occurred in a construction zone with workers present.
 - ❖ You hold a commercial driver's license (CDL).
2. If you are eligible for this option, enter your plea, sign and date the form and return it to the Court with a \$149.10 **CASHIER'S CHECK OR MONEY ORDER payable to MERKEL MUNICIPAL COURT, with PROOF OF LIABILITY INSURANCE, and copy of current DRIVER'S LICENSE.**
3. Your request may be submitted in person or by **CERTIFIED MAIL**. Your request must be made to the Judge and could be denied.

***The Texas Code of Criminal Procedure only permits pleas to be entered in writing, in person or by mail. Contacting the court via phone does not constitute as an appearance.

***Meeting these requirements is solely your responsibility. The Court will not contact you unless there is a conflict with any of the requirements set forth in the Affidavit.

MERKEL MUNICIPAL COURT FINE SCHEDULE

SPEEDING VIOLATIONS/FINE AS FOLLOWS: Up to 15 mph \$144.00 (Base fine & Court Costs) + \$2.00 per mile over posted speed limit.
Example: If you were speeding 40 mph in a 30-mph zone - you would figure \$144.00 + (\$2.00 x 10 miles) = \$164.00. 15 mph or over, must contact the Court.

SCHOOL ZONE VIOLATIONS:

\$165.00 (Base fine & Court Costs) + \$5.00 per mile over the posted speed limit
Example: If you were speeding 30 mph in a 20 mph zone - you would figure \$165.00 + (\$5.00 x 10 mph) = \$215.00

Expired Registration (available compliance dismissal with fee)	\$174.10
Failure to Control Speed	\$174.10
Failure to Stop at Marked RR Crossing/Failure to Yield RR Crossing	\$174.10
Ran Stop Sign	\$199.10

Driver's License Violations

Expired Operator's License (available compliance dismissal with fee)	\$150.00
No Driver's License	\$299.10
Drive While License Invalid/DL Suspended	\$299.10

Miscellaneous Violations

Failure to Appear	\$262.00
Possession of Drug Paraphernalia	\$316.00
Public Intoxication	\$300.00
Open Container	\$300.00
Fail to Maintain Liability Insurance (1 st Offense)	\$316.00

(A citation for this violation may be dismissed if you provide the Court with proof that you had insurance at the time the citation was issued. A conviction of No Liability Insurance may result in suspension of your driver's license and an assessment of a surcharge under the Driver Responsibility Program).

A CONVICTION OF AN OFFENSE UNDER A TRAFFIC LAW OF THIS STATE OR A POLITICAL SUBDIVISION MAY RESULT IN THE ASSESSMENT OF A SURCHARGE OF YOUR DRIVER'S LICENSE UNDER THE DRIVER RESPONSIBILITY PROGRAM. (ALSO, MAY CAUSE YOU TO BE UNABLE TO REGISTER A MOTOR VEHICLE IN THIS STATE)

NOW AVAILABLE!!

Credit card payment option at www.trafficpayment.com or by phone at **1-800-444-1187**.