

*****INSTRUCTIONS*****

***** READ CAREFULLY BEFORE YOU CALL THE COURT*****

Do not call or appear within the first 2 business days after receipt of this citation. Information will not be given out until the citation has been filed with the court.
This information is furnished to you as a courtesy by the Municipal Court of Tom Bean to assist you in making a disposition of the charge(s) filed against you.

*****If you are a juvenile (age 10-16) you MUST notify the Court for an appearance date with the Judge for ALL violation! *****

A parent/ guardian MUST be present with ALL defendants under the age of 17!

The parent or guardian MUST keep the Court informed in writing of the child's current address and residence. CCP Art. 45.057(h)

How to pay your fine:

1. In person - 201 S. Britton St. Tom Bean, TX 75489
2. By mail - Po. Box 659 Tom Bean, TX 75489
3. Online - www.trafficpayment.com

Forms of Payment accepted:

1. Cash (Do NOT mail cash)
2. Check / Money Order
3. Credit / Debit Card (\$1.00 to \$200.00 a \$5.00 fee, Over \$200.00 a 2.5% fee)

Required Paperwork:

1. FILL THIS COLORED FORM OUT COMPLETELY
2. COLOR copy of your Driver's License
3. Copy of vehicle insurance
4. Copy of citation
5. Contact information:
 - a. Name: _____ Date: _____
 - b. Mailing Address: _____ City: _____ State: _____ Zip: _____
 - c. Contact Phone Number(s): _____
 - d. Email: _____

How would like to plea:

1. Not Guilty - You **MUST** appear in person by the date indicated at the bottom of the citation. A bond will be required.
2. Nolo Contendere - (no contest) and waive appearance for trial
3. Guilty - and waive appearance for trial

How would you like to proceed:

1. **If you wish to enter a plea of Guilty or Nolo Contendere (No Contest) and pay for the citation in full:** Please indicate your request in the space below. A plea of Nolo Contendere means that you do not wish to contest the charges filed against you. Please note that this CONVICTION will appear on your driving record. (\$120 + MPR over X \$7 or if in school zone \$145 + MPR over X \$8)

Sign here _____ I hereby enter a plea of Guilty and Waive appearance for trial

Sign here _____ I hereby enter a plea of Nolo Contendere (No Contest) and waive appearance for trial.

2. **How to request Deferred Disposition:** You **CAN NOT** request Deferred Disposition if you carry a **CDL** Driver's License. Please indicate your request in the space below. This request is a 90-day probationary period for dismissal of a moving traffic violation. This plea enters a guilty judgment; the judgment will be removed upon completion of the probationary period. A payment of court cost of \$120.00 or \$145.00 (school zone), fine of (MPR over X \$7 or X \$8 in a school zone), plus payment of a special expense fee of \$50.00 will be due at time of request. After the 90-day deferred period has expired you must have an affidavit (provided by the court) notarized, stating that you have complied with the deferred requirements. Art 45.051 CCP

STATE-MANDATED CONDITIONS:

- a. If you are 25 years of age and under and have requested Deferred Disposition you **MUST** complete a Defensive Driving Course with a \$10.00 administration fee paid to the Court.
- b. If you are 17 years of age and under and carry a provisional driver's license you **MUST** complete an examination (driving) provided by DPS. 521.161(b) (2), T.C. & 45.051 Sec 2 (b-1) (3)G

NOTICE: If you successfully comply with the conditions of the deferred disposition, then this case shall be **DISMISSED** by the court and shall **NOT** be reported as a conviction. If you fail to comply with the conditions of the deferred disposition, then this case will result in a **CONVICTION** and will appear on your driving record.

Sign here _____ I hereby enter a plea of Guilty and Waive appearance for trial

Sign here _____ I hereby enter a plea of Nolo Contendere (No Contest) and waive appearance for trial.

3. **Driving Safety Court (Defensive Driving):** If you do not carry a Texas Driver's License or live outside of Texas you **CAN NOT** take a defensive driving class. You **CAN NOT** take a defensive driving class if you carry a **CDL** Driver's License or were driving 25 mph over the posted speed limit or in excess of 95 mph. You **CAN NOT** take Defensive Driving if you have taken a DSC class within the last 12 consecutive months, unless you are the under the age 25 and is required with Deferred Disposition. Art 45.0511 CCP

You may take DSC as long as you qualify with the following requirements: Valid Texas license (unless active military) (no CDL), Insurance **at time a citation was issued, and have not taken the Defensive Driving class in the last 12 months.** A payment of court fee for \$129.00 or \$154.00 (school zone) will be due and the fine amount will be waived. Once the fee is paid to the court, you have 90 days to take a defensive driving class and send the certificate of completion to the Court. You **MUST** also provide a copy of your driving record (version 3A CERTIFIED) and a notarized affidavit (provided by court). Once this is done, the citation will not go on your driving record. Due to restrictions by the State of Texas, no extensions can be given on this citation. You can obtain your Driving Record by going online at www.texasonline.com.

You may take a Defensive Driving course of your choice, whether it is by video, internet or an actual classroom setting. The fee for this starts at \$25.00.

NOTICE: If you successfully comply with the conditions of the defensive driving, then this case shall be **DISMISSED** by the court and shall **NOT** be reported as a conviction and the fine amount will not be collected. If you fail to comply the case will result in a **CONVICTION**, and a fine will be collected and a conviction will appear on your driving record.

Sign here _____ I hereby enter a plea of Guilty and Waive appearance for trial

Sign here _____ I hereby enter a plea of Nolo Contendere (No Contest) and waive appearance for trial.

SEE OTHER SIDE FOR IMPORTANT MESSAGE

4. **Non – Moving Violations:**

- a. Registration (expired / none) \$195.00 With proof of renewal \$20.00 dismissal fee
- b. Driver's License (expired / address change) \$195.00 With proof of renewal \$20.00 dismissal fee
- c. No Driver's License \$195.00
- d. Driver's License Suspended / Invalid \$505.00
- e. No Proof of Liability Insurance \$370.00
- f. Defective Equipment \$150.00 With proof of remedy \$10.00 dismissal fee
- g. Cell Phones in School Zone \$160.00

Sign here _____ I hereby enter a plea of Guilty and Waive appearance for trial
 Sign here _____ I hereby enter a plea of Nolo Contendere (No Contest) and waive appearance for trial.

**WE DO NOT ACCEPT FAXES FOR PROOF OF INSURANCE, DRIVER'S LICENSE, OR REGISTRATION.
 FINES AND FEES ARE SUBJECT TO CHANGE WITH OUT NOTICE.**

ADDITIONAL FEES

All court order classes will have additional fees added.

- Driving Record – Paid directly to DPS in Austin.....order at www.texasonline.com.....\$12
- Time Pay Fee-if the fine is not paid with 30 days.....\$25
- Return check fee.....\$30



Tom Bean Municipal Court
 PO Box 659 / 201 S Britton
 Tom Bean, TX 75489
 903-546-6321 Fax 903-546-4878
tbcourtclerk@cableone.net / www.tombean.net



Notice: Court Clerk is not a Judge or an Attorney and can NOT give legal advice.

NOTICE OF ALTERNATIVES TO FULL PAYMENT OF FINES OR COSTS:

If you are convicted of an offence and are unable to pay the fine and court cost, you may have the court assess your ability to pay and the court may provide alternatives to full payment to satisfying the judgment.

If you are a juvenile (age 10-16) you MUST notify the Court for an appearance date with the Judge for ALL violation!

A parent/ guardian MUST be present with ALL defendants under the age of 17!

The parent or guardian MUST keep the Court informed in writing of the child's current address and residence. CCP Art. 45.057(h)

This obligation does not end when the child reaches age 17. On or before the seventh (7th) business day after the date the child or parent changes residence, the child or parent must notify the court of the new address. A violation of this subsection may result in arrest & is a class C misdemeanor.

For Alcoholic Beverage Code offenses and the offense of Public Intoxication (Sec. 49.02(e), P.C., defendants under the age of 21), you must take an alcohol awareness course. Sec. 106.115 (a), A.B.C.

For Alcoholic Beverage Code offenses, except DUI, and the offense of Public Intoxication (Sec. 49.02(e), P.C., defendants under the age of 21), must perform community service. Sec. 106.071 (d), A.B.C. 1st offense: 8 to 12 hours 2nd offense: 20 to 40 hours.

IMPORTANT MESSAGE

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

You may be able to require that this charge be 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 provide the court with notice of your request to take this course.

“A second or subsequent conviction of an offence 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 this citation was issued, the vehicle was covered by a motor vehicle liability insurance policy or that you otherwise exempt from requirements to provide evidence of financial responsibility.”

IF YOU ARE CONVICTED OF A MISDEMEANOR OFFENCE 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 QUESTION WHETHER THESE LAWS MAKE IT ILLEGAL FOR YOU TO POSSESS OR PURCHASE A FIREARM, YOU SHOULD CONSULT AN ATTORNEY. Texas Department of Public Safety

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