

FINE SCHEDULE

**REMIT BY CASHIER'S CHECK OR MONEY ORDER. ONLY
PAYABLE TO THE CITY OF ELGIN MUNICIPAL COURT
NO PERSONAL CHECKS ARE ACCEPTED BY THE COURT
CASH IS ACCEPTED IN PERSON IN THE EXACT AMOUNT**

THE COURT MUST BE CONTACTED FOR ALL CONSTRUCTION AND SCHOOL ZONE VIOLATIONS. CONTACT THE COURT REGARDING OFFENSES NOT LISTED.

SPEEDING OFFENSES

o 1-10 MILES OVER THE POSTED SPEED LIMIT	\$145.00
o 11-15 MILES OVER THE POSTED SPEED LIMIT	\$195.00
o 16-20 MILES OVER THE POSTED SPEED LIMIT	\$245.00
o 21 MILES AND OVER THE POSTED SPEED LIMIT	\$325.00

SPEEDING IN SCHOOL ZONE

o 1-10 MILES OVER THE SPEED LIMIT	\$216.00
o 11-15 MILES OVER THE POSTED SPEED LIMIT	\$288.00
o 16 MILES AND OVER THE POSTED SPEED LIMIT	\$359.00

PARKING OFFENSES

o PARKED FACING TRAFFIC (ILLEGALLY PARKED)	\$102.00
o PARKING IN HANDICAPPED ZONE	\$572.00
o PARKING IN PROHIBITED AREA	\$127.00
o PARK/STOP IN ROADWAY	\$154.00
o PARKING LONG VEHICLE/TRAILERS-VCO	\$225.00

OTHER OFFENSES

o CHANGE LANE WHEN UNSAFE	\$193.00
o DRIVER/PASSENGER NOT SECURED BY SAFETY BELT	\$166.00
o CHILD NOT SECURED BY SAFETY BELT/SEAT	\$241.00
o FAILURE TO YIELD RIGHT OF WAY	\$321.00
o RAN STOP SIGN/DISREGARD STOP SIGN	\$321.00
o OPERATING UNREGISTERED MOTOR VEHICLE	\$162.00
o NO VALID DRIVER'S LICENSE *	\$281.00
o DRIVING WHILE LICENSE INVALID	\$341.00
o FAILURE TO DISPLAY DRIVER'S LICENSE	\$151.00
o FAILURE TO REPORT ADDRESS CHANGE	\$121.00
o FAIL TO CONTROL SPEED	\$321.00

FAILURE TO MAINTAIN FINANCIAL RESPONSIBILITY*

o 1 ST OFFENSE	\$271.00
o 2 ND OFFENSE	\$521.00
o 3 RD OFFENSE	\$1,021.00

YOUR PLEA

If you wish to enter a plea of GUILTY or NOLO CONTENDERE and **pay your fine**, please check the appropriate line below and mail this plea with a Cashier's Check or Money Order ONLY to the court.

If you wish to plead NOT GUILTY and request a trial before a Jury or the Court, simply check the appropriate line and submit the plea to the court.

- ____ I waive my right to a Jury Trial and plead **GUILTY**.
 ____ I waive my right to a Jury Trial and plead **NOLO CONTENDERE**.
 ____ I plead **NOT GUILTY**, waive my right to a jury trial and request a **TRIAL by JUDGE**
 ____ I plead **NOT GUILTY** and request a trial by **JURY**.

DEFENDANTS SIGNATURE _____

DATE _____

CITATION NO. _____

REVISED 01/01/2020



CITY OF ELGIN MUNICIPAL COURT
 AMANDA CARTER, PRESIDING JUDGE
 P.O. BOX 591/310 NORTH MAIN ST., ELGIN, TEXAS 78621
 512.281.0318 Monday-Friday 8:00am to 4:00pm



Please read this section

ABOUT YOUR APPEARANCE

Your signature on the citation is your promise to appear before this court **on or before the appearance date** that appears on your citation. If you have questions, please feel free to contact the court M-F 8am – 4pm. **You must appear either in person or by mail by that date. If your appearance is by mail, your plea must be postmarked on or before the appearance date. Neither telephone calls nor fax transmissions constitute an appearance. Neither driving safety courses nor deferred disposition orders will be considered if your plea is not received on or before your appearance date.**

The following information is provided as a courtesy to assist you in making an informed decision about options available to you.

YOUR PLEA:

A plea of GUILTY is an admission that the charge against you is true.

A plea of NOLO CONTENDERE OR “NO CONTEST” will carry the same penalty as a plea of “guilty.” A plea of nolo contendere cannot be used against you in a civil trial.

A plea of NOT GUILTY entitles you to a trial by either Judge or Jury.

DRIVING SAFETY COURSE OR DEFERRED DISPOSITION

If you enter a plea of either GUILTY or NOLO CONTENDERE, you may request in writing a driving safety course for purposes of ticket dismissal. You must meet the requirements under the section of this brochure entitled **“DRIVING SAFETY COURSE ELIGIBILITY AND REQUEST.”**

If you would like to request **DEFERRED DISPOSITION, YOU MUST SUBMIT BY YOUR COURT APPEARANCE** (1) the **“REQUEST FOR DEFERRED DISPOSITION”** form found on our website www.elgintx.com or a written request, (2) CASHIER'S CHECK or MONEY ORDER equal to the amount of the fine along with (3) your plea of GUILTY or NO CONTEST and (4) a certified copy of your DRIVING RECORD obtained from the TEXAS DEPARTMENT OF PUBLIC SAFETY. The driving record must be the type **“3A”** and may be secured from **DPS** for a fee of **\$12**.

JUVENILES-16 AND YOUNGER

ALL JUVENILES MUST CONTACT THE COURT ON OR BEFORE THEIR APPEARANCE DATE. TO BE RESET FOR A COURTDATE WITH THE JUDGE.

ALL JUVENILES MUST APPEAR WITH THEIR PARENT OR LEGAL GUARDIAN

WARNING: PURSUANT TO ARTICLE 45.057, THE CHILD AND PARENT ARE ENTITLED TO WRITTEN NOTICE OF THEIR OBLIGATION UNDER SUBSECTIONS (H) AND (I) OF ARTICLE 45.057, CODE OF CRIMINAL PROCEDURE. THE SUBSECTION READS AS FOLLOWS: (H) A CHILD AND PARENT REQUIRED TO APPEAR BEFORE THE COURT HAVE AN OBLIGATION TO PROVIDE THE COURT IN WRITING WITH THE CURRENT ADDRESS AND RESIDENCE OF THE CHILD. THE OBLIGATION DOES NOT END WHEN THE CHILD REACHES AGE 17. ON OR BEFORE THE SEVENTH DAY AFTER THE DATE THE CHILD OR PARENT CHANGES RESIDENCE, THE CHILD OR PARENT SHALL NOTIFY THE COURT OF THE CURRENT ADDRESS IN THE MANNER DIRECTED BY THE COURT. A VIOLATION OF THIS SUBSECTION MAY RESULT IN ARREST AND IS A CLASS C MISDEMEANOR. THE OBLIGATION TO PROVIDE NOTICE TERMINATES ON DISCHARGE AND SATISFACTION OF THE JUDGEMENT OR FINAL DISPOSITION NOT REQUIRING A FINDING OF GUILT. (I) IF AN APPELLATE COURT ACCEPTS AN APPEAL FOR A TRIAL DE NOVO, THE CHILD AND PARENT SHALL PROVIDE THE NOTICE UNDER SUBSECTION (H) TO THE APPELLATE COURT.

YOUR ADDRESS-YOUR RESPONSIBILITY

It is your responsibility to notify the court in writing of any change of address. The court will use the address on the citation unless notified of a change.

NOTICE OF ALTERNATIVES TO FULL PAYMENT

If you are assessed fines and court costs as a result of this citation and are unable to pay in full, you may schedule a court date to bring this matter to the attention of the judge. If you are found to have insufficient resources or income to pay, the court can provide you other ways to discharge the fine and court costs.

To schedule a court date, you will be required to complete and sign a promise to appear form (can be found online). To schedule a court date, either:

- 1) come to the office in person or
- 2) you may also send a written request via certified mail postmarked on or before your appearance date on your citation.

FAILURE TO APPEAR

IN THE EVENT THAT A DEFENDANT FAILS TO APPEAR BY THE APPEARANCE DATE ON THE CITATION, AN ENTRY WILL BE MADE INTO A STATEWIDE DATABASE ADMINISTERED BY THE TEXAS DEPARTMENT OF PUBLIC SAFETY. THE PERSON MAY BE DENIED RENEWAL OF THE PERSON'S DRIVER'S LICENSE.

IMPORTANT INFORMATION – [PLEASE READ CAREFULLY.]

If you use the U.S. POSTAL SERVICE, it is recommended that all correspondence with the court be mailed **Certified-Return Receipt Requested**. **This is for your protection**. It is your responsibility to prove that you mailed your plea, your request or any other document in a timely manner.

If charges filed against you are for the offense(s) of EXPIRED DRIVER'S LICENSE, or EXPIRED REGISTRATION, the charge may be dismissed if you remedy the defect within 20 working days of the issuance of the citation, and comply with the following requirements: present proof to the court of vehicle registration (including payment of the "LATE PENALTY"), or DRIVER LICENSE RENEWAL on or before your appearance date. A \$20.00 DISMISSAL FEE (MONEY ORDER OR CASHIER'S CHECK) must accompany your plea and proof of remedy.

FOR MORE INFORMATION VISIT OUR WEBSITE www.elgintx.com

PLEASE REMEMBER IF YOU APPEAR IN COURT:

- o No flip flops
- o No shorts/cut-offs/sports attire
- o Shirts should be tucked in
- o No shirts w/graphics
- o No hats

DRESS APPROPRIATELY

PAY YOUR TICKET IN 2 MINUTES!

Call 1-800-444-1187 M-F 8-5 or www.trafficpayment.com

***Convenience Fee Applies* -- ONLY FULL PYMTS ACCEPTED**

THE FOLLOWING MUST APPEAR IN COURT AND CAN NOT BE PAID ONLINE**

- ◆Juveniles
- ◆Any Minor in Possession Charges
- ◆Driving Safety OR Deferred Disposition Request

REQUEST FOR A DRIVING SAFETY COURSE (Art.45.0511(b), CCP) **PLEASE PRINT OR TYPE**

Citation #: _____ Offense _____

Defendant's Name _____

Mailing Address: _____

The charge against you may be dismissed by completing a driving safety course.

I request permission to take a driving safety course and under penalty of perjury, I attest to the truth of the following:

1. I certify that (a) I have a valid Texas driver's license/permit, or (b) I am active duty military and have not completed a driving safety course or motorcycle operator's course in another state during the preceding 12 months, and,
2. That I am not charged with speeding 25 or more miles above the posted speed limit,
3. That I am not currently taking a driving safety course for another court,
4. That I have not completed a driving safety course within 12 months prior to the offense date on my citation,
5. That I have not completed a driving safety course not currently reflected on my driving record.

I hereby enter my appearance on the complaint of the above stated offense. I understand that I have a right to a jury trial. I hereby waive my right to a Jury trial, and elect under art. 45.0511, CCP, to take a Driving Safety Course and plea

Choose and circle one: **GUILTY** **NO CONTEST**

I understand that I must present to the court the following with this request:

1. Proof of **VALID TEXAS DRIVER'S LICENSE/PERMIT OR MILITARY ID**
2. Proof of **FINANCIAL RESPONSIBILITY** pursuant to chapter 601, transportation code (automobile liability insurance)
3. **Payment of \$144** in the form of a CASHIER'S CHECK or MONEY order made payable to **ELGIN MUNICIPAL COURT** (includes court cost of \$134 and non-refundable fee of \$10.00). ****OR \$169 (FOR OFFENSES IN A SCHOOL ZONE)**

INCOMPLETE OR LATE REQUESTS WILL BE DENIED!

DEFENDANT SIGNATURE _____

DATE _____

NOTE: MOVING VIOLATIONS OCCURRING IN A WORK ZONE WITH WORKERS PRESENT ARE NOT ELIGIBLE FOR A DRIVING SAFETY COURSE. DEFERRED DISPOSITION ORDERS WILL NOT BE GRANTED IN THESE CASES.

COMMERCIAL DRIVERS LICENSE HOLDERS DO NOT QUALIFY FOR A DRIVING SAFETY COURSE OR DEFERRED DISPOSITION ORDER.

AFFIDAVIT (MUST BE SIGNED IN FRONT OF A NOTARY)

I _____ state under oath that I am not in the process of taking a driving safety course, nor have I completed a course that is not yet reflected on my driver's record as maintained by the Texas department of Public Safety in the past twelve months.

Defendant's Signature

Sworn and Subscribed before me, the undersigned authority on this the _____ day of _____, 20____.

Notary Public in and for the State of Texas

YOU MUST HAVE WRITTEN PERMISSION FROM THE COURT PRIOR TO TAKING A DRIVING SAFETY COURSE