



Navasota Municipal Court
200 E. McAlpine/P.O. Box 910
Navasota, TX. 77868
936-825-6268 Fax: 936-825-7280
Office Hours: Monday - Friday
8:00 a.m. to 5:00 p.m.
www.NavasotaTX.gov

TRAFFIC CITATION NOTICE TO DEFENDANT

This notice is furnished to you by the Navasota Municipal Court to help you to decide how to handle your traffic citation. Nothing contained herein is intended to be nor should be construed as legal advice and should not be relied upon as such. You have the right to have a trial by a jury and to be represented by an attorney of your choice, or to represent yourself.

Traffic offenses, generally, are punishable by a fine of not more than \$200.00 plus court costs. There are exceptions to the \$200.00 fine maximum. The fine for criminal offenses can be up to \$500.00. Violation of city ordinances may carry a maximum fine of up to \$2,000.00. Fines may be increased on a **second** or **subsequent** violation or if the violation occurred in a **School/Construction Zone**. The judge may assess the fine amount at his discretion within the fine range.

Please allow **5** days from the violation date before coming to or calling the Court. No weapons are permitted in Court. Please be properly dressed. Shorts and tank tops are not permitted in Court.

IF YOU DO NOT WANT TO APPEAR IN COURT: PAY THE FINE.

By the appearance date shown on your citation, mail or bring to the court a waiver of jury trial and the amount of the fine shown on the Uniform Schedule of Fine Amounts for the offense with which you are charged. Payment of the fine amount constitutes a finding of guilty in open court, as though you had entered a plea of nolo contendere (no contest).

All fines must be paid in cashier's check or money order payable to Navasota Municipal Court. Do not mail cash or personal checks. If paying by mail, please be sure to include a copy of the citation and a waiver of jury trial.

To request a receipt for payment of a fine, please send a self-addressed, stamped envelope with your payment.

NOT GUILTY, REQUEST OF TRIAL

If you are pleading NOT GUILTY, you may mail or bring to the court your plea of not guilty. You will be notified by mail of your pre-trial conference date. A pre-trial conference is an opportunity for you to meet with the City Prosecutor to discuss options and provisions in the law which may help you resolve your case without going to trial. By pleading NOT GUILTY and appearing at a pre-trial conference, you are not waiving your right to a jury trial.

APPEARANCE REQUIRED: GUILTY WITH EXPLANATION:

If you are pleading guilty or no contest and have evidence to documents to present in connection with the offense, you must do so by your appearance date shown on your citation. Please present any documentation you want to the court to consider to the clerk at the window.

FAILURE TO MAINTAIN FINANCIAL RESPONSIBILITY

If you received a citation for "no liability insurance" or other financial responsibility, you are entitled to have a citation dismissed if you produce an automobile liability insurance policy or other proof of financial responsibility as required by law, that was valid at the time of the offense.

Juvenile Appearance requirements

If you are a juvenile (under 17 years of age) and you have been charged with a Penal Code or City Ordinance violation including a traffic citation, State Law requires that you must appear in Court with a parent or legal guardian. You may not pre-pay your fine.

Juveniles who fail to appear in court may have an additional charge of failure to appear filed against them. Juvenile who fail to appear or who fail to pay their fine will be reported to the Department of Public Safety and their driver's license will be suspended. If they do not have a driver's license, they will not be able to obtain one until they have disposed of their case.

Juvenile Warning

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. 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. 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 judgment or final disposition not requiring a finding of guilt.

WARNING:

The Navasota Municipal Court has a contract with the Texas Department of Public Safety to report instances of Failure to Appear, with the ten business days required by the citation and all instances of a failure to pay any class C misdemeanor judgment and sentence. You may be denied renewal of your driver's license by the DPS should you fail to appear or pay your fine by order of the court.

CONSEQUENCES OF NEGLECTING YOUR CITATION

Failure to pay your fine, show proof of compliance or apply for a Driving Safety Course or Deferred Disposition on or before your court date or failure to appear by your scheduled court date and time will result in:

1. A warrant issued for your arrest (\$50.00 warrant fee plus additional fees);
2. A separate charge of Failure to Appear filed(\$349)
3. Denial of Driver's License issuance or renewal and denial of vehicle registration. To clear your Driver's License or registration, you must pay a \$10 DPS notification fee for each case;
4. Referral to a collections vendor will result in an additional collection fee of 30% of total fine.

Inability to pay the fine is not an excuse for failing to appear. If you are unable to pay the full amount of payment that is acceptable to the court, you may request a payment plan or to perform community service to discharge the full amount of costs, fine, and fees remaining.

"A TELEPHONE CALL DOES NOT CONSTITUTE AN APPEARANCE AND WILL NOT PREVENT THE ISSUANCE OF A WARRANT. YOU MUST PLEA IN PERSON OR IN WRITING."

DRIVING SAFETY COURSE (DSC)

The Code of Criminal Procedure, Art. 45.0511 (q) states: "You may be able to require that this charge be dismissed by successfully completing a driving safety course or a 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 the course."

You are **not eligible** to take **DSC/MOTC** if:

1. You hold a Commercial Driver's License (CDL)
2. You have taken a Court ordered DSC for another citation within one year from this citation; (or)
3. You are charged with:
 - a) 95 miles per hour or more; or
 - b) Speeding 25 miles per hour or more over the posted speed limit;
 - c) Passing a school bus;
 - d) Committing a serious traffic violation;
 - e) Failing to stop and give information or rendering aid after an accident; or
 - f) Committing an offense in a construction zone when a worker was present.
4. You do not have a valid Texas Driver's License.

DSC/MOTC FEES:

MOVING VIOLATIONS: **\$144.00**
SCHOOL ZONE MOVING VIOLATIONS: **\$169.00**

You must mail or bring to the Court the following items:

1. Photocopy of your current auto liability insurance;
2. Photocopy of your valid Texas Driver's License;
3. DSC or MOTC fee payment, and
4. Completed and signed reply form

Upon approval of your request, you will have 90 days to:

1. Complete a DSC, or if the offense was committed while operating a motorcycle, a MOTC;
2. Order a certified copy of your driving record from Texas Department of Public Safety; and
3. Submit your certificate of completion of the course (Court's Copy), certified copy of your driving record, and a signed notarized DSC affidavit to the Court.

If you fail to comply with any of the above-stated requirements, you will have a conviction on your driving record, and you will be required to pay the judgment amount. Failure to pay judgment will result in a warrant of arrest being issued.

PAYMENT OF FINE

I hereby enter a plea of GUILTY and waive my right to a jury trial. CASHIER'S CHECK OR MONEY ORDER in the amount of the fine is enclosed payable to Navasota Municipal Court.

I hereby enter a plea of NO CONTEST and waive my right to a jury trial. CASHIER'S CHECK OR MONEY ORDER in the amount of the fine is enclosed payable to Navasota Municipal Court.

Date: _____

X _____

Defendant's Signature
(Also, please complete REPLY FORM)

PLEA OF NOT GUILTY AND REQUEST FOR TRIAL

I hereby enter a plea of NOT GUILTY and request a pre-trial conference with the City Prosecutor. I understand that I will be notified at the address I indicate on this form and that I must appear in person for this conference. I understand that I may be represented by an attorney at this conference and that if I choose to be represented by counsel, it will be at my expense. I am not waiving my right to a jury trial.

Date: _____

X _____

Defendant's Signature
(Also, please complete REPLY FORM)

DRIVING SAFETY COURSE APPLICATION

I hereby enter a plea of NO CONTEST to the traffic offense and waive a trial by jury. I elect to take the Driving Safety Course and certify that:

1. I have a valid Texas driver's license and have attached a copy;
2. I have not completed an approved driving safety course within the last 12 months preceding the date of this offense. I must obtain a certified copy of my driving record from TDPS. Submit certified copy to the court;
3. I am not charged with speeding 25 mph or more over the posted speed limit or the alleged speed was not 95 mph or more;
4. I have attached proof of my current auto liability insurance; and
5. I have enclosed the court costs and administrative fee in the amount of **\$144.00** (or **\$169.00** if the offense is speeding in school zone) (Cashier's Check or Money Order).

Date: _____

X _____

Defendant's Signature
(Also, please complete REPLY FORM)

DEFERRED DISPOSITION APPLICATION

Deferred Disposition is a suspended sentence. On your plea of guilty or nolo contendere, the Court will defer a finding of guilt, assess Court Cost, and order that you post a bond and comply with certain conditions. If you successfully comply with the terms, your case will be dismissed, and the bond money will be applied to a special expense fee. If you fail to comply with the terms, a judgment will be imposed, a conviction will be reported to DPS, and the bond money will be applied to the fine. These conditions apply only to mail application. You may apply for Deferred Disposition for traffic violations by submitting the items listed below. Your application will be reviewed and you will be notified if your request is granted.

You must mail or bring to the Court the following items:

1. Photocopy of your current auto liability insurance;
2. Photocopy of your valid Texas Driver's License (Not a CDL); and
3. **Please contact the court for the correct amount to be included with this request.** (Cashier's Check or Money Order).

Request by mail will not be accepted for the following citations:

1. Any offense by a holder of CDL;
2. Any offense committed in a construction zone with workers present;
3. Speeding 26 miles or more over the posted speed limit;
4. Passing a school bus;
5. No liability insurance;
6. Non-traffic cases; and
7. Juvenile cases (must appear in person with parent or guardian).

You may apply for Deferred Disposition for these offenses in person at the Navasota Municipal Court on your scheduled court date and time. Bring same items requested as by mail. Bond amounts are set by the court and may differ. The Judge may or may not grant your request.

I wish to apply for Deferred Disposition. I waive my right to a jury trial and hereby enter a plea of (GUILTY) or (NO CONTEST).

Date: _____

X _____

Defendant's Signature
(Also, please complete REPLY FORM)

REPLY FORM

Please enclose a copy of the citation, and provide the following information:

Name: _____

Mailing Address: _____

City, State, Zip Code: _____

Phone #: _____

DL #: _____

Citation(s) #: _____

Fine Schedule

SPEEDING VIOLATION:

1-9 mph over posted limit.....\$222.00
 10 mph over posted limit.....\$234.00
 For each mile over 10 mph increases by \$2.00 per mile
 20 mph over posted limit.....\$255.00
 For each mile over 20 mph increases by \$5.00 per mile
 25 mph over posted limit.....Contact Court
 Speeding in School Zone.....Contact Court
 Speeding in Construction Zone...Contact Court

MISCELLANEOUS CHARGES:

No Liability Insurance.....\$423.00
 Disregard Stop Sign/Red Light.....\$257.00
 Disregard Official Traffic Control Device.....\$257.00
 No Driver's License.....\$273.00
 Expired Driver's License.....\$273.00
 Driving While License Invalid.....\$331.00
 Expired Registration.....\$216.00
 No Driver's License in Possession.....\$206.00
 Fail to Maintain Single Lane.....\$257.00
 Fail to Yield Right of Way.....\$257.00
 No Safety Restraint/Adult.....\$184.00
 No Safety Restraint/Child.....\$184.00
 No Safety Seat/Child.....\$159.00
 Child Riding in Open Bed Truck/Trailer.....\$263.00
 Turning Violation.....\$257.00
 Fail to Change Address on Driver's License.....\$181.00
 Permit Unlicensed Person to Drive.....\$238.00
 Improper Lane Change.....\$257.00
 Defective Equipment.....\$257.00
 Disregard RR Crossing Signals/Arms.....\$260.00
 Fail to Control Speed.....\$257.00
 All Moving Violation with Accident.....\$334.00
 Backing w/o Safety.....\$235.00
 Violation of City Ordinance/ Truck Route.....\$281.00
 Parking Violation.....\$219.00
 Cell Phone in School Zones.....\$262.00
 Passing School Bus While Loading/Unloading.....\$634.00
 Possession Drug Paraphernalia.....\$348.00
 Open Container Driver/Passenger.....\$246.00
 Failure to Appear.....\$349.00

FOR VIOLATION NOT LISTED, PLEASE CONTACT THE COURT.