

## Comparison of Deferred Disposition and Driving Safety Course Dismissals

	Deferred Disposition	Driving Safety Course
<b>Authorizing Statute</b>	CCP Art. 45.051	CCP Art. 45.0511
<b>Up to Court's Discretion?</b>	Yes	Not if defendant meets "mandatory" eligibility requirements
<b>Eligible Offenses</b>	Everything except Disqualified Offenses listed below	Rules of the Road except Disqualified Offenses listed below  For Defendants <25 years old, Moving Violations except Disqualified Offenses below
<b>Disqualified Offenses</b>	Offenses related to motor vehicle control committed by CDL holders  Rules of the Road offenses (other than inspection and seat belt offenses and offenses committed by pedestrians) committed in work zones with workers present	Speeding $\geq 25$ mph over limit  Speeding $\geq 95$ mph total speed  Passing school bus loading/unloading children  Leaving scene of accident without exchanging info  Failing to stop and render aid after injury accident  Any offense committed by person holding a CDL or who held one at time of offense

		Any offense committed in a work zone with workers present other than a vehicle emissions inspection or maintenance offense, a pedestrian offense, a child passenger safety seat offense or a seat belt offense
<b>Length of Deferral Period</b>	1-180 days	90 days
<b>Costs and Fees</b>	<p>Court Costs + Initial Fine (initial fine may not exceed the maximum fine for the offense)</p> <p>Upon conviction, may impose fine as punishment (must credit any “initial fine” paid toward this fine)</p> <p>Time payment reimbursement fee must be assessed if any amount owed is paid more than 30 days after the order to pay (but only one fee may be assessed per case)</p>	<p>“Mandatory DSC”: Court Costs + “Reimbursement Fee” which is capped at \$10</p> <p>“Discretionary DSC”: Court Costs + fine (fine may not exceed maximum fine for the offense)</p> <p>Time payment reimbursement fee must be assessed if any amount owed is paid more than 30 days after the order to pay (but only one fee may be assessed per case)</p>
<b>Texas DL required?</b>	No	Yes, unless active duty U.S. service member or dependent
<b>Proof of Insurance required?</b>	No	Yes