

STANDING ORDER

§ IN THE MUNICIPAL COURT
§
§ FOR THE TOWN OF WESTLAKE
§
§ COUNTY OF DENTON OR TARRANT
§
§ STATE OF TEXAS
§

STANDING ORDER ON
DISPOSITION OF CITATIONS

IT IS ORDERED, ADJUGDED, AND DECREED THAT the following order shall apply to all such cases pending in the Municipal Court:

1. **DEFENSIVE DRIVING:** It is the general policy and order of this Court to allow all defendants who are eligible for defensive driving to request that class and be approved to take that class if they pay the required fee and request the class from the Court on or before the initial appearance date displayed on their citation. A defendant is eligible to take defensive driving in order to dismiss a moving traffic violation if the defendant has a current Texas driver's license (not necessary if the defendant is in the military), has valid liability insurance specifically covering him as a driver, is not charged with speeding more than 25 miles an hour or more over the posted speed limit, and is not currently a Commercial Driver's License holder and was not a Commercial Driver's License holder on the date of his citation. It is the general policy of this court to deny such a request if the request is made after the initial appearance date displayed on their citation. A defendant charged with Passing a School Bus, Failing to Leave Information (Damage to Vehicle/Injury to Person) or with any moving violation in a construction zone with workers present is not eligible for defensive driving under this section and the law.

2. **PRE-APPROVED DEFERRED DISPOSITION:**

a. **MOVING TRAFFIC VIOLATIONS:** A defendant receiving one moving traffic violation is eligible to receive deferred disposition at the window EXCEPT in the following circumstances: (a) The defendant currently holds a Commercial Driver's License or held a Commercial Driver's License on the date of his citation; (b) The defendant has been arrested on a warrant for their citation; (c) The defendant's citation is for speeding more than 25 miles an hour over the speed limit; (d) The defendant's citation is for Passing a School Bus; (e) The defendant's citation is for Speeding in a Construction Zone with Workers Present unless said allegation has been waived by the prosecutor (f) The defendant has been on deferred disposition for a moving traffic violation in Westlake within the last 12 months (the 12 month time period is calculated from the date of the first citation to the date of the second citation); and (g) The defendant's citation is in warrant UNLESS the total amount due is paid in full. If a defendant meets all of the foregoing requirements defendant may be granted deferred disposition for any moving violation that has gone to warrant, except for those violations listed above, if it is paid in full.

b. **NON-MOVING VIOLATIONS:** A defendant receiving one citation for a non-moving violation is eligible to receive deferred disposition at the window EXCEPT in the following circumstances: (a) The defendant's citation is for a city ordinance violation; (b) The defendant's citation is for Assault, Assault-FM, Theft, Failure to Attend School, Parent Contributing to Non-Attendance, Failure to Identify, Minor in Possession of Alcohol

or Tobacco, Consumption of Alcohol by a Minor, or Public Intoxication if the defendant is under 21 years of age; (c) The defendant has been arrested on a warrant for their citation; (d) The defendant has been on deferred disposition for a same offense in Westlake within the last 12 months (the 12 month time period is calculated from the date of the first citation to the date of the second citation); (e) The defendant's citation is in warrant UNLESS the total amount due is paid in full; or (f) The defendant's citation is for FMFR, DWLI or No Driver's license---please see further instructions below with regard to those citations and the additional requirements for receiving deferred disposition.

c. FMFR VIOLATIONS: If a defendant obtains liability insurance specifically covering the defendant as a driver within 5 working days from the date of their citation, and the defendant shows proof that they have a valid driver's license, the fine will be reduced to the statutory minimum of \$175.00 for the first offense and \$350.00 for a subsequent no insurance citation plus applicable court costs. If a defendant does not obtain such liability insurance within 5 working days from the date of their citation, or does not have a valid driver's license, no discount will be given. If a defendant provides proof to the court that he has 1) a current valid driver's license 2) current valid liability insurance specifically covering them as a driver, and 3) pays the amount due in-full, then the defendant is eligible to receive deferred disposition for a period of 180 days if all other requirements above are met.

d. DWLI VIOLATIONS: If a defendant shows proof (or we verify through DPS) that his driver's license has been reinstated and is now valid, or he has a current occupational driver's license issued by DPS as reflected on his driving record, he is eligible to receive deferred adjudication if all other requirements above are met.

e. NO DRIVER'S LICENSE VIOLATIONS: If a defendant shows proof that he now possesses a valid driver's license, he is eligible to receive deferred adjudication if all other requirements above are met.

f. CDL HOLDERS: Pursuant to Sections 45.051 and 45.0511, defendants holding a current CDL license or who held a CDL license on the date of the citation are not eligible for defensive driving or deferred adjudication for a moving violation.

SIGNED AND ORDERED this 20 day of Aug, 2017.

Brad Bradley
Presiding Judge
Municipal Court of Record