

DSC

1. Does the defendant hold a CDL or did they hold one at the time of the offense? **OR**
2. Was the 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)?

NO

1. Is the defendant charged with a Rules of the Road offense or driving around barricades (or if under 25, with a moving violation);
2. Does the defendant have a valid Texas DL or is an active servicemember/spouse/dependent;
3. Does the defendant have proof of financial responsibility as required by TC Ch. 601; **AND**
4. Has the defendant entered a plea of guilty or nolo or been found guilty at trial?

YES

YES

NO

Is the defendant charged with:

- Speeding of 25+ mph over or 95+ mph total speed;
- Leaving an accident w/o exchanging info/rendering aid;
- Passing a loading/unloading school bus; **OR**
- Offense in work zone with workers present?

YES

Defendant is ineligible for DSC dismissal

NO

Was the current offense at least 12 months after the defendant's last DSC and did they request DSC by the appearance date?

NO

Court **MAY** grant "discretionary" DSC. Procedure is same as below except instead of the \$10 fee the court imposes a fine not to exceed the maximum fine.

YES

1. Defendant must pay court costs and a reimbursement fee not to exceed \$10, or if the defendant is unable to pay, judge must order alternative satisfaction of costs (such as payment plan or community service)
2. Court must issue a written order for the defendant to take a DSC, and submit the completion certificate, a copy of their driving record, and an affidavit within 90 days.

Did the defendant comply?

YES

The case is dismissed and is reported to DPS, including the date of

The court may grant an extension to allow defendant time to comply.

YES

The court must send notice of noncompliance and show cause hearing. Does the defendant appear and show good cause for noncompliance?

NO

NO

The judge should enter a conviction and may assess a fine. The defendant may not be held in contempt or charged with FTA