

## It Pays To Fight

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With summer heating things up, it is time to head to the coast to cool down, but do not try to get there too quickly or you may end up spending more on your weekend getaway than you planned. Everyone has been pulled over for speeding a time or two (or three or four), but a simple speeding ticket can have major consequences. The National Highway Traffic and Safety Administration cites speeding as a factor in one-third of all crash-related fatalities and Texas is cracking down by adding traffic cameras on the roadways and adding surcharges on top of already hefty fines. What do you do? Don't speed.

If you do speed and get caught, fight the ticket because a \$100 ticket could cost you more than \$2000 if your insurance company gets a hold of it. Most major insurance companies raise your premiums after just one ticket. For example, assume you are paying around the national average rates of \$800 annually for liability, collision, and comprehensive coverage. Your insurance company may offer a 25% good driver discount so you would pay only \$600. One speeding ticket could mean around a 25% increase from the base premium, which is a \$200 increase or \$600 over three years on the base premium – good bye good driver discount, hello surcharges. First, find what your driving records look like by requesting a copy of your driving record from the Department of Public Safety (DPS) at:

<http://www.texasonline.state.tx.us/NA/SAApp/txdps/TXDPSLicenseManager>

Make sure it is accurate and report any inaccuracies to DPS. Could you be facing a suspension if you receive another ticket? Call DPS (512-424-2600) to answer your questions and then call your insurance company to see what another ticket would mean to your rates. What they say may help get the lead out your foot.

The following tips may help you avoid that next ticket and help you stay below the radar: (1) fix up your vehicle (repair broken tail lights, missing license plates, etc); (2) choose the less expensive car for the trip to the beach (if it looks like you can afford the ticket you might just get it); (3) stay in the right lane when possible; (4) scan your mirrors for possible speeding traps and shadow professional truckers they usually know how to avoid the police; and (5) do not put annoying bumper stickers on your car like "Got my GED - Police Academy Here I Come" (Officer Friendly probably will not get the joke) or even the

police association's emblem decal to show of your support (way over used).

If you do get pulled over, be polite and do not admit guilt. Let the officer tell you why he pulled you over – do not do his job for him. Politely answer his general questions, turn down the music, have your license and registration available to him, and you may get off with a warning. Most importantly do not pay the ticket right away, but do not avoid it altogether. Avoiding a ticket usually ends up in a warrant being issued for your arrest. The State has made it easy to pay tickets online and through the mail, but many times this means pleading guilty and getting stuck with a conviction on your record.

Texas offers deferred adjudication on most types of traffic tickets. A lawyer can negotiate with the prosecutor to reduce the fine to a minimal amount and as long as you do not get another ticket for six months the ticket may be dismissed. If you decide to fight the ticket, showing up to court and asking for a trial may be enough for the prosecutor to dismiss the ticket or reduce the fine even further. The court systems are clogged up enough and in a city as large as San Antonio, if everyone fought their tickets, it would cause a huge problem for the court system. Further, often times the officer who wrote your ticket will not show-up for trial because he is on summer vacation himself. Summer is a hot time for no-show cops.

Your lawyer may be able to get the ticket dismissed because of mistakes the cop made when preparing the ticket. He may have misidentified a highway, labeled the wrong jurisdiction, or cited the wrong statute. These may lead to dismissals if your lawyer presents them to the prosecutor at the correct time. Consider hiring a lawyer who deals with traffic tickets. A lawyer will know how to get the best deal for you and can often appear in court for you, so that you do not have to take a day off from work. The best advice a lawyer will give is to confront your speeding ticket, even if it is your first and fight hard to make it disappear. After all, you never know when you will get your next one, with higher premiums close behind. □

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