COMMON DEFENSES TO PROSECUTION
Updated to Reflect Changes from the 84th Legislature

Offense	Statute	Defense	Amount of Fee
Failure to have driver's license in possession while operating a motor vehicle (Failure to display)	Section 521.025, Transportation Code	Defendant must produce in court a driver's license issued to that person appropriate for the type of vehicle operated and valid at the time of the arrest	Optional $10 fee
Failure to have commercial driver's license in possession while operating a commercial motor vehicle	Section 522.011, Transportation Code	Defendant must produce in court a commercial driver's license issued to that person appropriate for the class of vehicle being driven and valid at the time of the offense	None
Failure to secure child in a child passenger safety seat system	Section 545.412, Transportation Code Defense in: Section 545.4121, Transportation Code	Defendant must provide the court with satisfactory evidence that, at the time of the offense: Defendant was not arrested or cited for any other offense, the vehicle was not involved in a crash, and the defendant did not possess a child passenger safety seat in the vehicle; and Subsequent to the offense, the defendant obtained an appropriate child passenger safety seat for each child required to be secured in a child passenger safety seat system	None
Failure to maintain financial responsibility	Section 601.193 or Section 601.194, Transportation Code	Two defenses available: • Defendant must provide the court satisfactory evidence of valid proof of financial responsibility under Section 601.053(a) that was valid and in effect at the time of the arrest OR • Defendant possessed the vehicle for the sole purpose or maintenance or repair and did not own the vehicle	None
Failure to display valid motor vehicle inspection certificate ***Repealed as of 3/1/15, but still applies to citations issued before that date.**	Section 548.602, Transportation Code	Defendant must show that an inspection certificate for the vehicle was in effect at the time of the arrest	None

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