

Driver Responsibility Program

Do you need to make a payment?

You can mail a check or money order (no cash) to:

Surcharge Processing

P. O. Box 16733

Austin, Texas 78761-6733

You can also make payments online at www.txsurchargeonline.com or by telephone at 1 (800) 688-6882.

Click here to view and print a [pamphlet \(PDF\)](#) about surcharge information.

Surcharges

The Driver Responsibility Program is governed by Texas Transportation Code, Chapter 708, which established a system to assess surcharges based on certain traffic offenses that have occurred on or after September 1, 2003.

A surcharge is an administrative fee charged to a driver based on the convictions reported to the driving record. There are two criteria that determine if a surcharge will be assessed. Those two criteria are: Point System and Conviction Based surcharges.

Surcharges are in addition to all other reinstatement fees required for other administrative actions and do not replace any administrative suspension, revocation, disqualification or cancellation action that results from these same convictions.

Point System

Points are assessed to moving traffic violation convictions. Once the conviction has been added to the driver record, points will be assigned and will remain on the driver record for a period of three (3) years. Points are assigned as follows:

- a. Two (2) points for a Texas or out-of-state moving violation conviction. Moving violations are defined by [37 TEX. ADMIN. CODE §15.89](#).
- b. Three (3) points for a Texas or out-of-state moving violation conviction that resulted in a crash.

A surcharge will be assessed when the driver accumulates a total of six (6) points or more on the driver record. The driver is required to pay a \$100 surcharge for the first six (6) points and \$25 for each additional point.

The driver record will be reviewed annually and if it continues to reflect six (6) or more points, the surcharge will be assessed. Drivers may be required to pay for one or more

years. Point surcharges may vary with each annual assessment if convictions are added or removed from the driver record.

Conviction Based

Drivers who receive a conviction for one of the offenses below will pay an annual surcharge for a period of three (3) years from the date of conviction. No points are assessed for these offenses because the surcharge is automatic upon conviction.

Type of Conviction	Surcharge <i>Per year for 3 years</i>
1st Driving While Intoxicated (DWI) Offense Texas or out-of state conviction	\$1,000
Subsequent DWI Texas or out-of state conviction	\$1,500
DWI with blood alcohol concentration of 0.16 or more Texas or out-of state conviction	\$2,000
No Insurance	\$250
Driving While License Invalid For example: license is canceled, suspended, or revoked	\$250
No Driver License For example: no driver license, expired license, no commercial driver license, or endorsement violations	\$100

The vendor who collects the surcharge for the Department is allowed to charge service fees in addition to the surcharge. The fees allowed are:

Service fee of 4% of the original surcharge amount.

Installment plan payment fee of \$2.50 per partial payment.

Credit/Debit Card fee of 2.25% of payment plus \$0.25 (except where prohibited by law).

Electronic Check fee of \$2.00 per payment.

Driver Notification

The initial notice to the driver will be mailed to the address on record with the Department, so it is important to make sure you notify the Department when your address changes. The surcharge must be paid within 30 days to prevent the suspension of driving privileges. Upon suspension for failure to comply with the surcharge requirements, driving privileges remain suspended until the person establishes an installment agreement, or pays in full all surcharges and related costs, such as service/collection fees.

Indigency Program

DPS now offers an [indigency program](#) that reduces surcharges owed for some people with incomes at or below 125 percent of the federal poverty guidelines. Only surcharges that were assessed on or after September 30, 2004 are eligible for reduction.

The program reduces the surcharge amount owed to 10 percent of the total or \$250, whichever is less. It will also stop suspension of driving privileges for participants who are making payments, as long as there are no other license restrictions.

To learn more about eligibility requirements, poverty guidelines, and the application process, visit the [indigency program page](#) or call 1-866-223-3583.

This program only reduces the amount of surcharges owed to DPS. Participants in the program will **still owe the full amount of all other applicable fees**, including reinstatement fees and service fees.

Who receives the money collected

Each surcharge collected by the Department under this law will be remitted to the Texas State Comptroller's office on a monthly basis. The Trauma Center and Texas General Revenue Funds receive 99% of the revenue collected, while the Department receives the remaining 1% for the administration of the program.

Contact Information

For account information, payment options, or Frequently Asked Questions, you may visit

www.txsurchargeonline.com or call Municipal Services Bureau at 1-(800)-688-6882. The Municipal Services Bureau is the vendor responsible for the mailing of surcharge notices and collection of all fees.

^[1]Transportation Code, Section 708.158

MOVING VIOLATIONS

Figure: 37 TAC §15.89(b)

Arrest Title	Driver Responsibility Points
Aggravated assault with motor vehicle	Yes
Allow passenger to stand/sit improperly on a school bus	Yes
Bus driver failed to activate warning signal/equipment	Yes
Bus failed to stop at RR crossing	Yes
Bus shifting gears while crossing RR tracks	Yes
Carry motorcycle passenger under 5; except in side car	Yes
Changed lane when unsafe	Yes
Child passenger safety seat offense	Yes
Coasting	Yes
Coasting (truck, truck tractor or bus, specify) with clutch disengaged	Yes
Consume alcohol while driving	Yes
Criminal negligent homicide with motor vehicle--1st or 2nd degree	Yes
Crossed RR with heavy equipment without notice	Yes
Crossed RR with heavy equipment without stop (or safety)	Yes
Crossing fire hose without permission	Yes
Crossing physical barrier	Yes
Cut across driveway to make turn	Yes
Cut corner left turn	Yes
Cut in after passing	Yes
Did not use designated lane or direction	Yes
Disregard solid green turn signal arrow	Yes
Disregard warning signs or barricades	Yes
Disregarded flashing red signal (at stop sign, etc.)	Yes
Disregarded flashing yellow signal	Yes
Disregarded lane control signal	Yes
Disregarded no lane change sign	Yes

Disregarded no passing zone	Yes
Disregarded police officer	Yes
Disregarded RR crossing gate or flagman	Yes
Disregarded signal at RR crossing	Yes
Disregarded traffic control device	Yes
Disregarded turn marks at intersection	Yes
Disregarded warning sign at construction	Yes
Drive into block where fire engine stopped	Yes
Driving around barricades	Yes
Driving under influence	No
Driving under influence (DUI)--minor	Yes
Driving under influence of drugs	No
Driving while impaired	No
Driving while intoxicated > 0.16	No
Driving while intoxicated with child younger than 15 yoa	No
Driving while intoxicated--felony	No
Driving while intoxicated--juvenile	No
Driving while intoxicated--misdemeanor	No
Driving while intoxicated--on beach	No
Driving while intoxicated--probated	No
Driving while intoxicated--under 21	No
Driving while license disqualified--CMV	No
Driving while license suspended under provisions of DL laws	No
Driving while license suspended--SR	No
Drove center lane (not passing, not turning left)	Yes
Drove on (or across) streetcar tracks where prohibited	Yes
Drove on sidewalk	Yes
Drove on wrong side--RR crossing	Yes
Drove on wrong side of approaching bridge	Yes
Drove on wrong side of divided highway	Yes
Drove on wrong side of road	Yes
Drove on wrong side road approaching intersection	Yes
Drove on wrong side road approaching RR grade crossing	Yes

Drove on wrong side road awaiting access to ferry	Yes
Drove onto (or from) controlled access highway where prohibited	Yes
Drove through safety zone	Yes
Drove to left of rotary traffic island	Yes
Drove without lights--when required	Yes
Drove wrong way in designated lane	Yes
Drove wrong way on one-way roadway	Yes
Endorsement violation CDL	No
Fail stop proper place-flash red signal	Yes
Fail to control speed	Yes
Fail to dim headlights--following	Yes
Fail to dim headlights--meeting	Yes
Fail to drive in single lane	Yes
Fail to give hand signals when required	Yes
Fail to give info/render aid	No
Fail to give one-half of roadway	Yes
Fail to keep to right on mountain road	Yes
Fail to pass left safely	Yes
Fail to pass met vehicle to right	Yes
Fail to pass to right safely	Yes
Fail to signal for stop	Yes
Fail to signal required distance before turning	Yes
Fail to signal turn	Yes
Fail to signal with turn indicator	Yes
Fail to sound horn--mountain road	Yes
Fail to stop--designated point--at stop sign	Yes
Fail to stop--designated point--at yield sign	Yes
Fail to stop and render aid--felony	No
Fail to stop and render aid--misdemeanor	No
Fail to stop at marked RR crossing	Yes
Fail to stop at proper place (at traffic light)	Yes
Fail to stop at proper place (flashing red signal)	Yes
Fail to stop at proper place (not at intersection)	Yes
Fail to stop for approaching train	Yes
Fail to stop for school bus (or remain stopped,	Yes

specify)	
Fail to stop for streetcar--or stop at wrong location	Yes
Fail to stop--emerging from alley, driveway or bldg.	Yes
Fail to use due care for pedestrian	Yes
Fail to use proper headlight beam	Yes
Fail to yield at stop intersection	Yes
Fail to yield at yield intersection	Yes
Fail to yield for blind or incapacitated person	Yes
Fail to yield right of way	Yes
Fail to yield right of way from private road	Yes
Fail to yield row at open intersection (specify type)	Yes
Fail to yield row leaving (private drive, alley, building)	Yes
Fail to yield row on green arrow signal	Yes
Fail to yield row on green signal	Yes
Fail to yield row on left at obstruction	Yes
Fail to yield row to emergency vehicle	Yes
Fail to yield row to pedestrian at signal intersection	Yes
Fail to yield row to pedestrian in crosswalk	Yes
Fail to yield row to pedestrian in crosswalk--no signal	Yes
Fail to yield row to pedestrian on sidewalk	Yes
Fail to yield row to pedestrian turning right or left at intersection	Yes
Fail to yield row--changing lanes	Yes
Fail to yield row--turning left (at intersection, alley, private road or driveway)	Yes
Fail to yield row--turning right on red signal	Yes
Fail to yield to vehicle in intersection	Yes
Fail to yield to vehicle leaving highway	Yes
Failed to give way when overtaken	Yes
Failed to signal lane change	Yes
Fleeing from police officer	Yes
Following ambulance	Yes
Following fire apparatus	Yes
Following too closely	Yes
Following too closely--caravan	Yes

Following too closely--truck	Yes
Head lamps glaring not adjusted	Yes
Heavy equipment disregarded signal of train	Yes
Illegal backing	Yes
Illegal pass on right	Yes
Illegally passed streetcar	Yes
Impeding traffic	Yes
Improper passing	Yes
Improper turn	Yes
Improper turn or stop hand signal	Yes
Improper use of auxiliary driving lamps	Yes
Improper use of auxiliary passing lamps	Yes
Improper use of lighting--hwy. equip.	Yes
Improper use of spot lamps	Yes
Improper use of turn indicator	Yes
Increased speed while being overtaken	Yes
Interfere with streetcar	Yes
Intoxication assault	No
Intoxication assault motor vehicle	No
Intoxication manslaughter	No
Intoxication manslaughter motor vehicle	No
Involuntary manslaughter with motor vehicle	Yes
Lack of caution on green arrow signal	Yes
Leaving scene of accident	Yes
Made U-turn on curve or hill	Yes
Negligent collision	Yes
No commercial driver license (CDL)	No
No double trailer endorsement (CDL)	No
No driver license	No
No hazmat endorsement (CDL)	No
No motorcycle endorsement	No
No passenger vehicle endorsement (CDL)	No
No tank vehicle endorsement (CDL)	No
No school bus endorsement (CDL)	No
Obstructed view through windshield	Yes
Obstructing traffic	Yes

Open Container DRIVER	Yes
Operate school bus over passenger design capacity	Yes
Operate school bus with door open	Yes
Operate vehicle more than one passenger-minor	Yes
Operate vehicle where prohibited	Yes
Operate vehicle with child in open bed	Yes
Passed streetcar on left without reducing speed or without caution	Yes
Passed vehicle stopped for pedestrian	Yes
Passed--insufficient clearance	Yes
Passengers/load obstruct driver's view or control	Yes
Passing authorized emergency vehicle	Yes
Permitted/operated unsafe vehicle	Yes
Person(s) riding in trailer or semi-trailer	Yes
Prohibited motor vehicle on controlled-access highway	Yes
Racing--drag racing--acceleration contest, etc.	Yes
Ran red light	Yes
Ran stop sign	Yes
Reckless driving	Yes
Restriction violation--CDL	Yes
Slower vehicle failed to keep to right	Yes
Speed under minimum	Yes
Speeding	No
Speeding > 10% above posted speed limit	Yes
Speeding--15 miles or over (CDL)	Yes
Speeding--school zone	Yes
Too many riders on motorcycle	Yes
Turned across dividing section	Yes
Turned left from wrong lane	Yes
Turned right from wrong lane	Yes
Turned right too wide	Yes
Turned so as to impede or interfere with streetcar	Yes
Turned when unsafe	Yes
Unauthorized use of siren, bell or whistle	Yes
Unsafe speed (too fast for conditions)	Yes

Unsafe start	Yes
Unsafe start from parked, stopped or standing position	Yes
Use of school bus signal for wrong purpose	Yes
Use wireless device while driving bus	Yes
Use wireless device while driving--minor	Yes
Use wireless device in school zone	Yes
Veh. hauling explosives (or flammable materials) failed to stop at RR crossing	Yes
Veh. hauling explosives failed to reduce speed at RR crossing	Yes
Vehicle without required equipment or in unsafe condition	Yes
Violate DL restriction	Yes
Violate DL restriction on occupational license	Yes
Violate operating hours-minor	Yes
Violated out of service order	Yes
Violated out-of-service order hazmat and/or passenger	Yes
Wrong side road--not passing	Yes
Wrong side, 4 or more lane, two-way roadway	Yes