

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 |

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| 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 |

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| 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 |

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| 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 |

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| 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 |

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| 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 |

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| 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 |