

Supreme Court Board of Defensive Driving
Arizona State Courts Building
1501 West Washington, Phoenix, AZ 85007
Conference room 119A
10:00 a.m.

February 20, 2007
Approved Regular Session Minutes

MEMBER ATTENDANCE

Present:

Rolland (Ron) E. DeLong
Alfred Frank III
Pamela K. Najera
Jennifer E. Dubois
Leonard Montanaro
Elaine Acosta Sweet
Linda M. Hill
Arnold O. Knack
Robert G. A. Hall

Telephonically Present:

Hon. Daniel S. Jurkowitz

Absent:

Hon. Gary LaFleur

OTHER ATTENDEES

AOC Staff:

Michael Hise
Kimberly Siddall
Connie Gonzalez
Kitty Boots
Nina Preston

Guests:

CALL TO ORDER

Called to Order By:

Judge Daniel Jurkowitz

Time:

10:00 a.m.

1) Review and approval of minutes

1-A: Regular and Executive Session Minutes for the meeting of January 23, 2007.

Individuals Addressing the Board: Judge Daniel Jurkowitz

Discussion: Board members reviewed minutes and approved Regular and Executive session minutes.

Motion: To approve January 23, 2007 Regular and Executive session minutes.

Motion Proposals: First Pamela K. Najera
Second Elaine Acosta Sweet

Motion Results: Pass Carries
Fail

2) Certification and Eligibility

2-A: Discussion of the initial certification process for schools and instructors timeframes required for processing.

Individuals Addressing the Board: Michael Hise

Discussion: Members were provided handouts which included sample application forms for schools and instructors and an outline of the steps followed by staff for processing applications. Michael Hise gave an overview of the documentation provided while board members shared their concerns with the requirements for proof of citizenship and education documentation. Kitty Boots explained current laws and the audit process in place and Michael Hise answered questions accordingly. Legal counsel was requested.

The Board recommended to include this item on the March agenda for further discussion and advice of legal counsel.

Motion: No action requested or taken.

2) Certification and Eligibility

2-B: Review of pending certification status and application of defensive driving instructors.

a) Voluntary Surrender of Certification for Joe Duarte.

b) Initial certification for:

Thomas Paone

Phillip Corrigan

Ondrea Richardson

Michael A. Littrell

Individuals Addressing the Board: Kimberly Siddall

Discussion: Kimberly Siddall informed members Mr. Duarte submitted a notarized request to surrender his instructor certification. Staff researched for any pending complaints and determined there were none. Therefore, staff recommends approval of the voluntary surrender of Joe D. Duarte.

Motion: To accept voluntary surrender of certification for Joe Duarte.

Motion Proposals:

First	Pamela K. Najera
Second	Alfred Frank III

Motion Results:

Pass	Carries
Fail	

Discussion: Kimberly Siddall advised members all the appropriate documentation was received from Thomas Paone, Ondrea Richardson, Michael A. Littrell, recommending that certification be granted.

Motion: To grant certification to the applicants listed above.

Motion Proposals:

First	Leonard Montanaro
Second	Arnold Knack
Recusals	Alfred Frank III

Motion Results:

Pass	Carries
Fail	

Discussion: Kimberly Siddall informed members that Philip Corrigan stated on his application that he attended a Traffic Survival School (TSS) course. Kimberly Siddall referred to § 7-205(E)(2)(1) and recommended the board determine if the Traffic Survival school constitutes a Defensive Driving (DDP) course. The Board discussed difference between TSS and DDP.

Motion: The Traffic Survival school course is not to be counted as a defensive driving course.

Motion Proposals: First Rolland E. DeLong
Second Pamela Najera

Motion Results: Pass Carries
Fail

Discussion: Staff recommended board defer consideration until the March meeting and request Philip Corrigan provide another defensive driving course.

Motion: To defer to March meeting for further review and discussion.

Motion Proposals: First Arnold Knack
Second Rolland DeLong

Motion Results: Pass Carries
Fail

2) Certification and Eligibility (taken out of order)

2-D: Review and approval of a proposal for a continuing education policy for defensive driving instructors.

Individuals Addressing the Board: Leonard Montanaro

Discussion: Leonard Montanaro informed member that the subcommittee established at the January Board meeting met by phone and communicated by E-mail with regard to Continuing Education Policy. Today, Board members were provided with a draft proposal of the Continuing Education Policy for Instructors developed by the appointed subcommittee members. Leonard Montanaro addressed each section of the policy indicating updated items while members expressed concerns to specific items.

Motion: To approve the certification policy with three typographical corrections amended.

Motion Proposals: First Pamela Najera
Second Rolland DeLong

Motion Results: Pass Carries
Fail

2) Certification and Eligibility

2-C: Review and approval of requests for extension of time pertaining to processing of pending applications for defensive driving school certification:

- GoToTrafficSchool.com
- ArizonaDriver.com

Individuals Addressing the Board: Judge Jurkowitz, Michael Hise

Discussion: Michael Hise informed member the two school are at the final stages and schools have made a good faith attempt to provide information staff is ready to test their course as soon as is made available. Staff recommended the board grant these two schools another 90 days to complete the certification process.

Motion: To grant schools additional 90 days.

Motion Proposals: First Arnold Knack
Second Pamela Najera

Motion Results: Pass Carries
Fail

2) Certification and Eligibility

2-E: Presentation of random audit process for continuing education.

Individuals Addressing the Board: Judge Jurkowitz, Kitty Boots

Discussion: Kitty Boots gave an overview pertaining to random audits of continuing education conducted for existing certification programs which utilize this method of verifying compliance with a continuing education requirement. Members shared their thoughts pertaining to this issue. Questions presented by Board members were answered accordingly by Kitty Boots.

Motion: No action requested or taken.

3) Certification and Eligibility

3A: Discussion of national reciprocity of defensive driving schools.

Individuals Addressing the Board: Michael Hise

Discussion: Michael Hise informed board members that he was unable to gather information requested from members at the January meeting. Michael Hise explained there are no nationwide rules or standards for defensive driving programs. Board members and staff continued discussion sharing their experience with other states programs.

Motion: No action requested or taken.

3) Certification and Eligibility

3-B: Discussion of the requirement for a limit of 60 students in each traditional classroom course.

Individuals Addressing the Board: Rolland DeLong

Discussion: Rolland DeLong provided members a list of students who enroll in a defensive driving class which also compared the number of students who do not show up classes. Rolland DeLong expressed his concerns with the inconsistency of number of students who sign up and do not show up for class; therefore, he advocated the number be increased to 70 students or a 10% override. Board members shared their current experience and concerns with number of students they currently enroll. Arnold Knack, a certified instructor, shared how difficult is now to register 60 students and still start a class on-line. More students would just compound the problem.

Recommendation to include this as an agenda item for the March meeting to further discuss the issue.

Motion: No action requested or taken.

3) Certification and Eligibility

3-C: Discussion of the requirement for students to provide a copy of their citation to a defensive driving school prior to beginning a course.

Individuals Addressing the Board: Michael Hise, Bob Hall, Alfred Frank III, Leonard Montanaro, Pamela Najera, Arnold Knack

Discussion: Michael Hise shared an overview of this issues referring to sections of the ACJA § 7-205 and recommended board member discuss this issue and decide whether no change is required or whether rule should be revised. He informed members of the appropriate course and means for consideration and approval. Members discussed and shared their current experience, concerns, and procedures some are presently using.

After further discussion, members agreed to form a subcommittee to research this issue. Pamela Najera and Rolland DeLong volunteered and were appointed to the subcommittee.

Motion: No action requested or taken.

CALL TO THE PUBLIC

Individuals Addressing the Board: Judge Jurkowitz

Discussion: None

ADJOURNMENT

Motion: To adjourn meeting

Motion Proposals: First Pamela
Second Arnold Knack

Motion Results: Pass Carries

Time:
