



Supreme Court Defensive Driving Board

Arizona State Courts Building
1501 West Washington Street, Phoenix, Arizona 85007
Conference Room 109

Date: May 21, 2008
Time: 10:00 a.m. – 1:00 p.m.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

Judge Gary J. LaFleur
Rolland (Ron) DeLong
Leonard Montanaro
Robert G. A. Hall
Pamela K Najera
Leonard Montanaro
Elaine Acosta Sweet
Virginia Davis
Cecile T. Woodward

Telephonically Present:

Judge Daniel S. Jurkowitz

Steve Soldis

Absent:

OTHER ATTENDEES

AOC Staff:

Kandace French
Kitty Boots
Nancy Swetnam
Nina Preston
Maria Lopez
Kimberly Siddall
Jenny Lubben
Jeannetta Waterbury
Chris Dewitt
Richard Frohm
Cindy Thomas

Guests:

CALL TO ORDER

Called to Order By: Judge Gary J. LaFleur

Time: 10:09 a.m.

1) REVIEW AND APPROVAL OF MINUTES

1-A: Review, discussion, and approval of the Regular and Executive Session Minutes for the meeting of March 19, 2008.

1-B: Review, discussion, and approval of the Regular and Executive Session Minutes for the meeting of April 16, 2008.

Individuals Addressing the Board: Kandace French

Discussion: Staff recommended the Board defer consideration of the minutes of March 19, 2008 and April 16, 2008 to the June Board Meeting

Motion: Board moved to accept staff's recommendation.

Motion Proposals: First Robert G. A. Hall
Second Leonard Montanaro

Motion Results: Pass

2) ADMINISTRATIVE ISSUES

2-A: Report of the subcommittee regarding draft proposed amendments of ACJA § 7-205.

Individuals Addressing the Board: Judge Gary J. LaFleur

Discussion: The subcommittee provided the Board with a verbal report regarding the status of the draft proposal at the meeting.

Motion: None

2-B: Review and discussion regarding the implementation of HB2001 [2007] and the potential impacts of HB2488 [2008].

Individuals Addressing the Board: Nancy Swetnam

Discussion: Staff provided the Board with the status the status of implementation of HB2001 and HB2488. Discussion included the anticipated time frames for electronic reporting requirements. Discussed the timeframe for public comment regarding the draft changes to ACJA § 7-205. The Board discussed the need for a subcommittee to review the draft changes to the code. Judge LaFleur, Pam Najera, Lenny Montanaro and Judge Jurkowitz volunteered to sit on the Defensive Driving subcommittee.

Motion: None

2-C: Review, discussion and possible action regarding amendment of the Defensive Driving Board meeting schedule; specifically to consider rescheduling the June 18, 2008 meeting to June 11, 2008.

Individuals Addressing the Board: Nancy Swetnam

Discussion: Staff recommended the Board consider rescheduling the June meeting for 10 a.m. to 1 p.m. on Wednesday, June 11, 2008 due to a conflict with the statewide judicial conference.

Motion: Board moved to accept staff's recommendation and reschedule the June meeting to June 11th to avoid a conflict in schedules.

Motion Proposals: First Robert G. A. Hall
Second Leonard Montanaro

Motion Results: Pass

3) CERTIFICATION AND ELIGIBILITY

3-A: Review, discussion and possible action regarding applicant Safe Driving Institute (Lt. Mark Hafkey).

Individuals Addressing the Board: Judge Gary J. LaFleur

Discussion: Board moved to enter in to Executive Session for advice of counsel.

Motion: Moved to enter into Executive Session.

Motion Proposals: First Elaine Acosta Sweet
Second Robert G. A. Hall

Motion Results: Pass

Executive Session: 11:15 a.m. – 11:50 a.m.

Individuals Addressing the Board: Kitty Boots

Discussion: Staff recommended the Board grant certification to the Safe Driving Institute. Discussion regarding a perceived conflict of interest. Discussion regarding consent order for certification.

Motion: Motion to defer decision regarding certification of Safe Driving Institute and direct staff to negotiate a consent order regarding certification

Motion Proposals: First Judge Gary J. LaFleur
Second Pam Najera

Motion Results: Failed

Motion: Motion to deny certification to Safe Driving Institute based on a conflict of interest pursuant to AJCA § 7-205(e)(3)(b)(3)(a).

Motion Proposals: First Steve Soldis
Second Leonard Montanaro

Motion Results: Pass

Taken out of order

3-C: Review and consideration of pending initial certification applications of the following defensive driving instructor:

Robert Etherington

Individuals Addressing the Board: Kimberly Siddall

Discussion: Staff recommended initial certification be granted to the following defensive driving instructor Robert Etherington

Motion: Board moved to accept staff's recommendation.

Motion Proposals: First Rolland (Ron) DeLong
Second Pamela K Najera

Motion Results: Pass

3-B: Review and consideration of initial certification of the following defensive driving school:

Prescott Valley Defensive Driving School Arizona Driver.com

Individuals Addressing the Board: Chris DeWitt

Discussion: Staff provides the Board with information on applicant. Applicant has met all the qualifications for certification. Staff recommends initial certification be granted to the following defensive driving school:

Prescott Valley Defensive Driving School

Motion: Board moves to approve the certification of Prescott Valley Defensive Driving School.

Motion Proposals: First Rolland (Ron) DeLong
Second Robert G. A. Hall

Motion Results: Pass

3-B: Review and consideration of initial certification of the following defensive driving school:

Arizona Driver.com

Discussion: Staff provides the Board with information on applicant. Applicant has met all the qualifications for certification. Staff recommends initial certification be granted to the following defensive driving school:

Arizona Driver.com

Motion: Staff recommended initial certification be granted to the following defensive driving school:

Arizona Driver.com

Motion Proposals: First Leonard Montanaro
Second Rolland (Ron) DeLong

Motion Results: Pass

3-C: Review and consideration of pending initial certification applications of the following defensive driving instructors:

Individuals Addressing the Board: Kimberly Siddall

Discussion: Staff recommended the Board grant certification to the following defensive driving instructors:

Chris Loeffler
Walter Weberg

Motion: Board moved to grant certification to Chris Loeffler and Walter Weberg.

Motion Proposals: First Rolland (Ron) DeLong
Second Pamela K Najera

Motion Results: Pass

Discussion: Staff recommended the Board defer certification applications of the following instructors to the June 11, 2008 Board meeting to allow staff to obtain information necessary for certification decision:

David Mattingly
Kenneth Kelley
Robert Hockensmith
Refugio Quintero

Motion: Board moved to accept staff's recommendation and defer decision on the above referenced applicants until the next regularly scheduled meeting of the Board.

Motion Proposals: First Robert G. A. Hall
Second Virginia Davis

Motion Results: Pass

CALL TO THE PUBLIC..... Judge Gary J. LaFleur

Individuals Addressing the Board: Jerry Allan, Business Analyst Phoenix Municipal Court.

Discussion: Express concerns about automation standards.

ADJOURNMENT

Motion: Adjourn the meeting.

Motion Proposals: First Pamela K Najera
Second Elaine Acosta Sweet

Motion Results: Pass

Time: 12:15 p.m.