

Administrative Office of the Courts



INVESTIGATION SUMMARY, DETERMINATION, PROBABLE CAUSE REVIEW AND RECOMMENDATION REPORT

Complaint No. 23-D013

School No. [REDACTED]

March 2, 2026

Certification and Licensing Division

**ARIZONA SUPREME COURT
ADMINISTRATIVE OFFICE OF THE COURTS
INVESTIGATION SUMMARY, DETERMINATION, PROBABLE
CAUSE REVIEW AND RECOMMENDATION REPORT**

<i>CERTIFICATE HOLDER INFORMATION</i>	Certificate Holder: School Number: Type of Certificate:	DrivingUniversity.com ■■■■ Defensive Driving School
<i>COMPLAINANT</i>	Name:	Karen Rushing
<i>INVESTIGATION INFORMATION</i>		23-D013 Lorraine Brown, Raul Ortiz Jr.
Complaint Received:		
Complaint Forwarded to the Certificate Holder:		December 8, 2023
Certificate Holder Received Complaint:		December 20, 2023
Response From Certificate Holder:		December 20, 2023
Period of Active Certification:		January 18, 2024
Status of Certification:		October 31, 2009 - present
Availability of Certificate Holder:		Active
Availability of Complainant:		Available
Report Date:		Not Available
		March 2, 2026

ALLEGATIONS:

1. DrivingUniversity.com is not in compliance with the interactive format in ACJA §7-205.

ADDITIONAL FINDINGS:

2. DrivingUniversity.com is not operating in compliance with the identity verification process, in violation of ACJA §7-205(F)(24)(d)(5)(m).

SUMMARY OF INVESTIGATIVE PROCEDURE:

- Written complaint and documentation submitted by complainant Karen Rushing (“Rushing”)
- Written response and documentation submitted by certificate holder. DrivingUniversity.com (“School No. ■■■■ by and through owner, Kelly Popp (“Popp”)

- Review of applicable Certification and Licensing Division (“Division”) records
- Review of applicable sections of Arizona Revised Statutes (“A.R.S.”), Arizona Codes of Judicial Administration (“ACJA”) §7-201 and §7-205 and Arizona Supreme Court Rules

INTERVIEWS:

1. Kelly Popp
2. Eric Popp

Complainant, Rushing, was not interviewed. Division staff reached out to her, but she declined to participate in an interview.

SUMMARY OF FACTUAL FINDINGS OF INVESTIGATION:

Allegation 1: DrivingUniversity.com is not in compliance with the interactive format in ACJA §7-205.

On December 8, 2023, the Division received a written complaint from Rushing alleging that DrivingUniversity.com, also known as School No. [REDACTED] (“School No. [REDACTED]”), was not in compliance with the definition of “Interactive Format” of ACJA §7-205. Rushing provided copies of School No. [REDACTED]’s website’s Frequently Asked Questions page, which stated that there is a final examination that the student must complete to be successful in passing the course.

As supporting documentation, Rushing provided the following:

School Code	School Name and Address	Contact Information	Phone Number	Comment
	[REDACTED]			The online course consists of multiple choice questions.
	[REDACTED]			What if I don't pass the final exam: It's not very likely since the questions on the final quiz are covered in the course. Nine out of ten pass the final quiz on their first try. The Arizona Supreme Court allows a person to take the final quiz once.
	[REDACTED]			Arizona Final Quiz The final quiz is not at all difficult or tricky. It's taken online at [REDACTED] and takes approximately 10 minutes to complete. The quiz is immediately graded and your quiz results displayed.

Q. What if I don't pass the final quiz?

A. It's not very likely since the questions on the final quiz are covered in the course. Pay attention and/or keep notes of the questions in the course. Nine out of ten pass the final quiz on their first try. The Arizona Supreme Court allows a person to take the final quiz once.

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Arizona Final Quiz

The final quiz is not at all difficult or tricky. It's taken online at DrivingUniversity.com® and takes approximately 10 minutes to complete. The quiz is immediately graded and your quiz results displayed.

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Although Rushing alleged that School No. [REDACTED] was not compliant with the “interactive format,” the attachment she included with the complaint reflected concern that School No. [REDACTED] was advertising that its defensive driving course required passing a final quiz and that the Arizona Supreme Court allowed a student to take the quiz just once.

During the investigation, Rushing informed the Division that she wanted to withdraw her complaint. Due to ACJA §7-201(H)(1)(f)’s non-abatement clause, Rushing was told that the Division would continue the investigation.

In the initial written response to the complaint, Popp, for School No. [REDACTED], claimed that the supporting documentation included with the complaint were copies of general information, like Frequently Asked Questions, which complainant had taken from the school’s webpages of and not from within the online course content following student registration. Popp said School No. [REDACTED] has no record of Rushing registering for their defensive driving course. Popp said School No. [REDACTED] is compliant with the definition of the interactive format and has been since 2009.

Popp added that students are required to “interact and engage materially with the content” using various methodologies throughout the course. She said the course material pages have timers and require student interaction to advance. Popp said the system automatically forces a logout for inactivity once a pager timer has elapsed, plus thirty seconds after idleness which is within the parameters of “no more than fifteen-minute increments.” Popp said, at a minimum, there are six other methods within their online course that meet or exceed the interactive format required in ACJA §7-205.

On November 6, 2024, Division staff conducted an interview with Popp and her husband, Eric Popp (“Eric”). Eric stated that the online course contains quizzes after each portion of the course to make sure the student is reading the information. The students must complete the “exam” by the time limit set by the Supreme Court and the local courts and then take the “final quiz,” which is questions about the material covered in the course.

Division staff asked Eric if after each section of the course, there a quiz before the student could proceed to the next section, to which he stated, “yes.” Eric was asked

what happens if after the course is completed the student fails the final exam to which he replied that the student can take the final exam a second time. He said students only get two opportunities to take the final exam. Eric said this has been a “long standing rule and we never changed it.” Eric stated that if the student does not pass the exam after taking it twice, the student does not pass the course.

Division staff asked Eric if there had been any changes made to the website regarding the final exam to which he replied, “We could get some more details and specifics for you regarding your question. Our office managers deal with this on more of a day-in-day-out basis. And so, you know the technical questions or specific questions that you are asking, I would need to double check the answers to.”

Later, on November 6, 2024, in response to the question regarding the final exam, Popp emailed Division staff and stated, “If a student fails the Arizona final exam both of the two allowable opportunities, he/she is presented with two options: (1) Take a classroom course, or (2) Pay the ticket.”

According to Popp, “If the student chooses to take a classroom course, the student is refunded the court diversion fee, and the school sends a letter to the Arizona Supreme Court requesting a waiver of fees. If the student chooses to pay the ticket, School No. [REDACTED] refunds the court diversion fee and have the student’s eligibility reinstated with the courts, so the student can take another defensive driving course for a future ticket. If the Arizona Supreme Court approves the refund of the AOC fees, those fees are refunded back to the student upon approval.”

After the November 6, 2024, interview, Division staff emailed Popp and requested the login information and password so that staff could review the online course.

On November 14, 2024, Popp responded and stated that the information would be provided. She said, “It may likely be tomorrow, as our developer/programmer will be involved to override the course default timers and other requirements built into the course technology.”

In a November 21, 2024, email Popp provided log in information to access the course. On the same date, Division staff accessed the online course. The landing page contained information about passing the final exam in order to be successful in the course.

On March 7, 2025, the Division reviewed School No. [REDACTED]’s website¹ and noted the following in the Arizona Frequently Asked Questions pages:

¹ [Arizona Approved Online Defensive Driving School](#)

Q. Is there a time limit to complete the course?

A. When taking the course for ticket dismissal, the Supreme Court of Arizona requires you to complete your course material and pass the final exam 7 days prior to your appearance date. You have 3 days to take the final exam from the day that you complete the course material.

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Q. What if I don't pass the final quiz?

A. It's not very likely since the questions on the final quiz are covered in the course. Pay attention and/or keep notes of the questions in the course. Nine out of ten pass the final quiz on their first try. The Arizona Supreme Court allows a person to take the final quiz once.

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Arizona Defensive Driving Notice of Completion

As soon as you complete the course material and pass the final exam, you will receive an emailed Notice of Completion. As an added convenience to you, we will also notify the court that issued your traffic ticket of your completion so that you don't have to.

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Arizona Final Quiz

The final quiz is not at all difficult or tricky. It's taken online at DrivingUniversity.com and takes approximately 10 minutes to complete. The quiz is immediately graded and your quiz results displayed.

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On March 10, 2025, the Division emailed Popp and asked various questions regarding the quizzes and exams. On March 11, 2025, Popp responded. Below represents the Division's questions as "Q," in bold, and Popp's answers as "A."

Q: Can you please tell me if during the course once the student has completed the chapter if they have to answer quiz questions

A: Yes, @ the end of each session, there are 5 content related questions to which the student must answer correctly to advance to the next session for both the voluntary & ticket dismissal courses.

Q: Can you explain to me if the student takes a quiz at the end of each chapter, are they still required to take a final exam?

A: TICKET DISMISSAL COURSE: Yes, in addition to session quizzes, there is a final quiz of 25 'environment' questions, unlike the session quiz questions. This confirms that the student has engaged in the course

material, to be able to answer these questions with a correct percentage of at least 80%. I have attached a spreadsheet of the ticket dismissal final quiz environment questions & answers.

VOLUNTARY COURSE: Yes, in addition to session quizzes, there is a final quiz of 25 content related questions. These questions are taken randomly from our pool of 238 questions, which cover all sessions of the course. A passing score of 80% correct is required.

During a follow-up interview with Popp, she explained that the voluntary course is used for individuals who seek to reduce insurance costs by passing the course. The voluntary course is separate from the ticket dismissal course.

ACJA §7-205(A) defines interactive format as meaning “a format in which the student is required to interact and engage materially with the content, using methods such as a requested keystroke, “drag and drop” of an item or a mouse-click on a designated portion of the content which shall occur randomly, in no more than fifteen-minute increments.” School No. [REDACTED] is operating in compliance with the interactive format because course takers must engage by answering substantive questions after each segment. Popp told the Division that at the end of each segment there are five content questions that students must correctly answer to proceed to the next segment. The code requires three substantive questions.

Popp told the Division that the system automatically forces a logout for inactivity once a pager timer has elapsed, plus 30 seconds after idleness which is within the parameters of “no more than fifteen-minute “increments,” Popp said, at a minimum, there are six other methods within their online course that meet or exceed the interactive format required of ACJA §7-205. The timeout feature was consistent with the Division’s observation of the course.

The Division did not find evidence that School No. [REDACTED] was not administering the defensive driving course contrary to the interactive format required by code.

Allegation 1 is not substantiated.

Additional Finding 2: DrivingUniversity.com is not operating in compliance with the identify verification process, in violation of ACJA §7-205(F)(24)(d)(5)(m).

During the investigation, School No. [REDACTED] told the Division that the defensive course consisted of a final quiz/exam which required a pass-ratio of at least 80%, and that a student was permitted two opportunities to pass the final exam. Eric stated that this is a long-standing rule and School No. [REDACTED] has never changed the rule.

On August 8, 2025, the Division forwarded an Additional Allegation letter to School No. [REDACTED] as follows:

During the investigation of complaint number 23-D013, the Certification and Licensing Division ("Division") became aware of information or of conduct that may constitute a violation or misconduct. The additional allegation was not part of the original complaint submitted to the Division.

As a matter of process, if any additional allegations are substantiated, the allegations would be identified as Additional Findings in the Investigation Summary, Determination, Probable Cause Review, and Recommendation Report. The Division is seeking your response to the following additional allegation:

Additional Allegation:

1. DrivingUniversity.com is not operating in compliance with the identify verification process, in violation of ACJA §7-205(F)(24)(d)(5)(m).

Specifically, in a November 6, 2024, email to the Division, DrivingUniversity.com, by and through Kelly Popp, stated that if a student taking a defensive driving course failed the "Arizona final exam both of the two allowable opportunities," the student is presented with two options: taking a classroom course or paying the ticket.

The Arizona final exam referenced in the email involves the identity verification questions. ACJA §7-205(F)(24)(d)(5)(m) was added per Administrative Order 2018-38 and became effective on November 1, 2018.

Below is language that stricken from the code and the language that replaced it effective November 1, 2018:

- ~~(m) Refer a student who fails the examination twice to the court of jurisdiction or to a traditional classroom course, time permitting;~~
- ~~(n) Provide a student who fails the examination twice with specific written instructions for the process of registering for a classroom course, and documentation to provide to the classroom school reflecting the student's failure of the online examination; and~~
- ~~(em) Not issue a student participating in an ADM course a certificate of completion unless the student correctly answered the required number of course participation and identity verification questions. If the student fails the identity verification questions the school must confirm the student's identity and cause the student to begin the course from the beginning before issuing a certificate of completion.~~

Please provide a written response to the additional allegation, along with supporting documentation, if any, within 15 days of receipt of this letter. If you require additional time to submit a written response, please contact the Division explaining the reason you cannot provide the response within the 15 days, and the date when you will submit the response and documentation. The Division will consider the extension of time to submit a written response and notify you accordingly. The Division may contact you to interview you.

On August 21, 2025, Popp provided a response to the Division's additional allegation letter. She stated, "our ticket dismissal final exam contains no identity verification questions. It consists of entirely 25 course participation questions and requires a minimum passing score of 80%." Popp told the Division that identity verification questions are incorporated only within the course material and are not a part of the final exam. If a student fails to answer an identity verification question, their account is immediately locked, and the student must call the school for manual verification. Once the verification has been determined, the course starts from the beginning.

On October 8, 2025, Division staff conducted a follow-up interview with Popp to obtain clarification regarding the structure of the online defensive driving course, the interactive format, session quizzes, and the final exam process. Popp stated that each course session contains reading material, videos, and interactive components, and concludes with a session quiz typically consisting of five questions drawn from a pool of approximately 238 questions. Students must answer 100% of the session questions correctly before advancing, and incorrect responses direct the student back to the relevant course content for review before reattempting. Popp acknowledged that while ACJA requires three substantive questions per segment, their course uses five questions due to the amount of material in each session.

Regarding the final exam, Popp clarified that the format differs depending on whether the student is taking the course voluntarily (e.g., for insurance or employer purposes) or for ticket dismissal. For ticket dismissal, Popp stated that students are required to complete a final set of approximately 25 “environmental” or course participation questions designed to confirm the student personally engaged in the course (e.g., questions about videos, materials, and procedures encountered during the sessions), with a required passing score of 80%. Popp emphasized that these environmental questions are not traditional course content questions and are separate from identity verification questions.

Popp confirmed that students who fail the ticket dismissal final exam are permitted a second attempt, and that failing twice triggers internal procedures that may include refunding the court diversion fee and directing the student to either attend a classroom course or pay the ticket, consistent with her prior November 6, 2024 communication to the Division. Popp indicated that final exam failures are rare, as only one failure occurred in 2014. Regarding timing limits, Popp stated that she would need to confirm exact procedures and timing limits per session, as Arizona has unique requirements. The interview provided further clarification that, in addition to session-based interactive quizzes, School No. [REDACTED] continues to utilize a final exam process for ticket dismissal that may not align with current ACJA requirements.

On October 23, 2025, Popp provided the Division with documentation detailing the maximum time allowed per session and a screenshot depicting what is displayed when a registered student fails the final quiz for a second time while taking the course in its current format. The session timing documentation indicated that although the total course length is 270 minutes, six (6) sessions exceed the 15-minute maximum per segment, which is not compliant with current ACJA requirements. See below:

SESSION TIMING - DRIVING UNIVERSITY

Session	MAX MINS
Session 1	20.5
Session 2	18
Session 3	25
Puzzle 1	6
Session 4	23
Story 1	15
Session 5	28.5
Session 6	17.5
Puzzle 2	8.3
Session 7	26
Story 2	12.2
Session 8	16
Story 3	15
Session 9	15
Puzzle 3	6
Single Question Quizzes	7
ID verification Questions	7
Session Quizzes + Final	7
TOTAL MINUTES	270

ACJA §7-205(F)(24)(d)(5)(n) requires that students answer three (3) substantive questions concerning the segment just completed correctly before the student can proceed to the next segment and requires defensive driving schools to divide the course into segments of various lengths not to exceed 15 minutes.

(n) Divide the ADM course into segments of various lengths not to exceed 15 minutes and require the student to answer three substantive questions concerning the segment just completed correctly before the student can proceed to the next segment.

School No. [REDACTED] requires a student to answer five (5) substantive questions instead of three (3) substantive questions and has divided the course into segments that exceed the code's requirement to not exceed 15 minutes per segment, contrary to ACJA §7-205(F)(24)(d)(5)(n).

As to the final exam/quiz, Popp provided the Division with an image showing what a student would see if the student failed the final quiz a second time. This image includes the questions that the student failed to answer correctly. See below:

We're Sorry.

You have failed the final quiz for the online defensive driving course. You have two options at this point:

1. Take a classroom course; or
2. Pay the ticket.

We need to know which option you are going to take in order to refund your account properly. Please contact us at [REDACTED]

Course Environment Questions - you must correctly answer 22 out of 25 questions.

- X 2) Were there pictures in the course?
- X 5) Was there a quiz at the end of each session of the course?
- X 7) Did Driving University verify your eligibility before you could begin the course?
- X 8) Were you asked identity verification questions?
- X 9) Were there statements hidden in the course material?
- X 11) Was the course timed?
- X 13) Does Driving University accept online payments from the website?
- X 14) Were there multiple choice questions asked in the course?
- X 16) Did you have to provide a copy of your driver license to Driving University?
- X 18) Were there fun car facts throughout the course?
- X 23) Were there short stories in the course?
- X 24) Were you tested on curb markings?

The screenshot above showed that when a student fails the final quiz, comprised of what School No. [REDACTED] describes as 25 "environmental" questions, for a second time, the student is instructed to either 1) enroll in a classroom course, or 2) pay the ticket. The student is further directed to contact School No. [REDACTED] via a toll-free number to confirm their selected option and to ensure proper processing of any applicable refund.

Although Popp told the Division that School No. [REDACTED]'s ticket dismissal final quiz/exam does not contain any identity verification questions and Popp said the questions for the final exam "consists of entirely 25 course participation questions and requires a passing school of 80%," the questions School No. [REDACTED] utilizes, shown above, are designed to capture and reflect that the student taking the defensive driving course is, in fact, the correct person that registered for and was taking the course. The purpose of identity verification questions is designed to ensure that the student taking the course is one and the same. School No. [REDACTED] calls those "environmental" questions.

In addition, if a student fails to correctly answer what School No. [REDACTED] refers to as the "environmental" or course participation questions with an 80% passing rate, the account is immediately locked, and the student must contact School No. [REDACTED] for manual verification and once verification is determined, the course starts from the beginning.

While School No. [REDACTED] differentiates, as an internal process, between identify verification and environmental or course participation questions, the questions posed to students solicit information to ensure that the student is the course taker and, therefore, are part of an identity verification process. By doing so, School No. [REDACTED]'s process functions in the same manner as the language that was stricken from ACJA §7-205 in 2018 regarding referring a student to a traditional classroom if the student fails the examination twice and that was replaced by Administrative Order 2018-38, effective November 1, 2018.

The amended code of 2018 eliminated the requirement for a defensive driving school to refer a student to a traditional classroom for failing an examination twice. School No. [REDACTED] continues to operate by giving a student a choice between paying for the ticket violation (fine) or attending a traditional classroom setting.

Below is the language stricken in November 2018 and the language that replaced it:

- ~~(m) Refer a student who fails the examination twice to the court of jurisdiction or to a traditional classroom course, time permitting;~~
- ~~(n) Provide a student who fails the examination twice with specific written instructions for the process of registering for a classroom course, and documentation to provide to the classroom school reflecting the student's failure of the online examination; and~~
- ~~(om) Not issue a student participating in an ADM course a certificate of completion unless the student correctly answered the required number of course participation and identity verification questions. If the student fails the identity verification questions the school must confirm the student's identity and cause the student to begin the course from the beginning before issuing a certificate of completion.~~

Pursuant to the November 2018 amendments to ACJA §7-205, referenced above, defensive driving schools no longer and should not refer a student who fails the identify verification questions or examination twice to a traditional or in-person classroom. School No. [REDACTED] outdated practice could disadvantage students, especially those taking the course close to the seven-day deadline, those who are led to believe they now have to secure an in-person class, or those who choose to pay the fine instead of successfully completing the course. Paying the ticket may have been unnecessary.

ACJA §7-201(F)(1):

F. Role and Responsibilities of Certificate Holders.

1. Code of Conduct. Each individual certificate holder shall adhere to the code of conduct or standards of conduct, subsection (J) in the applicable section of the ACJA.

ACJA §7-201(H)(6)(a):

6. Grounds for Discipline. A certificate holder is subject to disciplinary action if the board finds the certificate holder has engaged in one or more of the following:

a. Failed to perform any duty to discharge any obligation in the course of the certificate holder's responsibilities as required by law, court rules, this section or the applicable section of the ACJA;

ACJA §7-205(F)(1):

F. Role and Responsibilities of Certificate Holders. In addition to the requirements of ACJA § 7 201(F), each school must:

1. Adhere to the standards in the code of conduct in subsection (J).

ACJA §7-205(F)(24)(d)(5)(m) and (n):

(m) Not issue a student participating in an ADM course a certificate of completion unless the student correctly answered the identity verification questions. If the student fails the identity verification questions the school must confirm the student's identity and cause the student to begin the course from the beginning before issuing a certificate of completion.

(n) Divide the ADM course into segments of various lengths not to exceed 15 minutes and require the student to answer three substantive questions concerning the segment just completed correctly before the student can proceed to the next segment.

ACJA §7-205(J)(1)(d):

d. Compliance. A school shall perform all duties and discharge all obligations in accordance with current Arizona law and the administrative rules, court orders, administrative orders, ACJA § 7-201, and this section.

Additional Finding 2 is substantiated.

DISCIPLINARY HISTORY:

Complaint No. 09-D020

Substantiated Allegation:

- Failed to submit a timely response to complaint

Date of Board Decision:

- 12/09/2012

Board Decision/Disciplinary Action:

- Letter of Concern

SUBMITTED BY:

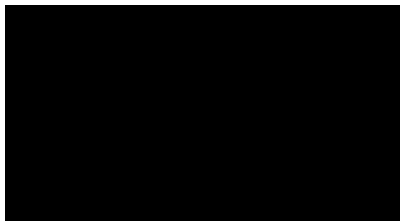


March 2, 2026

Lorraine Brown, Investigator
Certification and Licensing Division

Date

REVIEWED BY:

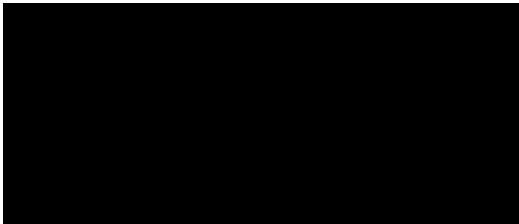


March 2, 2026

Pasquale Fontana, Manager
Certification and Licensing Division

Date

REVIEWED BY:



March 2, 2026

Abigail Raddatz, Director
Certification and Licensing Division

Date

**ARIZONA SUPREME COURT
ADMINISTRATIVE OFFICE OF THE COURTS
REVIEW, AND DECISION OF THE PROBABLE CAUSE
EVALUATOR**

REVIEW AND DECISION OF THE PROBABLE CAUSE EVALUATOR:

Under ACJA §7-201(A), the deputy director, serving in the capacity of probable cause evaluator under ACJA § 7-201(H)(3)(a), having conducted an independent review of the facts and evidence gathered during the course of the investigation of complaint number 23-D013:

- ☐ Directs division staff to investigate further.
- ☒ Determines probable cause does not exist demonstrating the certificate holder has committed any acts of misconduct or violations of the statutes, court rules, this section, or the applicable section of the ACJA and enters a written finding to that effect as to Allegation(s):

1

- ☒ Determines probable cause exists demonstrating the certificate holder has committed one or more acts of misconduct or violations of the statutes, court rules, this section, or the applicable section of the ACJA and enters a written finding to that effect as to Additional Finding/Allegation(s):

2



Jeffrey Schrade
Probable Cause Evaluator

3/4/2026

Date

**ARIZONA SUPREME COURT
ADMINISTRATIVE OFFICE OF THE COURTS
RECOMMENDATION TO THE BOARD**

<i>CERTIFICATE HOLDER INFORMATION</i>	Certificate Holder:	DrivingUniversity.com
	School Number:	■
	Business Name:	DrivingUniversity.com
	Type of Certificate:	Defensive Driving School

RECOMMENDATION TO THE DEFENSIVE DRIVING BOARD (“BOARD”):

It is recommended that the Board accept the finding of the Probable Cause Evaluator and enter a finding DrivingUniversity.com (School No. ■) has not committed the alleged act(s) of misconduct as to Allegation 1, as detailed in the Investigation Summary, Determination, Probable Cause Review and Recommendation Report in complaint number 23-D013.

It is further recommended that the Board dismiss Allegation 1, with prejudice.

It is further recommended that the Board accept the finding of the Probable Cause Evaluator and enter a finding DrivingUniversity.com (School No. ■) has committed the alleged act(s) of misconduct as to Additional Finding/Allegation 2, as detailed in the Investigation Summary, Determination, Probable Cause Review and Recommendation Report in complaint number 23-D013.

It is further recommended that the Board enter a finding grounds for informal disciplinary action exists under Arizona Code of Judicial Administration (“ACJA”) §7-201(H)(6) for acts of misconduct involving §§7-201(F)(1), 7-201(H)(6)(a); §§7-205(F)(1), 7-205(F)(24)(d)(5)(m) and (n), and 7-205(J)(1)(d).

When making recommendations for disciplinary action, the Division considered the following mitigating and aggravating factors:

Mitigating factors under ACJA §7-201(H)(22)(b)(1):

- ☐ The absence of a prior disciplinary record;
- ☒ **The absence of a dishonest motive;**
- ☒ **The absence of a selfish motive;**
- ☐ Personal or emotional problems;
- ☐ A timely good faith effort to make restitution or to rectify consequences of misconduct;
- ☒ **Full and free disclosure to the division staff, the board or the hearing officer;**
- ☒ **A cooperative attitude toward any proceedings;**
- ☐ Inexperience in the practice of the profession or occupation;
- ☐ Character or reputation;
- ☐ Physical or mental disability;

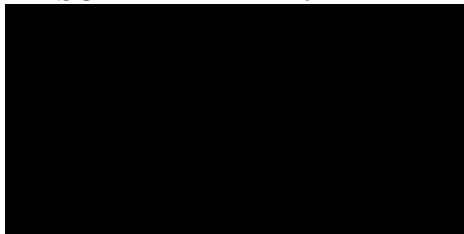
- ☐ Physical or mental impairment;
- ☒ **Delays in the disciplinary proceedings; (complaint is over 22 months - received on 12/8/2023)**
- ☐ Interim rehabilitation;
- ☐ Imposition of other penalties or sanctions;
- ☐ Remorse;
- ☐ The remoteness of prior offenses;
- ☐ Other: _____

Aggravating factors under ACJA §7-201(H)(22)(b)(2):

- ☒ **A prior disciplinary record;**
- ☐ A dishonest motive;
- ☐ A selfish motive;
- ☐ Multiple offenses;
- ☐ Bad faith obstruction of the disciplinary proceedings by intentionally failing to comply with this section, the applicable section of ACJA, court rules or orders of the hearing officer; (Failure to respond to Division requests sent to a valid point of contact reflects an uncooperative attitude toward the investigation)
- ☐ Submission of false evidence, false statements or other deceptive practices during the discipline process;
- ☒ **Refusal to acknowledge wrongful nature of the conduct;**
- ☐ Vulnerability of the victim;
- ☒ **Substantial experience in the profession or occupation; (granted initial certification on 10/31/2009)**
- ☐ Indifference to making restitution;
- ☐ Other: _____

It is further recommended that the Board direct the Division to issue a Letter of Concern to DrivingUniversity.com. (School No. [REDACTED]).

SUBMITTED BY:



March 4, 2026

Abigail Raddatz, Director
Certification and Licensing Division

**ARIZONA SUPREME COURT
ADMINISTRATIVE OFFICE OF THE COURTS
DECISION AND ORDER OF THE BOARD**

DECISION AND ORDER:

The Board having reviewed the above Investigation Summary, Determination, Probable Cause Review and Recommendation Report, regarding complaint number 23-D013, makes a finding of facts and this decision, based on the facts, evidence, and analysis as presented and:

☐ Request division staff to conduct further investigation;

☐ Refer the complaint to another entity with jurisdiction;

Referral to: _____

☐ Determine no violation exists and dismiss the complaint

☐ with prejudice

☐ without prejudice

☐ Determine no acts of misconduct or violation occurred and no discipline is warranted; however the certificate holder's actions need modification or elimination and issue an advisory letter pursuant to subsection (D)(5)(c)(1)(g);

☐ Enter a finding the certificate holder has violated any provisions of the statutes, court rules, this section, or the applicable ACJA specific sections or subsection (H)(6) and order an emergency summary suspension, pursuant to subsection (H)(9)(d);

☒ Enter a finding the certificate holder has violated any of the provisions of the statutes, court rules, this section, the applicable ACJA sections or subsection (H)(6) and issue an order imposing any or a combination of the following information or formal disciplinary sanctions:

☒ Issue a letter of concern

☐ Issue a censure

☐ Resolve any found acts of misconduct or violations by consent order or other negotiated settlement

☐ Place specific restrictions on a certificate

☐ Place the certificate holder on probation or a set period of time under specified conditions

- ☐ Mandate additional training for the certificate holder
- ☐ Issue a cease and desist order pursuant to subsection (E)96)
- ☐ Order suspension of a certificate for a set period of time with specific conditions for reinstatement

- ☐ Order revocation of a certificate with specific conditions for reinstatement
- ☐ Assess costs associated with the investigation and disciplinary proceedings; or
- ☐ Impose civil penalties associated with the investigation and disciplinary proceedings.

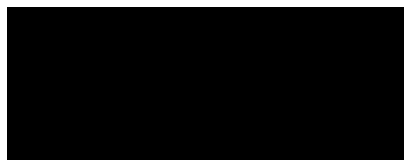
- ☐ Order the preparation of documents necessary for informal or formal disciplinary actions under subsection (H)(7)(b), (H)(8)(b) or (H)(9)(b)
- ☐ Request the license holder appear before the Board to participate in a Formal Interview, pursuant to ACJA § 7-201(H)(8).
- ☐ Enter a finding the public health, safety or welfare is at risk, requires emergency action, and orders the immediate emergency suspension of the license and sets an expedited hearing for:

Date, Time, and Location: _____

- ☐ Order the filing of Notice of Formal Charges, pursuant to ACJA § 7-201(H)(10).

☒ Adopts the recommendations of the Division Director.

☐ Does not adopt the recommendations of the Division Director and orders:



Johnny Tse, Chair
Board of Defensive Driving

03/23/2026

 Date