



**Arizona Supreme Court
Defensive Driving Board**

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

November 19, 2012
10:00 a.m.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE

<i>Present:</i>	<i>Telephonically Present:</i>	<i>Absent:</i>
Elaine Acosta Sweet	Melissa Caraker	Lynette Rudow
Thomas Davis	Paul Hallums	
Judge Gary LaFleur	Gordon Fox	
Daniel Edwards		
Robert Hall		
William (Patch) Pachnowski		

OTHER ATTENDEES

<i>AOC Staff:</i>	<i>Guests:</i>
Mark Wilson	Maria Medina
Jennifer Greene	
Anne Hunter	
Debbie MacDougall	
Kimberly Siddall	
Chris DeWitt	
Afton Foutz	
Michelle Jackson	
Pasquale Fontana	

CALL TO ORDER

Called to Order By:

Elaine Sweet, Chair

Time:

10:00 a.m.

1) REVIEW AND APPROVAL OF MINUTES

Elaine Sweet, Chair

1-A: *Review, discussion and possible action regarding the regular session minutes for the meeting of October 17, 2012.*

Discussion: None

Motion: Move to approve the regular session meeting minutes for the meeting of *October 17, 2012*.

Motion Proposals: First Robert Hall
Second Thomas Davis

Motion Results: Pass

2) ADMINISTRATIVE ISSUES

Individuals Addressing the Board:

Anne Hunter

2-A: *Review, discussion and possible action regarding proposed amendments to the Defensive Driving Program, including proposed amendments to the Arizona Code of Judicial Administration § 7-205.*

Discussion: Anne Hunter presented a summary of the proposed amendments to ACJA § 7-205(E) regarding the establishment of certification and curriculum requirements for a teenage driver school.

Motion: The motion to accept the proposed amendments to the ACJA § 7-205(E) regarding the addition of teenage driving schools and all language related to teenage driving schools is defeated.

Motion Proposals: First Robert Hall
Second Daniel Edwards

Motion Results: Defeated

Discussion: Anne Hunter presented a summary of the proposed amendments to ACJA § 7-205 regarding new language in subsection (l) which is intended to clarify the process ADM schools are utilizing to verify user identity of a student during the ADM course.

Motion: Move to accept the proposed language with respect to ACJA § 7-

205(E)(1) regarding the clarification process ADM schools are utilizing to verify user identity of a student during the ADM course.

Motion Proposals: First Robert Hall
Second Paul Hallums

Motion Results: Passed

Discussion: Anne Hunter presented a summary regarding the new language in subsection (1) and in response to a request made by Judge Norman Davis, Presiding Judge of the Superior Court in Maricopa County, for clarification in ACJA § 7-205 regarding the factors that judges should consider when reviewing a request from a police officer who wants to serve as a defensive driving instructor.

Motion: The Board approves the recommended proposed amendment regarding the application for wavier for certain law enforcement officers.

Motion Proposals: First Daniel Edwards
Second William (Patch) Pachnowski

Motion Results: Passed

Discussion: Anne Hunter presented a summary regarding the proposed language in subsections (k) and (l) which was added to clarify how and when school fees as well as court fees are to be made available to students in any and all materials including a school website.

Motion: Move to accept the amendments to sections (k) and (l) as stated.

Motion Proposals: First Paul Hallums
Second Daniel Edwards

Motion Results: Passed

Discussion: Anne Hunter presented a summary regarding AJCA § 7-205(G)(3)(a) which language is stricken because with the increasing use of Internet classes, there are fewer opportunities for an instructor to teach and meet this requirement.

Motion: Move to strike the language as stated.

Motion Proposals: First Paul Hallums
Second Daniel Edwards

Motion Results: Passed

Discussion: Anne Hunter presented a summary regarding AJCA § 7-

205(J)(1)(b)(4). The additional language was proposed by school owners in order to clarify advertising requirements and restrictions.

Motion: Move to accept the additional language as stated.

Motion Proposals: First Robert Hall
Second William (Patch) Pachnowski

Motion Results: Passed

Discussion: Anne Hunter presented a summary regarding AJCA § 7-205(J)(1)(e). The additional language was proposed by school owners in order to clarify advertising requirements and restrictions.

Motion: Move to accept the additional language as stated.

Motion Proposals: First Robert Hall
Second Daniel Edwards

Motion Results: Passed

Discussion: Anne Hunter presented a summary regarding AJCA § 7-205(K). Fee changes proposed by Division staff because costs in processing an initial application are the same regardless of the period of time until renewal of the initial certification. In addition, reinstatement application fee is raised.

Motion: Move to accept the additional language as stated.

Motion Proposals: First Paul Hallums
Second Robert Hall

Motion Results: Passed

CALL TO THE PUBLIC.....Elaine Sweet, Chair
None

ADJOURNMENT.....Elaine Sweet, Chair

Motion: Motion to adjourn.

Motion Proposals: First Robert G. A. Hall
Second Daniel Edwards

Motion Results: Pass

Time: 10:45 a.m.