



**Arizona Supreme Court
Defensive Driving Board**

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

December 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	Paul E. Hallums	Lynette Rudow
Thomas L. Davis	Gordon Fox	Judge Gary J. LaFleur
Daniel W. Edwards		Melissa J. Caraker
Robert G. A. Hall		
William (Patch) Pachnowski		

OTHER ATTENDEES

<i>AOC Staff:</i>	<i>Guests:</i>
Mark Wilson	Michael Wright – Drop the Ticket
Anne Hunter	Jose Munez- Drop the Ticket
Jennifer Greene	Mike Truscio- AZ Defensive Driving School
Kimberly Siddall	Debbie Grado - ACNSC
Rick Sczerbicki	Kristi Mielke – 123 AZ
Chris DeWitt	Stephanie Schwartz - Roadrunner
William MacIntyre	Bill Riedel - TSMS
Deborah MacDougall	
Rick Sczerbicki	
Jeff Agraviador	
Wendy Reiter	
Michelle Jackson	
Pasquale Fontana	

CALL TO ORDER

Called to Order By:
Time:

Elaine Acosta Sweet
9:59 A.M.

1) REVIEW AND APPROVAL OF MINUTES

Individuals Addressing the Board: Elaine Acosta Sweet

1-A: Review, discussion and possible action regarding the regular session minutes for the meeting of November 19, 2012.

Discussion: None

Motion: Move to approve the regular session meeting minutes for the meeting of November 19, 2012.

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

Motion Results: Pass

2) INITIAL CERTIFICATION APPLICATIONS

2-A: Review, consideration and possible action regarding pending initial certification applications of the following defensive driving instructors:

Discussion: Nikolai Henss
Adam Maxwell
Janet Gallup
John Flanagan, Jr.

Motion: Move to accept staff's recommendation to grant initial certification.

Motion Proposals: First Daniel Edwards
Second William Patchnowski

Motion Results: Pass

Discussion: Jennifer Adkinson

Motion: Move to accept staff's recommendation to grant certification with clarifying letter regarding disclosure.

Motion Proposals: First Robert Hall

Motion Results: Second Thomas Davis
Pass

Discussion: *Dan Saban*

Motion: Move to accept staff's recommendation to grant certification with clarifying letter regarding disclosure.

Motion Proposals: First Daniel Edwards
Second William Pachnowski
Motion Results: Pass

Discussion: *Bryan Adams*

Motion: Move to accept staff's recommendation to deny certification.

Motion Proposals: First Daniel Edwards
Second Robert Hall
Motion Results: Pass

Discussion: *Katherine Hernandez*

Motion: Move to accept staff's recommendation to deny certification.

Motion Proposals: First Robert Hall
Second William Pachnowski
Motion Results: Pass

2-B: *Interview with and possible action regarding applicant Hannah Pinner*

Discussion: Pinner requested additional time to gather documentation that staff requested.

Motion: Move to accept staff's recommendation to defer until the February 2013 meeting.

Motion Proposals: First Robert Hall
Second Daniel Edwards
Motion Results: Pass

2-C: *Review, consideration and possible action regarding pending initial certification applications of the following defensive driving schools:*

Discussion: OnlineArizonaDefensiveDriving.com, an internet format defensive driving school, applied for certification on August 17, 2012. The

school's office is located in Santa Rosa, California. The school's designated principal is Vannette Soldis. The school is also known as The Distance Learning Company and Traffic School Online. Division staff has performed a review of the new school's application and curriculum.

Motion: Move to accept staff's recommendation to grant initial certification.

Motion Proposals: First Daniel Edwards
Second Thomas Davis

Motion Results: Pass

Discussion: AZ 4-Hour Traffic School, a classroom and internet format defensive driving school, applied for certification on August 30, 2012. The school's office is located in Tucson, Arizona. The school's designated principal is Paul Hallums. The school is also known EZ-AZ Traffic School and 2 Go 2 Traffic School. Division staff has performed a review of the new school's application and curriculum.

Motion: Move to accept staff's recommendation to grant initial certification.

Motion Proposals: First William Pachnowski
Second Daniel Edwards
Recused Paul Hallums

Motion Results: Pass

Discussion: Ticket Dismissal of Arizona, a classroom and internet format defensive driving school, applied for certification on November 21, 2012. The school's office is located in Scottsdale, Arizona. The school's designated principal is Michael Truscio. The school is also known as Defensive Driving School of Arizona. Division staff has performed a review of the new school's application and curriculum.

Motion: Move to accept staff's recommendation to grant initial certification.

Motion Proposals: First Daniel Edwards
Second William Pachnowski
Recused Robert Hall

Motion Results: Pass

Discussion: Traffic Schools of Arizona, a classroom and internet format defensive driving school, applied for certification on November 21, 2012. The school's office is located in Scottsdale, Arizona. The school's designated principal is Michael Truscio. The school is also known as Defensive Driving School of Arizona. Division staff has performed a review of the new school's

application and curriculum.

Motion: Move to accept staff's recommendation to grant initial certification.

Motion Proposals: First Thomas Davis
Second William Pachnowski

Motion Results: Pass

Discussion: Drop the Ticket Traffic School, LLC, a classroom and internet format defensive driving school, applied for certification on November 19, 2012. The school's office is located in Glendale, Arizona. The school's designated principal is Michael Wright. Division staff has performed a review of the new school's application and curriculum.

Motion: Move to accept staff's recommendation to grant initial certification.

Motion Proposals: First Daniel Edwards
Second Thomas Davis

Motion Results: Pass

Discussion: Rush Hour Traffic School

Staff recommends going into executive session to provide confidential information regarding the application.

Motion: Move to go into executive session (10:25 A.M.)

Motion Proposals: First Paul Hallums
Second William Pachnowski

Motion Results: Pass

Return to public session (10:30 A.M.)

Discussion: Rush Hour Traffic School.

Motion: Move to accept staff's recommendation to defer until February 2013 meeting.

Motion Proposals: First Thomas Davis
Second Daniel Edwards

Motion Results: Pass

3) ADMINISTRATIVE ISSUES

Individuals Addressing the Board: Debbie MacDougall

3-A: *Review, discussion, and possible action regarding the establishment of the 2013 Board meeting schedule.*

Discussion: At the October 17, 2012 meeting, the Defensive Driving Board was asked to consider and approve a 2013 meeting calendar. It was recommended the board continue to meet on the third Wednesday of the applicable month at 10:00 A.M. The month of September was added as this is a certification renewal year.

Due to scheduling conflicts in Conference Room 109, it is now recommended that the Defensive Driving Board meet at the previously scheduled dates but move the start time to **2:00 P.M.**

Board members request that the meetings be moved to a different day of the week in order to keep the start time of 10:00 A.M. Division staff proposes that the meetings be moved to Thursdays of the applicable months.

The 2013 meeting calendar will be as follows:

- February 14, 2013
- April 25, 2013
- June 20, 2013
- August 22, 2013
- September 19, 2013
- October 17, 2013
- December 19, 2013

Motion: Move to accept the proposed 2013 meeting schedule.

Motion Proposals: First William Pachnowski
Second Paul Hallums

Motion Results: Pass

3-B: *Review, discussion, and possible action regarding request for placement on Inactive Status received from certified school Phoenix Traffic School, certification number 49061.*

Discussion: Phoenix Traffic School was granted certification on November 16, 2011. On December 10, 2012, Phoenix Traffic School submitted a request for the certificate to be placed on Inactive Status.

Motion: Move to accept Phoenix Traffic School's request to be placed on inactive status.

Motion Proposals: First Robert Hall
Second Daniel Edwards

Motion Results: Pass

4) REVIEW OF PENDING COMPLAINTS

Individuals Addressing the Board: Debbie MacDougall

4-A: *Review, discussion and possible action regarding the following certificate holder complaints:*

Discussion: Complaint Number 09-D020 – DrivingUniversity.com:
On November 27, 2012, Probable Cause Evaluator Mike Baumstark entered a finding probable cause does not exist as to Allegation 1 and does exist as to Allegation 2 in complaint number 09-D020.

Motion: Move to accept staff's recommendation that the Board accept the finding of the probable cause evaluator and dismiss Allegation 1. Regarding Allegation 2, it is recommended the Board enter a finding grounds for informal disciplinary action exists and issue a Letter of Concern.

Motion Proposals: First Paul Hallums
Second Daniel Edwards

Motion Results: Pass

Discussion: Complaint Number 11-D007 – Dennis Hayes & AZ Defensive Driving School:
On December 27, 2012, Probable Cause Evaluator Baumstark entered a finding probable cause does not exist in complaint number 11-D007.

Motion: Move to accept the finding of the probable cause evaluator and dismiss complaint number 11-D007.

Motion Proposals: First William Pachnowski
Second Daniel Edwards

Motion Results: Pass

4-B: *Update regarding pending complaints.*

As of November 30, 2012, there are a total of six pending complaints, all involving actively certified school and/or instructors. Two of these complaints are recommended for dispositive action in Agenda Item 4-A.

4-C: Discussion regarding Administrative Order No. 2012-83.

Mark Wilson provided an overview of the Administrative Order.

CALL TO THE PUBLIC.....Elaine Sweet, Chair

None

ADJOURNMENT

Motion: Move to adjourn the meeting.

Motion Proposals: First Robert Hall
Second William Pachnowski

Motion Results: Pass

Time: 10:55 A.M.