



**Arizona Supreme Court
Defensive Driving Board**

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

December 19, 2013
10:00 a.m.

Approved Regular Meeting Minutes

MEMBER ATTENDANCE

<i>Present:</i>	<i>Telephonically Present:</i>	<i>Absent:</i>
Daniel Edwards	Melissa Caraker	Gordon Fox
Elaine Acosta Sweet	Paul Hallums	
Thomas Davis		
Walter "Jack" Weberg		
William "Patch" Pachnowski		
Margaret Stephens-Reed		

OTHER ATTENDEES

<i>AOC Staff:</i>	<i>Guests:</i>
Debbie MacDougall	Joseph Pisano
Kimberly Siddall	April Wright
Chris Dewitt	Michael Wright
Bill MacIntyre	Margaret Bobbitt
Pasquale Fontana	Debbie Grado
Linda Grau	Michael Truscio
Mark Wilson	Maria Medina
Anne Hunter	
Wendy Reiter	

CALL TO ORDER

Called to Order By: Daniel Edwards, Chair
Time: 10:00 a.m.

1) REVIEW AND APPROVAL OF MINUTES

Individuals Addressing the Board: Daniel Edwards, Chair

1-A: *Review, discussion and possible action regarding the regular session minutes for the meeting of September 19, 2013.*

Discussion: None

Motion: Move to approve the regular session meeting minutes for the meeting of September 19, 2013.

Motion Proposals: First Elaine Acosta Sweet
Second Thomas Davis

Motion Results: Pass

2) INITIAL CERTIFICATION APPLICATIONS

Individuals Addressing the Board: Chris DeWitt

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

Arizona Ticket Dismissal
Allstate Defensive Driving School
Happy Valley Traffic School, LLC
Lose the Ticket Traffic School, LLC

Discussion: Arizona Ticket Dismissal

Motion: Move to grant initial certification.

Motion Proposals: First Margaret Stephens-Reed
Second Elaine Acosta Sweet

Motion Results: Pass

Discussion: Allstate Defensive Driving School

Motion: Move to grant initial certification.

Motion Proposals: First William "Patch" Pachnowski
Second Walter "Jack" Weberg
Motion Results: Pass

Discussion: Happy Valley Traffic School, LLC

Motion: Move to grant initial certification.

Motion Proposals: First Walter "Jack" Weberg
Second Thomas Davis
Motion Results: Pass

Discussion: Lose the Ticket Traffic School, LLC

Motion: Move to approve grant initial certification.

Motion Proposals: First Elaine Acosta Sweet
Second William "Patch" Pachnowski
Motion Results: Pass

Individuals Addressing the Board: Kimberly Siddall

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

Lynda Remhof
Joseph Pisano
Gregory Millard
Jan Zahara
Terry Lee
Dennis Snook
Clifford Levine
Paul Colossi
Mark Campbell

Discussion: Lynda Remhof

Motion: Move to grant initial certification.

Motion Proposals: First Margaret Stephens-Reed
Second William (Patch) Pachnowski
Motion Results: Pass

Discussion: Joseph Pisano

Motion: Move to grant initial certification.

Motion Proposals: First Margaret Stephens-Reed
Second William "Patch" Pachnowski

Motion Results: Pass

Discussion: Gregory Millard

Motion: Move to grant initial certification.

Motion Proposals: First Margaret Stephens-Reed
Second William "Patch" Pachnowski

Motion Results: Pass

Discussion: Jan Zahara

Motion: Move to grant initial certification.

Motion Proposals: First Margaret Stephens-Reed
Second William "Patch" Pachnowski

Motion Results: Pass

Discussion: Terry Lee

Motion: Move to grant initial certification.

Motion Proposals: First Elaine Acosta Sweet
Second Thomas Davis

Motion Results: Fail

Amended Motion: Move to deny initial certification pursuant to applicant's failure to disclose.

Motion Proposals: First Elaine Acosta Sweet
Second William "Patch" Pachnowski

Motion Results: Pass

Discussion: Dennis Snook

Motion: Move to grant initial certification.

Motion Proposals: First Elaine Acosta Sweet
Second Thomas Davis

Motion Results: Pass

Discussion: Clifford Levine

Motion: Move to deny initial certification and deny applicant's withdrawal of initial application.

Motion Proposals: First Elaine Acosta Sweet
Second Walter "Jack" Weberg

Motion Results: Pass
Recusal Daniel Edwards

Discussion: Paul Colossi

Motion: Move to grant initial certification.

Motion Proposals: First Elaine Acosta Sweet
Second Margaret Stephens-Reed

Motion Results: Pass

Discussion: Mark Campbell

Motion: Move to grant initial certification.

Motion Proposals: First Elaine Acosta Sweet
Second Margaret Stephens-Reed

Motion Results: Pass

3) ADMINISTRATIVE ISSUES

Individuals Addressing the Board: Linda Grau and Anne Hunter

3-A: Discussion and possible action concerning the chairperson's request for additional information regarding the Division's investigative process with respect to certification and associated costs.

Information is presented regarding the application process involved with defensive driving instructors and defensive driving schools.

Individuals Addressing the Board: Debbie MacDougall

3-B: Update regarding complaints processed by diversion pursuant to Administrative Order 2012-83.

Discussion: There are no diversion cases to report to the Board at this time.

3-C: *Review, discussion, and possible action regarding the establishment of the 2014 Board meeting schedule.*

Discussion: None

Motion: Move to approve the 2014 Board meeting schedule.

Motion Proposals: First Walter "Jack" Weberg
Second Elaine Acosta Sweet

Motion Results: Pass

4) REVIEW OF PENDING COMPLAINTS

Individuals Addressing the Board: Linda Grau

4-A: *Review, discussion and possible action regarding the following complaints:*
Complaint Number 12-D005 – Arizona Defensive Driving School
Complaint Number 13-D010 – Safe2Drive
Complaint Number 13-D011 – National Traffic Safety Institute

Discussion: *Complaint Number 12-D005 – Arizona Defensive Driving School*

Motion: Move to adopt staff's recommendation to dismiss Allegation 1 and issue a Letter of Concern as to Allegation 2.

Motion Proposals: First Paul Hallums
Second Thomas Davis

Motion Results: Pass

Discussion: *Complaint Number 13-D010 – Safe2Drive*

Motion: Move to dismiss complaint.

Motion Proposals: First William "Patch" Pachnowski
Second Walter "Jack" Weberg

Motion Results: Pass

Discussion: *Complaint Number 13-D011 – National Traffic Safety Institute*

Motion: Move to dismiss the complaint.

Motion Proposals: First Margaret Stephens-Reed
Second Elaine Acosta Sweet

Motion Results: Pass
Recusal William "Patch" Pachnowski

4-B: *Review, discussion and possible action regarding the following complaint dismissed by the Division Director pursuant to Arizona Code of Judicial Administration § 7-201(D)(4)(a) and (H)(2)(a):*

Complaint Number 13-D012

Discussion: *Complaint Number 13-D012*

Motion: Move to consider the Division Director's dismissal and the complainant's request for review and affirm the dismissal.

Motion Proposals: First Paul Hallums
Second Elaine Acosta Sweet

Motion Results: Pass
Recusal William "Patch" Pachnowski

4-C: *Update regarding the status of pending complaints.*

Discussion: After Board action at this meeting, there are now three open complaints, all less than six months old.

Discussion: Board member Walter "Jack" Weberg addressed the Board with concerns about distracted driving and the effectiveness of the DD program.

CALL TO THE PUBLIC...Daniel Edwards, Chair

Discussion: Maria Medina addressed the Board.

ADJOURNMENT

Motion: Move to adjourn the meeting.

Motion Proposals: First Paul Hallums
Second Elaine Acosta Sweet

Motion Results: Pass

Time: 11:09 a.m.