

Draft for Review
Board of Defensive Driving
Arizona State Courts Building
1501 West Washington, Phoenix, AZ 85007
Hearing Room 109
October 20, 2010
10:00 am -1:00 pm

Approved Regular Session Minutes

MEMBER ATTENDANCE

Present:

Robert G. A. Hall
Elaine Acosta Sweet
Virginia Davis
Judge Gary J. LaFleur
Rolland (Ron) E. DeLong

Telephonically Present:

Leonard Montanaro
Paul E. Hallums
Judge Daniel S. Jurkowitz,
Lynette Rudow
Cecile T. Woodward

Absent:

Steven Soldis

OTHER ATTENDEES

AOC Staff:

Kandace French
Kitty Boots
Jennifer Greene
Kimberly Siddall
Chris DeWitt
Alex Navarro
Lori Braddock
Becky Sorenson
Susan Hunt

Guests:

Ed Raymond
Anthonett Hurley
Jared Repinski
Elaine Lewis
Amina Clark
Hardy Warren
Maria Valadez
Illina Rojas
Randi Bellassai
David Gonzalez
Patricia Smith
Debbie Grado
Debra Grossman
Jesse Freeman

CALL TO ORDER

Called to Order By: Elaine Sweet, Chair
Time: 10:00 a.m.

1) REVIEW AND APPROVAL OF MINUTES

1-A: *Review, discussion, and possible action regarding the Regular Session Minutes for the meeting on August 18, 2010.*

Individuals Addressing the Board: Elaine Sweet

Discussion: None

Motion: Moved to approve Regular Session Minutes for the meeting on August 18, 2010

Motion Proposals: First: Leonard Montanaro
Second: Virginia Davis

Motion Results: Pass

2) PENDING COMPLAINTS

2-A: *Review, discussion and possible action regarding certificate holder complaints.*

Individuals Addressing the Board: Kandace French

Discussion: There were no complaints for the Board's review in the month of October.

3) ADMINISTRATIVE ISSUES

3-A: *Report, discussion and possible action regarding draft amendments to ACJA § 7-205 by the Defensive Driving Board Rules Subcommittee.*

Individuals Addressing the Board: Kandace French

Discussion: The draft of ACJA § 7-205 was submitted for review by the Arizona Judicial Council on October 21, 2010. Division Staff updated the Board regarding establishment of a fee schedule in the amendments to ACJA § 7-205.

Motion: None

3B: *Review, discussion, and possible action regarding setting the 2011 meeting calendar.*

Individuals Addressing the Board: Elaine Sweet

Discussion: The Defensive Driving Board was asked to consider and approve a 2011 meeting calendar. It was recommended the board continue to meet on the third Wednesday of the applicable month from 10:00 a.m. to 1:00 p.m. The additional meeting suggested in November is to capture those certification renewal applications not addressed by the Board in October.

Therefore, it was recommended the 2011 meeting calendar be set as follows:

February 16, 2011
April 20, 2011
June 15, 2011
August 17, 2011
October 19, 2011
November 16, 2011
December 21, 2011

Motion: Moved to accept recommended 2011 meeting calendar as noted.

Motion Proposals: First: Leonard Montanaro
Second: Robert Hall

Motion Results: Pass

4) INITIAL CERTIFICATION APPLICATIONS

4-A: *Review, consideration and possible action regarding pending initial Certification applications of the following Defensive Driving Schools:*

Individuals Addressing the Board: Kimberly Siddall

Discussion: The following applicants have submitted a complete application demonstrating they meet the minimum eligibility requirements, and no information has been presented during the background investigation which is contrary to certification being granted. It was recommended the Board grant certification as defensive driving instructors to the following applicants:

1. White, Judith H.
2. De Shay, William L.

Motion: Moved to accept the recommendation and grant certification to the above applicants.

Motion Proposals: First: Ron DeLong
Second: Robert Hall

Motion Results: Pass

Individuals Addressing the Board: Kimberly Siddall

Discussion: The following applicants remain incomplete pending receipt of background and/or additional information. It was recommended the following applicants be deferred to the December 15th meeting.

3. Robinson III, Franklin W.
4. Aronson, Albert L.
5. Smith, Patrick
6. Freeman, Jesse
7. Freeman, Kari

Motion: Moved to accept the recommendation and defer the above applications to the December 15th Board meeting.

Motion Proposals: First: Cecile Woodward
Second: Ron DeLong

Motion Results: Pass

Individuals Addressing the Board: Kimberly Siddall

Discussion: The following applications were received and processed for Board review:

8. Gonzalez, David V. - Applicant disclosed on or about January 1973 he received a class 3 misdemeanor for possession of an illegal substance (marijuana). He was convicted and received 3 years probation. Gonzalez completed the sentence successfully. It was recommended the Board grant defensive driving instructor certification to Gonzalez.

Motion: Moved to accept the recommendation and grant defensive driving instructor certification to David Gonzalez.

Motion Proposals: First: Leonard Montanaro
Second: Virginia Davis

Motion Results: Pass

Individuals Addressing the Board: Kimberly Siddall

Discussion: 9. Dominy, Robert A. - On March 8, 2010, Dominy submitted an application for certification. On April 20, 2010, June 2, 2010, June 3, 2010, July 7, 2010, and September 29, 2010, Division staff contacted Dominy informing him of the requirement to take the defensive driving examination. Dominy stated he was studying to take the examination and was going to complete it on or about August 7, 2010. To date, Dominy has not taken the examination. It was recommended the Board deny certification to Dominy pursuant to ACJA §7-201(E)(2)(c)(1), the applicant does not meet the qualifications or eligibility requirements at the time of the application.

Motion: Moved to accept the recommendation to deny certification to Dominy pursuant to ACJA § 7-201(E)(2)(c)(1), the applicant does not meet the qualifications or eligibility requirements at the time of the application.

Motion Proposals: First: Leonard Montanaro
Second: Robert Hall

Motion Results: Pass

4-B: *Review, discussion and possible action regarding initial certification of the following defensive driving school:*

TakeHome Defensive Driving

Individuals Addressing the Board: Chris DeWitt

Discussion: TakeHome Defensive Driving, a take home DVD format defensive driving school, applied for certification on July 18, 2008. The school's office is location in Houston, Texas. Division staff has performed a review of the new school's application and curriculum. It was recommended this be deferred to the December meeting.

Motion: Moved to accept the recommendation and defer to the December Board meeting.

Motion Proposals: First: Leonard Montanaro
Second: Judge Gary LaFleur

Motion Results: Pass

5) CERTIFICATION AND ELIGIBILITY

5-A: *Review, discussion and possible action regarding approval of a third party contract between Gila County Traffic Survival School and ArizonaDrive.com.*

Individuals Addressing the Board: Chris DeWitt

Discussion: A third party contract between Gila County Traffic Survival School and ArizonaDrive.com was submitted to and reviewed by program staff. The contract will provide ADM school services to customers of Gila County Traffic Survival School by ArizonaDrive.com. Gila County Traffic Survival School and ArizonaDriver.com are both certified defensive driving schools in good standing.

Motion: Moved to accept the recommendation and grant approval for third party contracts pursuant to ADJA7-205(f)(22)(c)(13).

Motion Proposals: First: Ron DeLong
Second: Virginia Davis

Motion Results: Pass

Review of 4A: *Amendment to #5 Patrick Smith and #6 Jesse Freeman*

Individuals Addressing the Board: Alex Navarro

Discussion: Investigator Alex Navarro brought it to the attention of the Board that Patrick Smith has submitted a complete application demonstrating he meets the minimum eligibility requirements and it was recommended the Board grant certification as defensive driving instructor.

Motion: Moved to revise the deferred application and grant certification to applicant Patrick Smith.

Motion Proposals: First: Judge Gary LeFleur
Second: Virginia Davis
Motion Results: Pass

Individuals Addressing the Board: Alex Navarro

Discussion: Investigator Alex Navarro brought it to the attention of the Board that Jesse Freeman submitted a complete application demonstrating he meets the minimum eligibility requirements and was recommended the Board grant certification as defensive driving instructor.

Motion: Moved to revise the deferred application and grant certification to applicant Jesse Freeman.

Motion Proposals: First: Ron DeLong
Second: Judge Gary LeFleur
Motion Results: Pass

CALL TO THE PUBLIC

Anthonett Hurley (ABC Defensive Driving) was referred to meet in Room 104 to discuss her questions.

ADJOURN

Motion: Moved to adjourn the meeting.

Motion Proposals: First: Judge Gary LeFleur
Second: Robert Hall
Motion Results: Pass

Time: 10:35 a.m.