



Defensive Driving Board

Arizona State Courts Building
1501 West Washington Street, Phoenix, Arizona 85007
Hearing Room 119A&B

Monday, February 10, 2020
1:00 p.m.

Approved Meeting Minutes

MEMBER ATTENDANCE:

Present:

Thomas L. Davis
Margaret Stephens-Reed
William Riedel

Telephonically Present:

Hon. Maria Brewer
Kevin Frei
Victoria Reuss

Absent:

Hon. Mayra Galindo
Johnny Tse
Walter (Jack) Weberg

OTHER ATTENDEES:

AOC Staff:

Mark Wilson
Michelle Martinez
Jennifer Ashley
Ashleigh Hansen
Brianna Farmer
Wil Castro
Hal White
Bill McIntyre
Chris DeWitt
Afton Foutz-Imtiaz

Guests:

Alex Smith

CALL TO ORDER

Called to Order By: Hon. Maria Brewer

Time: 1:02 p.m.

1) REVIEW AND APPROVAL OF MINUTES:

1-A: *Review, discussion and possible action regarding the regular session minutes for the meeting of December 12, 2019.*

Individual Addressing the Board: Hon. Maria Brewer

Discussion: None

Motion: Consideration of and motion to accept the regular session minutes of the December 12, 2019 meeting.

Motion Proposals: First William Reidel
Second Margaret Stephens-Reed

Motion Results: Pass

2) PENDING COMPLAINTS:

2-A: *Review, discussion and possible action regarding complaint number 18-D014 concerning certificate holder Arizona Defensive Driving School (#058).*

Matter deferred.

2-E: *Review, discussion and possible action regarding complaint number 18-D031 concerning certificate holder Defensive Driving School of Arizona (#089).*

Matter taken out of order and deferred.

2-F: *Review, discussion and possible action regarding complaint number 18-D032 concerning certificate holder National Traffic Safety Institute (#011).*

Matter taken out of order and deferred.

2-B: Review, discussion and possible action regarding complaint numbers 19-D003 and 19-D004 concerning certificate holder Arizona Traffic Safety Institute (#402).

Individual Addressing the Board: William McIntyre

Discussion: It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding AZ Traffic Safety Institute has committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint numbers 19-D003 & D004.

It is further recommended the Board enter a finding grounds for informal disciplinary action exists pursuant to Arizona Code of Judicial Administration (“ACJA”) § 7-201(H)(6) for act(s) of misconduct involving ACJA § 7-205(J)(1)(e)(4) for providing advertising materials to two limited jurisdiction courts.

It is further recommended that the Board issue a Letter of Concern.

Motion: Consideration of and motion to accept staff’s recommendation.

Motion Proposals: First Thomas L. Davis
Second William Riedel

Motion Results: Pass

Note: Items 2C, 2D and 2G through 2J taken together.

2-C: Review, discussion and possible action regarding complaint number 18-D022 concerning certificate holder C H E A P----L O W C O S T----F A S T----ARIZONA (#540).

2-D: Review, discussion and possible action regarding complaint numbers 18-D028 and 18-D029 concerning certificate holders C H E A P E R--F A S T E R--E A S I E R--ARIZONA (#082) and C H E A P E R-----E Z----F U N-----A R I Z O N A (#532).

2-G: Review, discussion and possible action regarding complaint numbers 18-D038, 18-D039, 18-D040, 18-D041, 18-D042, 18-D043, and 18-D044 concerning certificate holders EZ AZ #1 Traffic School (#478), EZ AZ Certified Traffic School (#417), EZ AZ Driving School (#503), EZ AZ Simple Traffic School (#471), EZ AZ Ticket Dismissal (#091), EZ AZ Traffic School (#048) and EZ AZ Traffic Schools (#429).

2-H: Review, discussion and possible action regarding complaint number 18-D045 concerning certificate holder FUNNY DEFENSIVE DRIVING...COMEDY...LOW COST...QUICK (#479).

2-I: *Review, discussion and possible action regarding complaint number 18-D046 concerning certificate holder Defensive Action: Rules for the Road, formerly Happy Trails Traffic School (#443).*

2-J: *Review, discussion and possible action regarding complaint number 18-D048 concerning certificate holder Learn and Go Traffic School (#070).*

Individual Addressing the Board: Brianna Farmer

Discussion: As to complaint numbers 18-D022, D029, D038, D040 and D046, it is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding the respective schools have committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Reports.

It is further recommended the Board issue a Letters of Concern to each school.

As to complaint numbers 18-D028, D039 through D045 and D048, it is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding the respective schools have not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Reports.

It is further recommended the Board dismiss the aforementioned complaints without prejudice.

Motion: Consideration of and motion to accept staff's recommendations.

Motion Proposals: First Tom Davis
Second Hon. Maria Brewer

Motion Results: Pass

2-K: *Review, discussion and possible action regarding complaint number 19-D002 concerning certificate holder All Access Defensive Driving School and complaint numbers 18-D053 and 18-D054 concerning certificate holder Statewide Traffic Schools.*

Individual Addressing the Board: Michelle Martinez

Discussion: It is recommended the Board find Statewide Traffic Schools in default and enter a Final Order issuing a censure.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Thomas L. Davis
Second Victoria Reuss
Motion Results: Pass

2-L: *Update regarding the status of pending complaints.*

Individual Addressing the Board: Michelle Martinez

Discussion: As of February 10, 2020, there are currently 53 open complaints, 18 of which have been presented on this agenda with dispositive recommendations under agenda items 2A through 2J.

Motion: Informational item only. No vote required.

3) INITIAL CERTIFICATION AND ELIGIBILITY:

3-A: *Review, discussion and possible action regarding pending application for initial defensive driving instructor certification for the following applicants:*

- 1. James Hand, Jr.*
- 2. Charlotte Torrez*

Individual Addressing the Board: Wil Castro

Discussion: The Division recommends approval of initial defensive driving instructor certification for **James Hand, Jr.**

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First William Riedel
Second Margaret Stephens-Reed

Motion Results: Pass

Discussion: The Division recommends approval of initial defensive driving instructor certification for **Charlotte Torrez.**

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First William Riedel
Second Margaret Stephens-Reed

Motion Results: Pass

3-B: *Review, discussion and possible action regarding pending applications for initial defensive driving school certification for Highway Traffic School #452.*

Individual Addressing the Board: Christopher DeWitt

Discussion: It is recommended the change in curricula be granted to Highway Traffic School.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Thomas L. Davis
Second Hon. Maria Brewer

Motion Results: Pass

4) RENEWAL CERTIFICATION APPLICATIONS:

4-A: *Review, discussion and possible action regarding the following pending applications for renewal:*

- | | |
|------------------------|----------------------------|
| 1. Ah Sing, Claude | 22. Mohamed, Karol |
| 2. Biasiucci, Mario | 23. Mohamed, Osman |
| 3. Bitner, Jeffrey | 24. Mordukhayev, Stanislav |
| 4. Brown, Sandra | 25. Patel, Chirag |
| 5. Cada, Kenneth | 26. Porter, Paul |
| 6. Carter, Tim | 27. Qerbash, Saed |
| 7. Eder, Fredrick | 28. Robben, Athene' |
| 8. Farah, Abdulwahab | 29. Robison, Robert |
| 9. Fox, Gordon | 30. Romero, Hector |
| 10. Gandara, Juan | 31. Samaan, John |
| 11. Garza, Jorge | 32. Schmit, Timothy |
| 12. Gates, Richard | 33. Schmit, Carmen |
| 13. Gonzalez, David | 34. Slay, Richard |
| 14. Grossman, Robert | 35. Tun, Austin |
| 15. Grossman, Debra | 36. Valdez, Juan |
| 16. Hallums, Jeffry | 37. Williams, Christina |
| 17. Hernandez, Arnaldo | 38. Zamudio, Crispin |
| 18. Heustess, Crystal | 39. Stock, Michelle |
| 19. Hulverson, Linda | 40. Taube, Edwin |
| 20. Keller, Marla | |
| 21. Kelley, Robert | |

Individual Addressing the Board: Brianna Farmer

Discussion: It is recommended renewal of standard certification be granted to applicant numbers **1 – 38**.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First Margaret Stephens-Reed
Second Thomas L. Davis

Motion Results: Pass

Individual Addressing the Board: Hal White

Discussion: It is recommended renewal of certification be granted for **Michelle Stock** with CE remedial actions.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First William Riedel
Second Thomas L. Davis

Motion Results: Pass

Individual Addressing the Board: Hal White

Discussion: It is recommended renewal of certification be granted for **Edwin Taube** with CE remedial actions.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First William Riedel
Second Victoria Reuss

Motion Results: Pass

5) CERTIFICATION AND ELIGIBILITY:

5-A: Review, discussion and possible action regarding request for voluntary surrender by certificate holder Larry Lawrence.

Individual Addressing the Board: Hal White

Discussion: It is recommended the Board accept the request of Larry Lawrence to voluntarily surrender his defensive driving instructor certification.

Motion: Consideration of and motion to accept staff's recommendation.

Motion Proposals: First William Riedel
Second Hon. Maria Brewer
Motion Results: Pass

6) ADMINISTRATIVE ISSUES:

6-A: Review, discussion and possible action regarding classes missing from Court website.

Individual Addressing the Board: Mark Wilson

Discussion: Information was presented concerning technical difficulties with the Court website listing available defensive driving schools and the steps taken thus far to resolve.

Motion: No vote required.

CALL TO THE PUBLIC

Individuals Addressing the Board: Alex Smith

ADJOURNMENT

Motion: Move to adjourn.

Motion Proposals: First William Riedel
Second Victoria Reuss

Motion Results: Pass

Time: 1:42 p.m.

Initials: JA