

DEFENSIVE DRIVING BOARD

Meeting Agenda - Thursday, April 19, 2018

Arizona Supreme Court -1501 West Washington Street

Phoenix, Arizona 85007 – 10:00 A.M. – Conference Room 109

General Inquiries Call: (602) 452-3378 (Certification and Licensing Division Line)

Members of the Public May Attend Meeting in Person

For any item listed on the agenda, the Board may vote to go into Executive Session for advice of counsel and/or to discuss records and information exempt by law or rule from public inspection, pursuant to the Arizona Code of Judicial Administration, Code Section 1-202(C).

CALL TO ORDER *Daniel Edwards, Chair*

1) REVIEW AND APPROVAL OF MINUTES *Daniel Edwards, Chair*

1-A: *Review, discussion and possible action regarding the regular session minutes for the meeting of February 15, 2018.*

2) PENDING COMPLAINTS.....*Division Staff*

2-A: *Review, discussion and possible action regarding complaint number 17-D001, involving certificate holder Easy Fast Cheap Arizona Defensive Driving.*

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

3) INITIAL CERTIFICATION AND ELIGIBILITY.....*Division Staff*

3-A: *Review, discussion and possible action regarding pending application for initial certification for AZ Fast 4 Hour Defensive Driving Services.*

3-B: *Review, discussion and possible action regarding pending application for initial defensive driving instructor certification for Patrick Buvala.*

4) RENEWAL CERTIFICATION APPLICATIONS.....Division Staff

4-A: Review, discussion and possible action regarding the following pending applications for renewal of defensive driving instructor certification:

- | | |
|------------------------|----------------------------|
| 1. Jennifer Adkinson | 42. Robert Horgash |
| 2. Lloyd Anderson | 43. Linda Hulverson |
| 3. Albert Aronson | 44. Marla Keller |
| 4. Dennis Arseneau | 45. Robert Kelley |
| 5. Helen Baez | 46. Joseph Kerby |
| 6. Richard Becker | 47. Marvin Kerby |
| 7. Sandra Brown | 48. Elizabeth Klehfoth |
| 8. Evelyn Buell | 49. Sandy Knottenbelt |
| 9. Kenneth Cada | 50. Thomas Lauerman |
| 10. Tim Carter | 51. Maureen Legeune |
| 11. Allen Chaffey | 52. Judith Lowry |
| 12. Stacy Clark | 53. Richard Maerk |
| 13. Albert Clawson | 54. Guadalupe Martinez |
| 14. Paul Colosi | 55. Kathrine Middleton |
| 15. Mari Crus Acosta | 56. Karol Mohamed |
| 16. Virginia Davis | 57. Lucila Molinar |
| 17. David Downing | 58. Joe Montoya |
| 18. John Drisler | 59. Dennis Morrow |
| 19. Arthur Eckstat | 60. Griselda Moya-Flores |
| 20. Donald Eddy | 61. Marilyn Nielsen |
| 21. Esperanza Eves | 62. Claudia Olson |
| 22. Edwin Ferris, III | 63. William Pachnowski |
| 23. Jesse Freeman, III | 64. Shana Pearce |
| 24. Janet Gallup | 65. Debra Perkins |
| 25. Thomas Gammill | 66. Hannah Pinner |
| 26. Juan Gandara | 67. Saed Qerbash |
| 27. Richard Gates | 68. Edward Raymond |
| 28. David Gonzalez | 69. Lois Raymond |
| 29. Mark Gotsch | 70. Lynda Remhof |
| 30. Debra Grossman | 71. William Riedel |
| 31. Robert Grossman | 72. Franklin Robinson, III |
| 32. Christopher Hales | 73. Hector Romero |
| 33. Paul Hallums | 74. Karen Rushing |
| 34. Alfred Hamilton | 75. Scott Salthun |
| 35. Dennis Harder | 76. Carmen Schmit |
| 36. Petra Haugen | 77. Timothy Schmit |
| 37. Dennis Hayes | 78. Susan Schwarz |
| 38. Douglas Henderson | 79. Annette Shestko |
| 39. Ferdinand Henss | 80. Robert Simmons |
| 40. Nikolai Henss | 81. Richard Slay |
| 41. Crystal Heustess | 82. Patrick Smith |

- 83. Robert Smith
- 84. Dennis Snook
- 85. Joseph Stearman
- 86. Michelle Stock
- 87. Barry Thiem
- 88. John Tobin
- 89. Austin Tun
- 90. Michael Urueta
- 91. Juan Valdez
- 92. Felix Villanueva

- 93. Walter Weberg
- 94. Judith White
- 95. Michael White
- 96. Carl Williams
- 97. Dave Worley
- 98. April Wright
- 99. Paul Zach
- 100. Crispin Zamudio
- 101. Zhivko Zhelyazkov
- 102. Raymond Abate

6) ADMINISTRATIVE ISSUES*Division Staff*

CALL TO THE PUBLIC*Daniel Edwards, Chair*

ADJOURN*Daniel Edwards, Chair*

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1) REVIEW AND APPROVAL OF MINUTES

1-A: Review, discussion and possible action regarding the regular session minutes for the meeting of February 15, 2018.

Attached for the Board's review and approval are the regular session minutes of the February 15, 2018 meeting.

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2) PENDING COMPLAINTS

2-A: Review, discussion and possible action regarding complaint number 17-D001, involving certificate holder Easy Fast Cheap Arizona Defensive Driving.

Complainant sought out “Easy, Fast Cheap Arizona Defensive Driving School” (EFCDD) on-line and began the registration process on November 29, 2017. After partially completing the registration, including the portion where she had to make a credit card payment, Complainant changed her mind and decided to cancel. Complainant called the school and when she explained the circumstances EFCDD agreed to a refund and explained there would be a \$15 “cancellation” fee. Complainant did not receive the refund until December 4, 2017. Complainant complained that “Easy, Fast and Cheap is not,” implying they took too long to issue the refund.

In their written response, EFCDD points out Complainant agreed to their terms and conditions when she applied including their “refund policy.” EFCDD adds that normally refunds are processed within 30 days, however, in Complainant’s case since she cancelled before beginning of class, the processing time is 3-5 business days. EFCDD confirmed the refund was processed by December 4, 2017.

This matter was submitted to the Probable Cause Evaluator and on February 15, 2018, the Probable Cause Evaluator determined probable cause does not exist. Staff recommends that complaint number 18-D001 be dismissed.

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2) PENDING COMPLAINTS

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

As of April 19, 2018, there are currently 10 open complaints, 1 of which has been presented on this agenda with a dispositive recommendation under agenda items 2-A.

**DEFENSIVE DRIVING COMPLAINTS
COURTOOLS MEASURE 4
AGE OF PENDING CASELOAD
Shaded Areas Indicate Cases within Time Standard of 22 Months**

Age (Months)	Number Cases	Percent	Cumulative Percent
0-4	5	50%	50%
5-9	3	30%	80%
10-14	2	20%	100%
15-19			
20-22			
23-35			
36-50			
Over 50			
Total	10	100%	100%

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3) INITIAL CERTIFICATION AND ELIGIBILITY

3-A: Review, discussion and possible action regarding pending application for initial certification for AZ Fast 4 Hour Defensive Driving Services.

The above-named school is currently a classroom format defensive driving school. They applied for online delivery method school certification on December 14, 2017. The school's office is located in Phoenix, Arizona. The school's owner and principal is Karol Mohamed.

Division staff has performed a review of the new school's application and curriculum.

It is recommended online delivery certification be granted to AZ Fast 4 Hour Defensive Driving Services.

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3) INITIAL CERTIFICATION AND ELIGIBILITY

3-B: Review, discussion and possible action regarding pending application for initial defensive driving instructor certification for Patrick Buvala.

Patrick Buvala has applied for initial individual defensive driving instructor certification. Mr. Buvala has successfully passed the program examination and has submitted a complete application demonstrating that he meets the minimum education and experience requirements.

The Division recommends approval of initial defensive driving instructor certification for Patrick Buvala.

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4) RENEWAL CERTIFICATION APPLICATIONS

4-A: Review, discussion and possible action regarding pending applications for renewal of certification:

The following individual certificate holders have submitted applications for renewal of standard certification. The applications are complete, no information has been presented during a background review which is contrary to standard certification being granted and the certificate holders have demonstrated they meet the minimum eligibility requirements for standard certification. It is recommended renewal of standard certification be granted to the following individuals:

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|------------------------|------------------------|
| 1. Jennifer Adkinson | 30. Debra Grossman |
| 2. Lloyd Anderson | 31. Robert Grossman |
| 3. Albert Aronson | 32. Christopher Hales |
| 4. Dennis Arseneau | 33. Paul Hallums |
| 5. Helen Baez | 34. Alfred Hamilton |
| 6. Richard Becker | 35. Dennis Harder |
| 7. Sandra Brown | 36. Petra Haugen |
| 8. Evelyn Buell | 37. Dennis Hayes |
| 9. Kenneth Cada | 38. Douglas Henderson |
| 10. Tim Carter | 39. Ferdinand Henss |
| 11. Allen Chaffey | 40. Nikolai Henss |
| 12. Stacy Clark | 41. Crystal Heustess |
| 13. Albert Clawson | 42. Robert Horgash |
| 14. Paul Colosi | 43. Linda Hulverson |
| 15. Mari Crus Acosta | 44. Marla Keller |
| 16. Virginia Davis | 45. Robert Kelley |
| 17. David Downing | 46. Joseph Kerby |
| 18. John Drisler | 47. Marvin Kerby |
| 19. Arthur Eckstat | 48. Elizabeth Klehfoth |
| 20. Donald Eddy | 49. Sandy Knottenbelt |
| 21. Esperanza Eves | 50. Thomas Lauerma |
| 22. Edwin Ferris, III | 51. Maureen Legeune |
| 23. Jesse Freeman, III | 52. Judith Lowry |
| 24. Janet Gallup | 53. Richard Maerk |
| 25. Thomas Gammill | 54. Guadalupe Martinez |
| 26. Juan Gandara | 55. Kathrine Middleton |
| 27. Richard Gates | 56. Karol Mohamed |
| 28. David Gonzalez | 57. Lucila Molinar |
| 29. Mark Gotsch | 58. Joe Montoya |

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| 59. | Dennis Morrow | 81. | Richard Slay |
| 60. | Griselda Moya-Flores | 82. | Patrick Smith |
| 61. | Marilyn Nielsen | 83. | Robert Smith |
| 62. | Claudia Olson | 84. | Dennis Snook |
| 63. | William Pachnowski | 85. | Joseph Stearman |
| 64. | Shana Pearce | 86. | Michelle Stock |
| 65. | Debra Perkins | 87. | Barry Thiem |
| 66. | Hannah Pinner | 88. | John Tobin |
| 67. | Saed Qerbash | 89. | Austin Tun |
| 68. | Edward Raymond | 90. | Michael Urueta |
| 69. | Lois Raymond | 91. | Juan Valdez |
| 70. | Lynda Remhof | 92. | Felix Villanueva |
| 71. | William Riedel | 93. | Walter Weberg |
| 72. | Franklin Robinson, III | 94. | Judith White |
| 73. | Hector Romero | 95. | Michael White |
| 74. | Karen Rushing | 96. | Carl Williams |
| 75. | Scott Salthun | 97. | Dave Worley |
| 76. | Carmen Schmit | 98. | April Wright |
| 77. | Timothy Schmit | 99. | Paul Zach |
| 78. | Susan Schwarz | 100. | Crispin Zamudio |
| 79. | Annette Shestko | 101. | Zhivko Zhelyazkov |
| 80. | Robert Simmons | | |

102. Raymond Abate applied to renew his defensive driving instructor certification. Mr. Abate has submitted a complete renewal application and certified driving record.

Mr. Abate disclosed via affidavit that he had two civil suits, both in 2017. The descriptions are contained in the Board materials.

It is recommended renewal of standard certification be granted to Raymond Abate.