

DEFENSIVE DRIVING BOARD

Meeting Agenda - Thursday, April 16, 2020

Arizona Supreme Court -1501 West Washington Street

Phoenix, Arizona 85007 –10:00 AM– 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.....*Honorable Maria Brewer, Chair*

1) REVIEW AND APPROVAL OF MINUTES*Honorable Maria Brewer, Chair*

1-A: Review, discussion and possible action regarding the regular session minutes for the meeting of February 10, 2020.

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

2-A: 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 defensive driving instructor certification for Pedro Eribes, Jr.

3-B: Review, discussion and possible action regarding pending applications for additional modality certification for Jacob's Driving School LLC.

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

4-A: Review, discussion and possible action regarding pending renewal application for Jennifer Adkinson.

5) CERTIFICATION AND ELIGIBILITYDivision Staff

5-A: Review, discussion and possible action regarding request for school name changes for the following defensive driving schools:

1. Ticket Dismissal of Arizona/#095
2. Discount Defensive Driving School Online/#421

6) ADMINISTRATIVE ISSUESDivision Staff

6-A: Discussion regarding pandemic impact to defensive driving schools.

CALL TO THE PUBLICHonorable Maria Brewer, Chair

ADJOURNHonorable Maria Brewer, Chair

DEFENSIVE DRIVING BOARD
Agenda Summary – Thursday, April 16, 2020

1) REVIEW AND APPROVAL OF MINUTES

1-A: Review, discussion and possible action regarding the regular session minutes for the meeting of February 10, 2020.

Regular session minutes of the February 10, 2020 meeting are presented for the Board's review and approval.

DEFENSIVE DRIVING BOARD
Agenda Summary – Monday, April 16, 2020

2) PENDING COMPLAINTS

2-A: Update regarding the status of pending complaints.

As of April 9, 2020, there are currently 34 open complaints.

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	0	0%	0%
5-9	33	99%	99%
10-14	0	0%	99%
15-19	1	1%	100%
20-22	0	0%	100%
23-35	0	0%	100%
36-50			
Over 50			
Total	34	100%	100%

DEFENSIVE DRIVING BOARD

Agenda Summary – Monday, April 16, 2020

3) INITIAL CERTIFICATION AND ELIGIBILITY

3-A: Review, discussion and possible action regarding pending application for initial defensive driving instructor certification for Pedro Eribes, Jr.

Pedro Eribes Jr. applied for initial defensive driving instructor certification, has successfully passed the program examination and has submitted a complete application demonstrating that he meets the minimum education and experience requirements. Mr. Eribes Jr. disclosed two disciplinary matters that were imposed on his Arizona Traffic Survival School license that resulted in a 2018 letter of concern as well as a 2019 revocation of his license.

The 2018 Letter of Concern was issued to Mr. Eribes Jr. for the following reasons:

- Failure to properly cancel a class.
- Allowing a student to attend another class late and receive a Certification of Completion from Mr. Eribes Jr. even though he was not the instructor.
- Mr. Eribes Jr.'s school did not have a contract for the scheduled school date with the hotel.

Mr. Eribes Jr. had his TSS license revoked in April 2019 due to the following Findings of Fact:

- Issuing a Certificate Completion to a student who has not fully completed the required curriculum.
- Signing a Certificate of Completion for a student not assigned to his school.
- Providing a Certificate of Completion to a student not assigned to his school.
- Providing a Certificate of Completion to a student at the conclusion of the course that was not registered with his school.
- Advertising a false or deceptive or misleading information for advertising a traffic survival school class in a hotel when there was no contract for that location and date.
- Not properly cancelling a course pursuant to specific rules and procedures as outlined.

There were also two additional inquiries from TSS that were filed in September 2018 and March 2019 regarding classes that were not properly cancelled by Mr. Eribes Jr., but these did not result in any discipline. Since the revocation of his license, Mr. Eribes Jr. stated that he has attended college and gained employment in a career as a counselor that has helped him learn to properly follow rules and procedures.

Due to the recent nature of his revocation (less than a year from his application date), relevance to the profession and repeated violations, Division staff recommends Pedro Eribes Jr. be denied initial defensive driving instructor certification pursuant to ACJA § 7-201(E)(2)(c)(2)(b)(ii) for committing dishonesty in business matters pertaining to the advertisement of courses when proper contracts were not in place and inappropriately issuing, signing and providing traffic survival

course completions to individuals; ACJA § 7-201(E)(2)(c)(2)(b)(iii) for conduct showing the applicant is incompetent or a source of injury and loss to the public due to his history of repeated offenses; and ACJA § 7-201(E)(2)(c)(2)(b)(vi) and (vii) for disciplinary action taken against his TSS license and the underlying conduct which is relevant to the certification sought.

DEFENSIVE DRIVING BOARD
Agenda Summary – Thursday, April 16, 2020

3) INITIAL CERTIFICATION AND ELIGIBILITY

3-B: Review, discussion and possible action regarding pending applications for additional modality certification for Jacob's Driving School LLC.

The above-named school is currently certified as a classroom-based defensive driving school. The school applied for alternative delivery method (ADM) format for its currently certified business entity. The school is owned by Stan Mordukhayev.

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

It is recommended that the current certification for Jacob's Driving School be amended to include the additional ADM modality.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday April 16, 2020

4) RENEWAL CERTIFICATION APPLICATIONS

4-A: Review, discussion and possible action regarding pending renewal application for Jennifer Adkinson.

Jennifer Adkinson has submitted a renewal application for defensive driving instructor certification. Ms. Adkinson disclosed a 2018 dissolution of marriage as well as a 2019 civil superior court case in which she was listed as a defendant with several allegations relating to extortion and defamation.

Ms. Adkinson stated that she had hired an attorney to help her through a 2018 dissolution of marriage. Ms. Adkinson stated that she had to fire the attorney because he had missed court dates, appointments and did not finalize her divorce. The plaintiff (attorney) alleged that Ms. Adkinson demanded a refund and if it was not fulfilled, she was going to post negative reviews online related to his services. The plaintiff alleged that when her refund was not issued Ms. Adkinson and a friend/acquittance proceeded to post negative reviews online on multiple forums. A default judgement was ruled in favor of the plaintiff, but later vacated due to Ms. Adkinson and the plaintiff reaching a settlement agreement.

It is recommended renewal of standard defensive driving instructor certification be granted to Jennifer Adkinson.

DEFENSIVE DRIVING BOARD
Agenda Summary – Thursday, April 16, 2020

5) CERTIFICATION AND ELIGIBILITY

5-A: Review, discussion and possible action regarding request for school name changes for the following defensive driving schools:

1. Ticket Dismissal of Arizona, School #095, submitted a request to change the school's name on February 26, 2020.

The proposed name for the school is Express Arizona Defensive Driving School.

The Division has received the necessary documentation and recommends the Board approve the requested name change from Ticket Dismissal of Arizona to Express Arizona Defensive Driving School.

2. Discount Defensive Driving School Online, School #421, submitted a request to change the school's name on February 26, 2020.

The proposed name for the school is Highway Defensive Driving.

The Division has received the necessary documentation and recommends the Board approve the requested name change from Discount Defensive Driving School Online to Highway Defensive Driving.

DEFENSIVE DRIVING BOARD
Agenda Summary – Thursday, April 16, 2020

6) ADMINISTRATIVE ISSUES

6-A: Discussion regarding pandemic impact to defensive driving schools.

Staff will present information at the meeting.