

# DEFENSIVE DRIVING BOARD

## Amended Meeting Agenda - Monday, February 10, 2020

Arizona Supreme Court -1501 West Washington Street  
Phoenix, Arizona 85007 –1:00 PM– Conference Room 119A & B  
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 December 12, 2019.*

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

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

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

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

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

- 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).*
- 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.*
- 2-L: *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 the following applicants:*
  - 1. James Hand, Jr.
  - 2. Charlotte Torrez
- 3-B: *Review, discussion and possible action regarding pending applications for initial defensive driving school certification for Highway Traffic School #452.*

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

- 4-A: *Review, discussion and possible action regarding the following pending applications for renewal:*
  - 1. Ah Sing, Claude
  - 2. Biasiucci, Mario
  - 3. Bitner, Jeffrey
  - 4. Brown, Sandra
  - 5. Cada, Kenneth
  - 6. Carter, Tim

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

**5) CERTIFICATION AND ELIGIBILITY .....Division Staff**

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

**6) ADMINISTRATIVE ISSUES .....Division Staff**

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

**CALL TO THE PUBLIC .....Honorable Maria Brewer, Chair**

**ADJOURN .....Honorable Maria Brewer, Chair**

**DEFENSIVE DRIVING BOARD**  
**Agenda Summary – Monday, February 10, 2020**

**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.*

Regular session minutes of the December 12, 2019 meeting are presented for the Board's review and approval.

# **DEFENSIVE DRIVING BOARD**

## **Agenda Summary – Monday, February 10, 2020**

### **2) PENDING COMPLAINTS**

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

Please reference the Investigation Summary and Probable Cause Analysis and Determination Report involving Complaint No. 18-D014 for full details of the investigation.

National Traffic Safety Institute acquired School No. 058 on or about December 14, 2017.

In summary, on August 15, 2018, the Certification and Licensing Division (“Division”) received a written complaint against Arizona Defensive Driving School No. 058.

The Surprise City Court alleged that School No. 058 failed to timely pay the diversion fee, as required by the ACJA. The subject student successfully completed the defensive driving class on November 21, 2017, but the diversion fee was not timely paid.

Over the span of several months, Surprise City Court staff reached out to School No. 058’s local staff to secure the diversion fee and resolve the matter, but the Surprise City Court’s efforts proved unsuccessful, and a complaint was filed with the Division.

One or about August 22, 2018, approximately one (1) week after the complaint was filed, School No. 058 paid the long outstanding diversion fee to Surprise City Court.

Brian Horsley, principal of School No.058, does not dispute that School No. 058 was required to timely pay the court diversion fee after the student’s completion of the defensive driving class. Mr. Horsley has stated that School No. 058 accepts responsibility for not timely paying the diversion fee.

However, notwithstanding Mr. Horsley’s statements that School No. 058 accepts responsibility for its failure to timely pay the diversion fee, as required by Code, School No. 058 repeatedly assigned culpability in this instant matter to the Surprise City Court and, to some extent, the Division, for what Mr. Horsley determined was failure to follow normal procedures and adhere to universally accepted business administration practices of escalating a conflict, in this case the diversion fee payment issue, to School No. 058’s corporate office prior to the filing and issuance of the complaint against School No. 058.

### **Recommendation:**

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Arizona Defensive Driving School has committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D014.

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(F)(19) and 7-205(F)(26(f)(2) and A.R.S. § 28-3396 by failing to timely remit diversion fees to a limited jurisdiction court.

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

# **DEFENSIVE DRIVING BOARD**

## **Agenda Summary – Monday, February 10, 2020**

### **2) PENDING COMPLAINTS**

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

On August 7, 2019 Division received two complaints; one from the Tempe Municipal court and the other from the Camp Verde Municipal court, alleging AZ Traffic Safety Institute sent them emails advertising its school availability in their respective areas. Although school owner/principal Alex Smith claimed he was only “educating” the courts that his school was “available,” he also included the direct links to his school registration and suggested “Defendants who would like to register for a class from School 402 can be directed to this registration link.” The case was investigated, and PC Evaluator Mike Baumstark determined that PC does exist for the violation.

#### **Recommendation:**

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.

# **DEFENSIVE DRIVING BOARD**

## **Agenda Summary – Monday, February 10, 2020**

### **2) PENDING COMPLAINTS**

*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)*

On October 8, 2018, Pima County Consolidated Court notified the Division C H E A P----L O W C O S T----F A S T----ARIZONA failed to submit payment to Pima County Consolidated Court for a student's completion in January 2018.

In response to the complaint, C H E A P----L O W C O S T----F A S T----ARIZONA stated when the student submitted their citation, the complaint number was slightly covered which caused them to enter the number wrong. As a result, the student's case went unpaid because it did not appear in the payment portal.

Evidence confirms C H E A P----L O W C O S T----F A S T----ARIZONA was late in submission of payment to Pima County Consolidated Court for a student's completion. Although the school was quick to submit payment once they became aware of the incident, several months had passed since the student's completion and they failed to reconcile and balance all collected fees daily. Allegation 1 is therefore substantiated.

#### **Recommendation:**

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding C H E A P----L O W C O S T----F A S T----ARIZONA has committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D022.

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

# **DEFENSIVE DRIVING BOARD**

## **Agenda Summary – Monday, February 10, 2020**

### **2) PENDING COMPLAINTS**

*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).*

On October 8, 2018 Pima County Consolidated Court notified the Division schools #082 and #532 failed to submit payment to Pima County Consolidated Court for multiple student's completions.

#### *Allegation 1:*

In response to allegation 1, school #082 demonstrated payment for the students were paid within the appropriate timeframe, however upon further review it was discovered the check never cleared through the bank.

While the evidence confirms school #082 made timely payment to Pima County Consolidated Court for two student completions, the school failed to ensure the funds were withdrawn from their bank account and failed to reconcile and balance collected fees, under these facts this does not appear to reach the level of a code violation. Allegation 1 is therefore unsubstantiated.

#### *Allegation 2:*

As for allegation 2, school #532 indicated the student's case did not appear in the portal until a much later date and due to the portal's default class range the case went unpaid.

Evidence confirms school #532 was late in their submission of fees for a student's completion. Although the school was quick to submit payment once they became aware of the incident, several months had passed since the student's completion and they failed to reconcile and balance all collected fees daily. Allegation 2 is therefore substantiated.

#### **Recommendation:**

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding *C H E A P E R--F A S T E R--E A S I E R—ARIZONA (#082)* has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D028.

It is recommended the Board dismiss complaint number 18-D028 without prejudice.

It is further recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding *C H E A P E R----E Z----F U N----A R I Z O N A (#532)* has committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D029.

It is recommended the Board issue a Letter of Concern.

# **DEFENSIVE DRIVING BOARD**

## **Agenda Summary – Monday, February 10, 2020**

### **2) PENDING COMPLAINTS**

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

On October 8, 2018 Pima County Consolidated Court notified the Division Defensive Driving School of Arizona failed to submit payment to Pima County Consolidated Court for a student who completed in July 2017.

In response to the complaint, Defensive Driving School of Arizona stated upon notification the school immediately tried to resolve the outstanding payments and due to technical problems with the portal they were not able to pay for all the students. Further, Defensive Driving School of Arizona indicated it took six calls and over a week to finally resolve the matter and pay the outstanding fees.

Notwithstanding Defensive Driving School of Arizona's complaint about Pima County Consolidated Court, the school's response failed to indicate why it failed to make payments for the students in a timely manner and failed to provide any evidence of attempts to make payments in a timely manner.

Evidence confirms Defensive Driving School of Arizona was late in their submission of fees for a student's completion. Although the school was quick to submit payment once they became aware of the incident, several months had passed since the completion. Allegation 1 is therefore substantiated.

#### **Recommendation:**

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Defensive Driving School of Arizona (#089) has committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D031.

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

# **DEFENSIVE DRIVING BOARD**

## **Agenda Summary – Monday, February 10, 2020**

### **2) PENDING COMPLAINTS**

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

On October 8, 2018 Pima County Consolidated Court notified the Division National Traffic Safety Institute (“NTSI”) failed to submit payment to Pima County Consolidated Court for multiple student completions.

In response to the complaint, NTSI stated upon notification the school immediately tried to resolve the outstanding payments and due to technical problems with the portal they were not able to pay for all the students. Further, NTSI indicated it took six calls and over a week to finally resolve the matter and pay the outstanding fees.

Notwithstanding NTSI’s complaint about Pima County Consolidated Court, the school’s response failed to indicate why it failed to make payments for the students in a timely manner and failed to provide any evidence of attempts to make payments in a timely manner.

Evidence confirms NTSI was late in their submission of fees for multiple students’ completions. Although the school was quick to submit payment once they became aware of the incident, several months had passed since the students’ completions. Allegation 1 is therefore substantiated.

#### **Recommendation:**

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding National Traffic Safety Institute (#011) has committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D032.

It is recommended the Board issue a Letter of Concern.

# **DEFENSIVE DRIVING BOARD**

## **Agenda Summary – Monday, February 10, 2020**

### **2) PENDING COMPLAINTS**

*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).*

On October 8, 2018 Pima County Consolidated Court notified the Division school number 478, 417, 503, 471, 091, 048, 429 failed to submit payment to Pima County Consolidated Court for multiple student completions.

#### 1. Allegation 1 and Allegation 3:

##### a. Allegation 1

According to Pima County Consolidated Court records, school #478 had outstanding fees for two students. School #478 provided a written response to the complaint, indicating the reports for the two students were stuck together which resulted in the fees to be left unpaid.

##### b. Allegation 3

According to Pima County Consolidated Court records, school #503 had outstanding fees for eight students. School #503 provided a written response to the complaint, demonstrating two of the students were paid through the Pima County payment portal within the appropriate timeframe. The other students in question were marked as paid and filed away, however their accountant clerk did not submit the fees to the court.

Evidence confirms schools #478 and #503 were late in their submission of payment for student completions. Although the schools were quick to submit payment once they became aware of the incident, several months had passed since the students' completions and they failed to reconcile and balance all collected fees daily. Allegation 1 and Allegation 3 are therefore substantiated.

#### 2. Allegation 2, Allegation 4, Allegation 5 and Allegation 6:

Upon further research, the Court found payment for the students who attended and successfully completed school numbers 417, 471, 091 and 048 were paid within the appropriate timeframe. However, payments were not processed due to the court's clerical error.

#### 3. Allegation 7:

According to Pima County Consolidated Court records, school #429 had an outstanding fee for a

student who completed in June 2017. School #429 provided a written response to the complaint indicating they initially sent the student's diversion fee to Tucson City Court, but the student changed their ticket to Pima County Consolidated after payment was made. The school then requested a refund and provided the student's diversion fee to Pima County Consolidated Court.

Evidence confirms Pima County Consolidated Court received payment from school numbers 417, 471, 091, 048 and 429 for multiple students within the appropriate time frame and along with the fact there is no other associated violations of the ACJA, Allegation 2, Allegation 4, Allegation 5, Allegation 6, and Allegation 7 are unsubstantiated.

**Recommendation:**

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding EZ AZ Certified Traffic School (#417), EZ AZ Simple Traffic School (#471), EZ AZ Ticket Dismissal (#091), EZ AZ Traffic School (#048) and EZ AZ Traffic Schools (#429) have not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint numbers 18-D039, 18-D041, 18-D042, 18-D043, and 18-D044.

It is recommended the Board dismiss complaint numbers 18-D039, 18-D041, 18-D042, 18-D043, and 18-D044 without prejudice.

It is further the Board accept the finding of the Probable Cause Evaluator and enter a finding has EZ AZ #1 Traffic School (#478) and EZ AZ Driving School (#503) have committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint numbers 18-D038 and 18-D040.

It is recommended the Board issue a Letter of Concern to EZ AZ #1 Traffic School (#478) and EZ AZ Driving School (#503).

# **DEFENSIVE DRIVING BOARD**

## **Agenda Summary – Monday February 10, 2020**

### **2) PENDING COMPLAINTS**

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

On October 8, 2018 Pima County Consolidated Court notified the Division FUNNY DEFENSIVE DRIVING...COMEDY...LOW COST...QUICK failed to submit payment to Pima County Consolidated Court for a student's completion in September 2018.

In response to the complaint, FUNNY DEFENSIVE DRIVING...COMEDY...LOW COST...QUICK demonstrated the fees for the student were paid on two different occasions, however each check was returned due to issues with other students. Pima County Consolidated Court records reflect payment for the student was received within an appropriate timeframe.

#### **Recommendation:**

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding FUNNY DEFENSIVE DRIVING...COMEDY...LOW COST...QUICK has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D045

It is further recommended the Board dismiss complaint 18-D045 without prejudice.

# **DEFENSIVE DRIVING BOARD**

## **Agenda Summary – Monday February 10, 2020**

### **2) PENDING COMPLAINTS**

*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).*

On October 8, 2018 Pima County Consolidated Court notified the Division Defensive Action: Rules for the Road, formerly Happy Trails Traffic School failed to submit payment to Pima County Consolidated Court for a student who completed in May 2018.

Upon receiving the complaint, School #443 sent the inquiry to the previous school owner as they had control over the court payments during that time. Upon further research, the school discovered the student's citation number was a digit off which caused an error on the Court's payment portal. Since the student did not appear on the report, the payment was not made. The previous school owner and the Court were able to resolve the issue and the outstanding payments were paid via check.

Evidence confirms School #443 was late in submission of payment to Pima County Consolidated Court for a student who completed in May 2018. Although the school was quick to submit payment once they became aware of the incident, several months had passed since the student's completion. Allegation 1 is therefore substantiated.

#### **Recommendation:**

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Happy Trails Traffic School, certification number 443, has committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D046.

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(F)(26)(f)(2) for failure to timely pay limited jurisdiction court fees.

It is further recommended that the Board issue Happy Trails Traffic School, certification number 443, a Letter of Concern.

# **DEFENSIVE DRIVING BOARD**

## **Agenda Summary – Monday February 10, 2020**

### **2) PENDING COMPLAINTS**

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

On October 8, 2018 Pima County Consolidated Court notified the Division Learn and Go Traffic School failed to submit payment to Pima County Consolidated Court for multiple student completions.

In response to the complaint, Learn and Go Traffic school demonstrated payment for the students were submitted within the appropriate timeframe. Upon further review, the school noticed the check had not been cashed and alerted Pima County Consolidated Court immediately to resolve the matter.

Pima County Consolidated Court records reflect payment for the students were received within a timely manner. Therefore, since the payment was received within the appropriate time frame along with the fact there is no other associated violations of ACJA, allegation 1 is unsubstantiated.

#### **Recommendation:**

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Learn and Go Traffic School has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D048.

It is further recommended the Board dismiss complaint number 18-D048 without prejudice.

# **DEFENSIVE DRIVING BOARD**

## **Agenda Summary – Monday, February 10, 2020**

### **2) PENDING COMPLAINTS**

*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.*

The referenced complaints were brought before the Board at its December 19, 2019 meeting. The complaints referenced separate instances of Statewide Traffic Schools' ("STS") failure to timely submit fees for student completions to two different municipal courts. All instances resulted in unnecessary license suspensions. The Board voted to accept the findings of the Probable Cause Evaluator and accepted staff's recommendation to issue a censure to STS.

On December 12, 2019, the Board filed the Notice of Formal Statement of Charges for all three complaints with the Presiding Disciplinary Judge. Division records demonstrate on January 2, 2020, service was accepted by Designated Principal, Alex Eribes. No request for hearing has been filed.

#### **Recommendation:**

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

**DEFENSIVE DRIVING BOARD**  
**Agenda Summary – Monday, February 10, 2020**

**2) PENDING COMPLAINTS**

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

As of February 12, 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.

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

<b>Age (Months)</b>	<b>Number Cases</b>	<b>Percent</b>	<b>Cumulative Percent</b>
<b>0-4</b>	11	21%	21%
<b>5-9</b>	24	45%	66%
<b>10-14</b>	0	0%	66%
<b>15-19</b>	18	34%	100%
<b>20-22</b>	0	0%	0%
<b>23-35</b>	0	0%	0%
<b>36-50</b>			
<b>Over 50</b>			
<b>Total</b>	<b>53</b>	<b>100%</b>	<b>100%</b>

# **DEFENSIVE DRIVING BOARD**

## **Agenda Summary – Monday, February 10, 2020**

### **3) INITIAL CERTIFICATION AND ELIGIBILITY**

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

1. James Hand, Jr. applied for initial defensive driving instructor certification. The applicant 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 James Hand, Jr.

2. Charlotte Torrez applied for initial defensive driving instructor certification. The applicant successfully passed the program examination and has submitted a complete application demonstrating that she meets the minimum education and experience requirements. Ms. Torrez disclosed a 2006 dissolution of marriage and a 1994 work related matter in which disciplinary action was taken against her.

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

# **DEFENSIVE DRIVING BOARD**

## **Agenda Summary – Monday, February 10, 2020**

### **3) INITIAL CERTIFICATION AND ELIGIBILITY**

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

On September 26, 2019, the Division received a request for a curriculum change and two additional modalities from Highway Traffic School for their online presentation.

Division staff has reviewed the curricula and associated documentation. The additional modalities consist of an audio and video version of their curriculum.

The school understands that the additional modalities will not appear as additional listings for their schools on the supreme court website.

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

# DEFENSIVE DRIVING BOARD

## Agenda Summary – Monday, February 10, 2020

### 4) RENEWAL CERTIFICATION APPLICATIONS

*4-A: Review, discussion and possible action regarding the following 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:

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

39. Michelle Stock applied for certification renewal. Division received her application and performed a background check. Ms. Stock was certified on August 15, 2012.

Ms. Stock attended the 2017 Defensive Driving Instructor Training given by the Court. Ms. Stock did not obtain training in 2018. When discussed, Ms. Stock apologized and said thought she had taken the training, but she was mistaken. Ms. Stock owes six CE credits for 2018.

Division recommended renewal of certification for Ms. Michelle Stock with CE Remedial actions as defined below.

CE Remedial Actions:

- Pay a \$50 fee for late CE
- Make up the six-hour deficiency within 90 days
- Submit CE annually
  - for the 2019 calendar year, on or before January 31, 2020
  - for the 2020 calendar year, on or before January 31, 2021

41. Edwin Taube applied for certification renewal. Division received his application and performed a background check. Mr. Taube was certified on October 18, 2018 and received his credentials just after the 2018 Defensive Driving Instructor Training given by the Court.

When certified, Mr. Taube had one year and 12 days until his certification expired at midnight October 31, 2019. Therefore, Mr. Taube needed to complete CE for both years. Mr. Taube did not complete any CE for 2018 and needs three hours. Mr. Taube did complete three hours CE for 2019.

Mr. Taub also states that, "I was not aware I had to complete continuing education training in that calendar year." Mr. Taube's letter from Division congratulating him on his initial certification, dated October 23, 2019, advised Mr. Taube that he needed full CE credit for each reporting period.

It is recommended that Edwin Taube's certification be renewed with CE remedial actions as previously defined.

# **DEFENSIVE DRIVING BOARD**

## **Agenda Summary – Monday, February 10, 2020**

### **5) CERTIFICATION AND ELIGIBILITY**

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

Larry Lawrence was granted certification on December 14, 2017. On December 23, 2019, the Division received Mr. Lawrence's request to voluntarily surrender his certification.

ACJA § 7-201(E)(7) reads:

*A certificate holder in good standing may surrender their certificate to the board. However, the surrender of the certificate is not valid until accepted by the board. The board or division staff may require additional information reasonably necessary to determine if the certificate holder has violated any provision of the statutes, court rules and this section or the applicable section of the ACJA. The surrender does not prevent the commencement of subsequent discipline proceedings for any conduct of the surrendered certificate holder occurring prior to the surrender.*

Division records indicate that there are no pending complaints against Mr. Lawrence's certification.

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

**DEFENSIVE DRIVING BOARD**  
**Agenda Summary – Monday, February 10, 2020**

**6) ADMINISTRATIVE ISSUES**

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

Information to be provided at the meeting.