

COMMITTEE ON TRANSPORTATION

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2488

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 28-3393, Arizona Revised Statutes, as amended by  
3 Laws 2007, chapter 182, section 1, is amended to read:

4 28-3393. Defensive driving school attendance; primary provider;  
5 discrimination prohibited; notice requirements

6 A. Except as provided in subsection ~~C~~ B, an eligible individual who  
7 elects to attend a defensive driving school shall attend one of the following  
8 within the time allowed by the court:

9 1. A defensive driving school that is ~~a primary provider for the court~~  
10 ~~having jurisdiction over the civil or criminal traffic offense.~~

11 ~~2. If the court does not have a primary provider, any defensive~~  
12 ~~driving school.~~

13 ~~B. Except as provided in subsection C, a court:~~

14 ~~1. May select more than one primary provider.~~

15 ~~2. May select a primary provider for defensive driving schools using~~  
16 ~~more stringent criteria than required for state certification~~ CERTIFIED BY  
17 THE SUPREME COURT AND COMPLIES WITH THE COURT AUTOMATION AND REPORTING  
18 REQUIREMENTS PURSUANT TO SUBSECTIONS B AND C.

19 ~~3. 2. On application of an eligible traffic offender, shall permit~~  
20 ~~the offender to attend another defensive driving school~~ TO THE COURT AND on  
21 the showing of reasonable justification by the ~~offender~~ INDIVIDUAL, ANOTHER  
22 SUPREME COURT CERTIFIED DEFENSIVE DRIVING SCHOOL. Reasonable justification  
23 includes the fact that the ~~offender~~ INDIVIDUAL resides in another area and  
24 that attendance at ANY OF the ~~court's primary provider school~~ DEFENSIVE  
25 DRIVING SCHOOLS THAT COMPLY WITH THE COURT AUTOMATION AND REPORTING  
26 REQUIREMENTS creates a hardship on the ~~offender~~ INDIVIDUAL.

27 ~~C. B.~~ B. On the expiration of all contracts that are in existence on  
28 July 1, 2007 between the court and a defensive driving school provider, an

1 eligible individual who elects to attend a defensive driving school may  
2 attend any supreme court certified defensive driving school that complies  
3 with the court automation and reporting requirements. For the purposes of  
4 this subsection, the renewal of any contract between a court and a defensive  
5 driving school after July 1, 2007, shall be considered a new contract.

6 ~~D.~~ C. A court may adopt requirements for a school to electronically  
7 report school completions and to transfer funds, subject to the approval of  
8 the defensive driving board.

9 D. A LAW ENFORCEMENT OFFICER OR A JURISDICTION ISSUING A CIVIL TRAFFIC  
10 CITATION TO AN INDIVIDUAL SHALL PROVIDE NOTICE TO THE INDIVIDUAL THAT IF  
11 ELIGIBLE, THE INDIVIDUAL MAY ATTEND ANY SUPREME COURT CERTIFIED DEFENSIVE  
12 DRIVING SCHOOL SUBJECT TO SUBSECTION B.

13 E. A COURT SHALL NOT PROMOTE OR FAVOR ANY SUPREME COURT CERTIFIED  
14 DEFENSIVE DRIVING SCHOOL OVER ANOTHER, EXCEPT THAT THE NOTICE PROVIDED  
15 PURSUANT TO SUBSECTION D MAY EXCLUDE A SCHOOL THAT DOES NOT COMPLY WITH THE  
16 COURT'S AUTOMATION AND REPORTING REQUIREMENTS PURSUANT TO SUBSECTIONS B  
17 AND C.

18 Sec. 2. Effective date

19 This act is effective from and after December 31, 2008."

20 Amend title to conform

and, as so amended, it do pass

ANDY BIGGS  
Chairman

2488-se-trans  
2/21/08  
H:jjb