

PROPOSED AMENDMENT

SENATE AMENDMENTS TO H.B. 2308

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 28-3392, Arizona Revised Statutes, is amended to
3 read:

4 28-3392. Defensive driving school: eligibility

5 A. A court:

6 1. Shall allow an individual who is issued a citation for a civil
7 traffic moving violation pursuant to chapter 3, articles 2, 3, 4 and 6
8 through 15 of this title or a local civil traffic ordinance relating to the
9 same subject matter to attend a defensive driving school for the purposes
10 provided in this article.

11 2. Except as prescribed in subsection C of this section, may allow an
12 individual who is issued a citation for a violation of section 28-701.02 to
13 attend a defensive driving school.

14 B. A person who attends a defensive driving school pursuant to this
15 article is not eligible to attend a defensive driving school again within
16 ~~twenty-four~~ TWELVE months from the day of the last violation for which the
17 person was authorized by this article to attend a defensive driving school.

18 C. Notwithstanding subsection A of this section:

19 1. An individual who commits a civil or criminal traffic violation
20 resulting in death or serious physical injury is not eligible to attend a
21 defensive driving school, except that the court may order the individual to
22 attend a defensive driving school in addition to another sentence imposed by
23 the court on an adjudication or admission of the traffic violation.

24 2. If a commercial driver license holder or a driver of a commercial
25 motor vehicle that requires a commercial driver license is found guilty or
26 responsible for a moving violation, the court may require the violator to
27 attend defensive driving school as an element of sentence, but may not

1 dismiss the conviction or finding of responsibility and shall report the
2 conviction or finding of responsibility to the department as prescribed in
3 section 28-1559. A commercial driver license holder or a driver of a
4 commercial motor vehicle that requires a commercial driver license is not
5 eligible for the defensive driving diversion program.”
6 Amend title to conform

STEVE SMITH

3/9/15
3:29 PM
S: AW/lis