

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

CHAPTER 281
HOUSE BILL 2308

AN ACT

AMENDING SECTION 28-3392, ARIZONA REVISED STATUTES; RELATING TO DEFENSIVE
DRIVING SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
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
28 dismiss the conviction or finding of responsibility and shall report the
29 conviction or finding of responsibility to the department as prescribed in
30 section 28-1559. A commercial driver license holder or a driver of a
31 commercial motor vehicle that requires a commercial driver license is not
32 eligible for the defensive driving diversion program.

APPROVED BY THE GOVERNOR APRIL 13, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 14, 2015.