

State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 287
HOUSE BILL 2265

AN ACT

AMENDING SECTION 28-3395, 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 28-3395, Arizona Revised Statutes, is amended to
3 read:

4 28-3395. Supreme court authority and duties; rules; record

5 A. The supreme court may contract with a public or private agency
6 that does not provide defensive driving schools in this state pursuant to
7 this article to provide assistance in carrying out the duties of this
8 article.

9 B. The supreme court shall:

10 1. Supervise the use of defensive driving schools by the courts in
11 this state.

12 2. Make public the amount of the court diversion fee assessed by
13 each court in this state pursuant to this article and the total cost to
14 attend a defensive driving school in each court.

15 3. Establish an automated statewide database for keeping a record
16 of persons who attend a defensive driving school.

17 4. Adopt rules that establish criteria for the certification of
18 qualified defensive driving schools and instructors used by the courts.

19 5. Establish procedures for courts and schools to remit reports
20 that are required by the supreme court.

21 6. Certify and monitor defensive driving schools and instructors
22 that serve as a court authorized diversion program.

23 7. Require that a defensive driving school class not exceed a total
24 of four and one-half hours, including any testing, reviewing and grading
25 related to the defensive driving school class.

26 8. REQUIRE EACH DEFENSIVE DRIVING SCHOOL TO SUBMIT TO THE SUPREME
27 COURT THE SCHOOL'S FUTURE SCHEDULE OF CLASSROOM DEFENSIVE DRIVING COURSES,
28 INCLUDING THE DATES, START AND END TIMES, INSTRUCTORS' NAMES AND LOCATION
29 FOR EACH COURSE. EACH SCHEDULED DEFENSIVE DRIVING SCHOOL CLASS SHALL
30 ADMIT ONLY STUDENTS WHO ARE REGISTERED WITH THAT SCHOOL. A DEFENSIVE
31 DRIVING SCHOOL CERTIFIED INSTRUCTOR MAY NOT TEACH OR FACILITATE A
32 DEFENSIVE DRIVING SCHOOL CLASS FOR MORE THAN ONE CERTIFIED DEFENSIVE
33 DRIVING SCHOOL DURING THE SAME CLASS INSTRUCTION TIME PERIOD. A COURSE'S
34 DATE, TIME AND LOCATION MAY NOT BE CHANGED OR CANCELED EXCEPT FOR
35 EXTRAORDINARY CIRCUMSTANCES.

36 C. The information contained in the database required by this
37 section is not a public record.

38 Sec. 2. Defensive driving schools; efficacy study and rule
39 changes prohibited

40 Notwithstanding any other law, the supreme court may not conduct an
41 efficacy study or adopt or amend any rules relating to defensive driving
42 schools that are regulated pursuant to title 28, chapter 8, article 7,
43 Arizona Revised Statutes, until from and after June 30, 2020 unless the
44 administrative director of the supreme court determines an emergency
45 exists that necessitates an immediate adoption or amendment of a rule.

APPROVED BY THE GOVERNOR JUNE 7, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 7, 2019.