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From: Randall, Marla

Sent: Friday, August 20, 2004 11:05 AM

To: Holbrook Justice Court; Winslow Justice Court; Snowflake Justice Court; Show Low Justice Court; Pinetop/Lakeside Justice Court; Winslow Municipal Court; Show Low Municipal Court

Cc: Shaffery, Marisa; Searls, Pam; Keene, Angela

Subject: FW: Changes to Defensive Driving Program eligibility rules

Importance: High

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To: All Limited Jurisdiction Courts and
Juvenile Courts

From: Defensive Driving Program

Effective 8/25/04, holders of CDL licenses are no longer eligible for defensive driving school diversion. Please note this law applies to all CDL license holders, whether they are driving commercially or not. The law makes no exception for a CDL driver that is driving their own personal vehicle. If the person's citation is dated up to 8/24/04, then they could still be eligible for diversion (if they are otherwise eligible). If the citation is dated 8/25/04 or later, the law prohibits the person's attendance for dismissal if they hold a CDL license.

This means defensive driving schools must determine prior to class what class of license a prospective attendee holds. Each school's instructors (or registration personnel) will also be required to verify *on each pre-class driver license check* that the person does NOT have a CDL license. If it is a CDL (Class A, B or C), then the only way the person can attend is under court order, and no dismissal is permitted in that circumstance.

This law is included in 28-3392C, and was passed this past legislative session in order to bring Arizona into compliance with federal requirements for CDL drivers.

If you have a question, please e-mail or call

Bob Schaller, Program Manager

8/24/2004