

COMMITTEE ON PUBLIC SAFETY, MILITARY AND TECHNOLOGY

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

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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

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