

STATE DRIVING BUSINESSES LICENSURE BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Conference Call Minutes of 3/10/2016

BOARD MEMBERS PRESENT: Sally K. Phillips - Chair
Jason Jerome
Lon A Pyper Sr
Robert Fenn
Theresa A Bradford

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Mitchell Toryanski, Legal Counsel
Eric Nelson, Board Prosecutor

The meeting was called to order at 9:00 AM MST by Sally Phillips.

APPROVAL OF MINUTES

Mr. Jerome made a motion to approve the minutes of 9/25/2015. It was seconded by Mr. Fenn. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that the Board's pending rules were presented to the House Business Committee and Senate Commerce and Human Resources Committee and have been approved. They will go into effect at the conclusion of the Legislative Session. The Rule dealing with renewal and reinstatement of licenses that will align with 67-2614, Idaho Code has been approved by both the House and the Senate Committees.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of (\$2348.76) as of February 29, 2016. Ms. Cory explained that we have been in contact with both the Department of Transportation and the Department of Education regarding the \$5.00 student permit fee that will be transferred to the Board. A meeting will be set up in the near future.

DISCIPLINE

Mr. Nelson presented a memorandum regarding case number DRB-2016-1. After discussion, the Board gave recommendations for appropriate discipline.

Mr. Nelson presented a Stipulation and Consent Order in case numbers DRB-2015-1 and DRB-2015-2. Mr. Jerome made a motion to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. Bradford. Motion carried.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

OLD BUSINESS

To Do List – The Board reviewed the to-do list. Discussion was held on tracking schools that fail to renew their school license. Items from the list dealing with inspections, auditing, and other law/rule changes will be placed on the next agenda for discussion.

Discussion was held on schools that continue to operate on an expired license. Mr. Fenn made a motion to bring a draft to the Board for review of a renewal application that includes language for unlicensed practice and consequences. It was seconded by Ms. Bradford. Motion carried. Mr. Fenn made a motion to clean up the list of non-current businesses. The Bureau is to prepare a letter for review and approval by the Board Chair that will give businesses options on updating the status of their business. The letter will also inform business owners that unlicensed practice could have disciplinary consequences.

Operating a business on expired licenses was discussed. The Board gave Ms. Peel direction to prepare and negotiate Consent Orders regarding operating a business on an expired license using the sanctions set out in the Board's laws and rules.

NEW BUSINESS

The Board reviewed a course for AAA on-line drivers training that could be utilized in Drivers Training Courses. Mr. Fenn made a motion to approve the course for 30 hours of classroom training in Idaho. It was seconded by Ms. Bradford. Motion carried. Mr. Jerome and Mr. Pyper voted nay.

Discussion was held on the concerns regarding DriversEd.com where students can begin the on-line course without entering the permit number. Instructors should be verifying the permit number on their reports and catch those that began the course prior to enrollment. Credited class time needs to be under

permit and students need to complete the entire course under the school and instructor.

ELECTION OF CHAIR

Mr. Fenn nominated Ms. Bradford, but she declined. Ms. Phillips made a motion to nominate Robert Fenn as Board Chair. It was seconded by Mr. Jerome. Motion carried.

APPLICATIONS

Mr. Fenn made a motion to approve the Instructor Apprentice program for North Idaho Commercial Driver Education (NICDE). It was seconded by Ms. Bradford. Motion carried.

Mr. Jerome made a motion to approve licensure for Bear Lake Driving Academy. It was seconded by Mr. Fenn. Motion carried.

EXECUTIVE SESSION

Mr. Jerome made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license reinstatement materials. It was seconded by Mr. Fenn. The vote was: Mr. Fenn, aye; Mr. Jerome, aye; Mr. Pyper, aye; Ms. Bradford, aye; and Ms. Phillips, aye. Motion carried.

Mr. Pyper made a motion to come out of executive session. It was seconded by Ms. Bradford. The vote was: Mr. Fenn, aye; Mr. Jerome, aye; Mr. Pyper, aye; Ms. Bradford, aye; and Ms. Phillips, aye. Motion carried.

Mr. Fenn made a motion that CE for reinstatement of license be accepted for Edward Haddock and Leonard Parra. It was seconded by Ms. Bradford. Motion carried.

NEXT MEETING was scheduled for July 19, 2016 to begin at 9:30 a.m. MDT.

ADJOURNMENT

Mr. Jerome made a motion to adjourn the meeting at 11:10 a.m. It was seconded by Mr. Fenn. Motion carried.

Sally K. Phillips, Chair

Jason Jerome

Lon A Pyper Sr

Robert M. Fenn

Theresa A Bradford

Tana Cory, Bureau Chief