

## **TRAFFIC SURVIVAL SCHOOL (TSS)**

### **Summary of Changes**

Amended the definition of a TSS in section A of the policy.

### **Purpose**

To provide information to use when interpreting, voiding, or completing traffic survival school (TSS) assignment actions. This policy will refer to both the resident and nonresident driving privilege as “driving privilege”.

### **Policy**

- A. As a licensing condition, the Division may require a person to attend an approved traffic safety school (also known as traffic survival school). A traffic survival school (TSS) is defined as a business enterprise (conducted by an individual, association, partnership, or corporation) that offers educational sessions that are designed to improve the safety and habits of drivers and that are approved by the Division, to drivers who are required to attend and successfully complete those educational sessions pursuant to A.R.S. Title 28.
- B. The Division shall initiate either a Discretionary or a Mandatory TSS assignment action. The TSS assignment shall be recorded on the person's Customer Record.
- C. Discretionary TSS assignment occurs when a person accumulates between eight and 12 points on his or her driving record within a 12-month period without having attended and completed TSS within the previous 24 months. The person must attend and successfully complete TSS within 120 days from date of assignment or the Division shall suspend the person's driving privilege for a period of six months.
  - The person may choose to either serve out the six-month suspension period or complete traffic survival school training
- D. Mandatory TSS assignment occurs when a person is convicted of red-light running, flashing signals violation, or a traffic accident. A Mandatory TSS assignment must always be completed, regardless of when or the number of assignments already completed by the person. The person must attend and successfully complete TSS within 120 days from date of assignment or the Division shall suspend the person's driving privilege indefinitely.
  - The indefinite suspension will stay in effect until TSS is completed
- E. The Division may require a person to attend and successfully complete TSS upon receiving sufficient evidence that the person:
  - Committed an offense for which mandatory revocation of the license is required on conviction
  - Was involved (as a driver) in an accident resulting in the death or personal injury of another or serious property damage
  - Is convicted of or adjudged to have violated traffic regulations governing the movement of vehicles with such a frequency that it indicates a disrespect for traffic laws and a disregard for the safety of other persons on the highways

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- Is convicted of a violation of A.R.S. § 28-693 or is a habitually reckless or negligent driver of a motor vehicle (person accumulates between eight and 12 points on the driving record within a 12-month period and has not been assigned to traffic survival school within 24 months of the most recent violation)
  - Is medically, psychologically or physically incapable of operating a motor vehicle and, based on law enforcement, medical or other Division information, the continued operation of a motor vehicle by the person would endanger the public health, safety and welfare
  - Committed or permitted an act involving an unlawful or fraudulent use of the license
  - Committed an offense in another jurisdiction that if committed in this state is grounds for a suspension, revocation or TSS assignment
  - Is convicted of any moving criminal traffic offense and was under 18 years of age at the time of the violation
  - Is convicted of any of the following violations:
    - A.R.S. § 28-645(A)(3)(a)
    - A.R.S. § 28-647(1)
    - A.R.S. § 28-695(A)
    - A.R.S. §-28-672(A)
    - A.R.S. § 28-1381
    - A.R.S. § 28-1382
    - A.R.S. § 28-1464
- F. When it is determined that a person must attend and successfully complete TSS, the Division shall send the person a Corrective Action Notice, form #26-9611. The Corrective Action Notice is sent to the person at the address (on the Customer Record) provided by the person. When an address has not been provided, the Division shall send the notice to any address known to the Division, including the address listed on a traffic citation received by the Division.
- Service of notice is considered complete upon the mailing of the notice
  - The Division is not required to prove actual receipt of the notice or actual knowledge of the TSS action
- G. When the Division notifies a person that he or she must attend and successfully complete approved traffic survival school training, the person may request a hearing with the Executive Hearing Office, see Policy [16.6.10 Administrative Hearing Request](#).
- H. In order to register for TSS, the person must present proof of TSS assignment. The following documents are acceptable AS proof of assignment:
- Corrective Action Notice (notice of TSS assignment or suspension for failure to attend TSS)
    - When a customer requests a copy of the original corrective action notice, if it was issued after July 20, 2009, a copy of the notice may be retrieved from the document retrieval system
      - A motor vehicle records request, form # 46-4416 and an MVR fee is required, the “TSS Assignment Notice” checkbox is selected, see policy 5.1.2 Motor Vehicle Record (MVR)
  - Court order indicating TSS assignment
  - Traffic Survival School Proof of Assignment, form #96-0419

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- When a customer requests a copy of the original Corrective Action Notice, IF IT WAS ISSUED PRIOR TO JULY 20, 2009, the CSR shall issue a Traffic Survival School Proof of Assignment form
  - A Motor Vehicle Records Request, form #46-4416 and a \$3 MVR fee is required, the “TSS Assignment Notice” checkbox is selected, see Policy [5.1.2 Motor Vehicle Record \(MVR\)](#)
- I. Upon receiving the Traffic Survival School Certificate of Completion, form #40-0311 (proof of successful completion of TSS), the Division shall record the satisfaction of the requirement on the person’s Customer Record. When proof of completion is received after the person has been suspended for failure to attend TSS, and dependent upon the date of completion, the TSS suspension may be amended, completed, and/or voided.
- J. Prior to reinstating after a TSS suspension, the customer must meet all applicable eligibility, identity, and authorized presence requirements, see Driver and Identification License Issuance Screening policies.
- K. A person whose driving privilege is suspended shall not operate a motor vehicle in this state under a driver license, instruction permit or vehicle registration certificate issued by another jurisdiction, or otherwise during or after the suspension until the person has reinstated his or her driving privilege, in Arizona, SEE POLICY [16.6.3 SUSPENSIONS](#).
- L. Pursuant to A.R.S. § 28-3002, the person’s driving privilege shall remain suspended until the person submits the following fees:
  - A suspension reinstatement fee
  - Age appropriate reapplication fee (RAF)
  - Any other applicable fees
    - When multiple withdrawal actions are present on the Customer Record, additional fees may apply
- M. Questions regarding TSS requirements may be directed to the Technical Support Unit at (602) 712-4900.

4 September 2013  
Date

  
STACEY K. STANTON  
Division Director

Authority: HB2183, Laws 2013, Chapter 129, effective September 13, 2013, A.R.S. §§ 28-446, 28-645, 28-647, 28-672, 28-693, 28-695, 28-708, 28-772, 28-792, 28-794, 28-797, 28-855, 28-1381, 28-1382, 28-1383, 28-3303, 28-3306, 28-3307, 28-3321, 32-2351, 28-4147, and 32-2371

Procedure Information: [Traffic Survival School Mandatory DM05 and DM06](#), [Traffic Survival School Discretionary DM05 and DM06](#)

Steps: [TSS – Entering a Certificate of Completion](#), [TSS – Referral Closing Out](#), [TSS Suspension – Completing a Mandatory Suspension](#), [TSS Suspension – Voiding](#), [TSS Suspension – Discretionary Amend to End Early](#), [TSS Suspension – Discretionary Completing – Six Month Period is Over](#)