

DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

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DATE: June 19, 2012

DUI Letter No. 12-04

TO: County Alcohol and Drug Program Administrators
Licensed Driving-Under-the-Influence (DUI) Program Providers
DUI County Coordinators

SUBJECT: CALIFORNIA DUI REGULATION AMENDMENTS – Additional Fees

REFERENCE: California Code of Regulations (CCR), Title 9, Division 4, Chapter 3,
Section 9795 through 9886

The purpose of this letter is to inform providers that participant contracts must be revised to reflect only those additional fees authorized by the newly amended regulations which became effective on April 21, 2012. Section 9878(g) states that except for participants who are eligible for a maximum program fee of \$5.00 per month, DUI programs may only charge additional fees for the following services:

- Leave of Absence;
- Returned check (excluding bank charge);
- Missed Activity;
- Rescheduling;
- Transfer-Out (excluding transfer of non-enrolled participants and administrative referrals); Transfer-In;
- Reinstatement;
- Duplicate DL 101 (research);
- Late Payment Fee;
- and Alcohol/Drug Screening (positive result)

Programs may only charge for those additional fees that appear in Section 9878(g) as listed above and have previously been approved by the department. Any fees previously approved by the department that do not appear in Section 9878(g) may no longer be assessed and must be removed from participant contracts. Programs that want to begin charging one or more of the fees listed above must submit a fee increase request as outlined in Section 9878(c).

In addition, Section 9878(f)(1)(C) of the amended regulations include the addition of a \$5.00 transfer-out fee to those additional fees that may be assessed to participants eligible for the maximum program fee of \$5.00 per month. In order for programs to charge this transfer-out fee, it must be included in the participant contracts. If the only change to the participant contracts is the addition of the \$5.00 transfer-out fee, send the amended contracts directly to the assigned DUI analyst.



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<http://www.fypower.org>

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The Department of Alcohol and Drug Programs (ADP) is granting a 90-day grace period prior to citing deficiencies related to the newly amended regulations. Analysts will begin citing deficiencies on or after July 20, 2012 in adherence to the new regulations.

A complete copy of the amended regulations is currently available and can be accessed at [Office of Administrative Law's website](#).

If you have additional questions regarding these changes, please contact your assigned DUI Program analyst or ADP's Office of Criminal Justice Collaboration, DUI Program Branch at (916) 322-2964.

Sincerely,

MILLICENT GOMES
Deputy Director
Office of Criminal Justice Collaboration