

DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

1700 K STREET
SACRAMENTO, CA 95814-4037
TDD (916) 445-1942
(916) 322-2964



Date: June 13, 2005

To: County Alcohol and Drug Program Administrators
Licensed DUI Program Service Providers

Subject: Criteria for Issuing Proof of Enrollment Certificates and Enrolling New Participants

In February 2005, Title 9, California Code of Regulations, was updated to include Section 9868, which requires programs to issue a "Proof of Enrollment" form (DL107) to the Department of Motor Vehicles (DMV) upon presentation of documentation verifying that a participant is eligible to receive a restricted driver license. Consequently, there have been a number of questions arising from providers regarding what type of documentation is considered acceptable.

Since the purpose of a DL107 is to allow participants to receive a restricted driver license, DMV requests that providers screen participants in an effort to verify eligibility for a restricted driver license prior to issuing the DL107. Individuals without a suspended California driver license are not eligible for a restricted license. Your assistance in screening out individuals not eligible will reduce processing time for DMV. Although the DMV does not have a specific form used for the sole purpose of obtaining a DL107, programs may accept other forms of documentation provided by the court or DMV, indicating the person's California driver license has been suspended due to a driving-under-the-influence (DUI) arrest or conviction. Additionally, programs may issue the DL107 to the DMV once this documentation has been presented and do not have to wait until the hard suspension period has elapsed prior to issuing the DL107.



DO YOUR PART TO HELP CALIFORNIA SAVE ENERGY
For energy saving tips, visit the Flex Your Power
website at <http://www.flexyourpower.ca.gov>

June 13, 2005

Page 2

Another change in process is the enrollment of participants into DUI programs prior to their knowledge of what type of program they are required to complete. Title 9, Section 9848(a), was amended to specify that programs may enroll a participant only if he/she is able to present documentation that indicates whether the offense was a first, second or third DUI violation. This means that programs are no longer required to enroll participants who do not have either a court abstract or documentation from DMV sufficient to determine the level of DUI program required. However, in the event programs enroll participants without documentation clearly indicating the level of program required, the participant contract should include a statement informing the individual they will not get credit for services provided if they did not enroll in the correct program. Hopefully, this will eliminate the confusion and inconvenience to both programs and participants as a result of enrolling in the wrong program.

I hope this helps to clarify any questions that you may have had regarding new enrollments. If you have further questions, please contact your assigned county analyst.

Sincerely,

A handwritten signature in black ink, appearing to read "R. N. Thompson", with a long horizontal flourish extending to the right.

ROGER N. THOMPSON, Manager
Driving-Under-the-Influence Program Branch