

DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

Amendments to Regulations Contained in

Chapter 3 (Commencing with Section 9795), Division 4, Title 9,

California Code of Regulations

Driving Under the Influence Programs

Initial Statement of Reasons

STATEMENT OF NECESSITY

The Department of Alcohol and Drug Programs (ADP) is amending the Driving Under the Influence (DUI) Program licensing regulations contained in Chapter 3 (commencing with Section 9795), Division 4, Title 9 of the California Code of Regulations. These changes are necessary to simplify administrative procedures for DUI programs and to improve clarity, consistency, and continuity throughout. The necessity for each specific change is described in the annotated text of the proposed regulation, which is hereby incorporated by reference. The annotated text of the proposed regulation is attached to this initial statement of reasons.

FISCAL IMPACT STATEMENTS:

Anticipated costs or savings in federal funding to the Federal Government: None. ADP does not anticipate any cost to the federal government as the result of this regulatory action because this regulation does not impact any federally funded State agency or program.

Anticipated costs or savings to any State agency: None.

Anticipated costs to county or local government: None.

Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: None. ADP has made an initial determination that the proposed regulatory action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This regulatory action will not impose a cost on business, or eliminate businesses, small businesses, or jobs.

Impact on Small Businesses: These regulations will impact small businesses, since most DUI programs are small businesses. However, these regulations will not have a detrimental impact on small businesses.

Cost Impact on Representative Private Persons or Businesses: These regulations will impact individuals receiving services from DUI programs. ADP has determined that these regulations will impose a \$5/month increase in costs on approximately three percent (3%) of individuals receiving minimum fee services from DUI programs.

Impact on Housing Costs: None. ADP does not anticipate that this regulatory action will impact housing costs in any way.

Nondiscretionary cost or savings imposed on local agencies: None

LOCAL MANDATE DETERMINATION:

ADP has determined that this proposed regulatory action will not impose any new mandates on school districts or other local governmental agencies or any mandates which must be reimbursed by the State pursuant to Part 7 (commencing with Section 17500), Division 4 of the Government Code.

CONSIDERATION OF ALTERNATIVES:

Pursuant to Section 11346.5(a)(12) of the Government Code, ADP must determine that no alternative would be more effective in carrying out the purpose for which this regulatory action was taken. ADP must also determine that no alternative would be as effective and less burdensome to affected private persons than the regulatory action taken. ADP will consider any alternatives presented during the public comment periods.