



State of California—Health and Human Services Agency
Department of Health Care Services



EDMUND G. BROWN JR.
GOVERNOR

Date: October 7, 2013 DUI Letter # 13-01
To: Presiding Judges of the Superior Courts
Subject: Unlicensed On-Line Driving-Under-the-Influence (DUI) Classes and
Court Referrals

The Department of Health Care Services (DHCS) is requesting the courts assistance in addressing the increasing number of DUI offenders enrolling in on-line DUI programs, which are not licensed for DUI cases in California. Many of these on-line DUI programs are advertising California as one of the states that sanction on-line DUI programs. This statement could be misleading if the offender is seeking a restricted or a reinstated California drivers license.

The California Department of Motor Vehicles (DMV) does not recognize on-line DUI programs as an acceptable substitute to satisfy the mandates outlined in California Health and Safety Code (HSC) Section 11837.2 (a) (1), which states: "The court may refer persons only to licensed [DUI] programs." For this purpose, the law requires DUI offenders to complete a DUI program that is licensed by DHCS as specified in HSC 11752.1(m).

Courts that require offenders to identify which DUI program they will enroll in at the time of sentencing show a higher success rate of enrollment and obtaining their restricted license, in lieu of driving illegally. DHCS provides a DUI program directory to identify all the DHCS licensed DUI providers within each county. The directory can be accessed at:

http://www.adp.ca.gov/Criminal_Justice/DUI/pdf/DUI_dir.pdf

The DHCS and DMV join together in extending appreciation to the courts for their attention and assistance with the above matter. Please provide a copy of this letter to the judicial officers assigned to hear DUI cases. If you have any questions regarding the above information, please call the DHCS Substance Use Disorder Compliance Division, DUI Programs at (916) 445-7456.

Sincerely,

MARLIES PEREZ
Acting Division Chief
Substance Use Disorder Compliance Division