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9 CA ADC § 9876

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

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Title 9. Rehabilitative and Developmental Services
Division 4. Department of Alcohol and Drug Programs
Chapter 3. Programs for Alcohol and Drug Impaired Drivers
Subchapter 4. Participant Standards

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§ 9876. Participant Attendance.

- (a) The DUI program shall require each participant to attend all scheduled activities unless the participant has:
- (1) Contacted the DUI program and arranged to attend an activity at an alternate time, or
 - (2) Been granted an approved leave of absence, pursuant to Section 9876.5.
- (b) The DUI program shall document all absences in the participant's record.
- (c) The DUI program shall require each participant to make up all absences before issuing the participant a Notice of Completion Certificate (Department of Motor Vehicles Form DL 101).
- (d) The DUI program may allow a participant to be absent from scheduled activities as specified below:
- (1) A participant required by the court pursuant to Vehicle Code Sections 23103.5(e) or 23140 to attend the educational component of a licensed program shall not be allowed more than two absences per period of enrollment. For purposes of this regulation, "period of enrollment" means the period from initial enrollment to completion or termination. A transfer from one DUI program to another, with no break in enrollment, counts as one period of enrollment;
 - (2) A participant of a first offender program shall not be allowed more than five total absences per period of enrollment;
 - (3) A first offender, who has been ordered by the court to participate in a DUI program for six months or longer, shall not be allowed more than seven absences per period of enrollment;
 - (4) A participant of an 18-month DUI program shall not be allowed more than ten total absences per period of enrollment; and
 - (5) A participant of a 30-month DUI program shall not be allowed more than fifteen total absences per period of enrollment.

Note: Authority cited: Sections 11755 and 11836.15, Health and Safety Code. Reference: Sections 11836.15 and 11837.4, Health and Safety Code.

HISTORY

1. Change without regulatory effect renumbering and amending former section 9830 to section 9876 filed 4-15-91 pursuant to section 100, title 1, California Code of Regulations (Register 91, No. 20). For prior history, see Register 82, No. 47.
2. Amendment of subsection (a), adoption of subsection (c) and relettering, repealer of subsection (d) and amendment of Note filed 11-18-91 as an emergency; operative 1-1-92 (Register 92, No. 8). A Certificate of Compliance must be transmitted to OAL 4-29-92 or emergency language will be repealed by operation of law on the following day.
3. Amendment of subsection (a), adoption of subsection (c) and relettering, repealer of subsection (d) and amendment of Note refiled 4-27-92 as an emergency; operative 4-28-92 (Register 92, No. 19). A Certificate of Compliance must be transmitted to OAL 8-26-92 or emergency language will be repealed by operation of law on the following day.
4. Certificate of Compliance as to 4-27-92 order transmitted to OAL 7-16-92 and filed 8-25-92 (Register 92, No. 35).
5. Amendment of section and Note filed 6-7-93; operative 7-7-93 (Register 93, No. 24).
6. New subsection (d)(1), repealer of subsections (d)(3)-(4), subsection renumbering and amendment of newly designated subsection (d)(3) filed 7-31-2002; operative 8-30-2002 (Register 2002, No. 31).

7. Amendment filed 3-22-2012; operative 4-21-2012 (Register 2012, No. 12).

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