

## **Rule 375-5-6-.18 ~~DUI Alcohol or Drug Use Risk Reduction~~ Program Location and Facilities Hours of Operation**

- (1) Programs shall only operate in locations that have been certified by the Department. The Department reserves the right to deny any location that does not meet its criteria at the Department's discretion.
- (2) Programs shall only hold courses in classrooms that have been certified by the Department.
- (3) No program applying for certification shall share the same entrance with, ~~or be immediately adjacent to,~~ a facility where alcoholic beverages are sold or distributed.
- (4) No program office or classroom shall be located within ~~a retail business establishment or a private residence.~~ The Department reserves the right to deny any location that is deemed unsafe or poses a risk to the general public.
- (5) Except as provided in subsection (127) below, program offices and classrooms shall be located on the same premises.
- ~~(6) All program facilities shall include the following:~~
  - ~~(a) Clean working restrooms;~~
  - ~~(b) Blinds, shades or curtains for windows or glass doors for student privacy;~~
  - ~~(c) Adequate lighting, heating and air conditioning;~~
- ~~(7) Programs shall maintain the following equipment in working order:~~
  - ~~(a) A television or projector and projection screen that can be suitably viewed by all course participants;~~
  - ~~(b) Media equipment and visual displays for presenting required portions of the curriculum that meets Department specifications;~~
  - ~~(c) Secure file storage; and~~
  - ~~(d) Other equipment as designated by the Department.~~
- ~~(86) Program offices cannot be open during class time, unless program office activities can be conducted without disrupting a class.~~
- (97) The full certified program name and business hours shall be displayed and clearly visible from the outside of the premises.
- ~~(108)~~ Program classrooms must have a minimum of 300 square feet of useable space. Program classrooms shall be certified to offer services at twenty (20) square feet per person, up to a maximum of forty (40) students. Programs licensed prior to the enactment of the 300 square foot minimum may continue to utilize existing classrooms that satisfied the prior requirement of 250 square feet. Such programs may not add new classrooms that are less than 300 square feet in size. The maximum number of students per class determined by the Department does not supersede the occupancy load or maximum for the building determined by the local governing entity (~~i.e.,~~ county or city fire marshal, inspector, or agent). ~~A copy of the Certificate of Occupancy must be submitted during the certification application process.~~
- ~~(119)~~ The program's certification shall be displayed in a conspicuous location on the premises of the program.

- (~~12~~10) Programs that are in compliance with the rules and regulations of the Department may apply to operate ~~satellite~~ Satellite ~~Locations~~.
- (~~13~~11) No satellite program shall operate without first being certified by the Department.
- (~~14~~) ~~Applications for satellite programs shall be submitted on forms prepared by the Department, following the procedure prescribed by the Department; shall include all information and fees; and shall be truthful, accurate, and complete.~~
- (~~15~~) ~~Satellite programs shall be located within fifty (50) miles of the program that is operating the satellite program.~~
- (~~16~~) ~~Multiple satellite programs may operate in the same county.~~
- (~~17~~12) Satellite locations shall meet all location and facility requirements as outlined in these rules and regulations, except as follows:
- (a) Student or ~~offender~~ Program records may be maintained at the main program location;
  - (b) Programs may use the telephone number of the main program location; ~~and,~~
  - (c) Programs may perform administrative duties at the main program location.
- (~~18~~13) Any school or classroom facility utilized ~~for~~ or approved for the purposes of a DUI Alcohol or Drug Use Risk Reduction program shall comply with the requirements set forth by the Americans with Disabilities Act of 1990, before a permit certification is issued. The owner shall certify to the Department that the facility complies with the Act and its implementing regulations.
- (~~19~~14) Any school, office, or classroom facility utilized ~~for~~ or approved for the purpose of a DUI Alcohol or Drug Use Risk Reduction program shall be clean and safe from health hazards, such as, but not limited to, rodents, pest infestation, and mold.
- (~~20~~15) (a) The Department may develop policies and procedures for the delivery of remote classroom instruction for certified DUI Alcohol or Drug Use Risk Reduction programs ~~in the event of a public health state of emergency, natural disaster, or man-made disaster.~~
- (b) A certified DUI Alcohol or Drug Use Risk Reduction program may utilize remote services for classroom instruction and the administration of assessments. Such instruction, training, and assessments may be done via web services, such as, but not limited to, Skype, Zoom, or Webex. Instruction must be synchronous ~~instruction~~ allowing for real-time instruction and interaction in a specific virtual place, through a specific online ~~medium~~ platform, at a specific time.
- (c) Schools utilizing ~~such remote methods~~ classroom methods must notify the Department at least twenty-four (24) hours prior to the beginning of class and obtain prior approval from the Department and keep rosters and required documents of students enrolled in these programs pursuant to existing rules and regulations ~~of the Department~~. Such programs shall continue to be subject to all monitoring, training, and auditing pursuant to existing Department rules and regulations ~~of the Department~~.

(16) Change of Location

- (a) Each Program Owner shall submit a Program Relocation application notify to the Department in writing at least thirty (30) days prior to any change in the Program location.
- (b) No change of Program location shall be approved by the Department without a site inspection of the new premises.
- (c) No Program shall operate in any new location until Certification has been granted by the Department and displayed onsite.
- (d) Within At least thirty (30) days of relocation approval, programs the Program shall send written notification to prior to a change in location approved by the Department, all Students who with have a valid assessment on file that have not completed the Intervention Component, been assessed within one year prior to the move who have not started, or completed the Program shall be notified, in writing, of the Program relocation.
- (e) If a Program relocates ten (10) or more miles from its original location, students with a valid Assessment who and have not completed the Intervention Component may cancel their Intervention contract and receive a full refund or transfer to a Program of their choice at no charge. the Assessment components completed by Students within one (1) year prior to the move that have not started or completed the Program shall be transferred to another Program of the Student's choice at no charge. Students may cancel their Intervention component contracts with a Program that is relocating; and they shall receive a full refund upon such cancellation.
- (f) Upon applying to the Department for a change of location, the Program shall post a notice of its request to move the Program. Such notice shall be clearly displayed at the Program location stating the proposed new location address. The proposed new location shall be specified in the notice with complete address and mileage distance from the present location. The notice shall also inform Students of their right to transfer to another Program, and or to cancel their Intervention component contract with the Program and receive a full refund.
- (g) Any Program that has applied for a change of location shall provide written notice of its application to any prospective Student or Offender prior to executing an Assessment Component or Intervention Component contract .
- (h) No Program relocation shall cause any Student to have Intervention course Ssessions of an intervention course in more than one location, except in cases of emergency. Programs shall report-request emergency relocations to the Department within five (5) business days.

(17) Hours of Operation

- (a) Each Program shall maintain business hours of at least fifteen (15) hours per week, half of which must fall within the Department's normal business hours.
- (b) Each Program shall notify the Department of its business hours upon application for Certification.
- (c) Each Program shall report any deviations from the Program's set business hours to the Department, in writing, at least forty-eight (48) hours in advance. In cases of an emergency, notification should be sent to the Department as soon as possible.

(d) Program staff shall be available during business hours to answer the telephone, furnish information about the Program's operation, verify services provided, and to produce records and documentation requested by the Department.

**Authority: O.C.G.A. §§ 40-5-82, 40-5-83.**

### **SYNOPSIS**

#### **STATEMENT OF PURPOSE OF PROPOSED RULE**

The purpose of this amendment is to incorporate information from other relevant rules.

#### **DIFFERENCE BETWEEN EXISTING AND PROPOSED RULES**

The 50-mile restriction for satellite locations was removed. Requirements for changing location and hours of operation were incorporated from rules .19 and .20.