

## **Rule 375-5-6-.25 Program Advertising and Solicitation**

- (1) ~~Except as provided in subsection (3) below, A~~ Program must be certified by the Department in order to advertise in any manner to advertise.
- (2) Program advertisement shall contain the Program's approved certified name and certification number.
- (3) ~~An Applicant for Program Owner, upon submitting a completed application to and obtaining written authorization from the Department, may advertise in accordance with this chapter if there is a reasonable expectation that the Program will be certified.~~
- (4~~3~~) No Program shall advertise in any manner that is false or misleading.
  - (4) ~~No Program advertisement shall make any false or misleading claim, including but not limited to, statements suggesting or implying that the Program is affiliated with or endorsed by the Department or any other governmental entity, shall~~ advertise that reinstatement of a driver's license is guaranteed to Students or prospective Students~~Offenders~~ enrolling in a particular Program, or that free or reduced fees will be given to any Student or prospective Student~~Offender~~;
- (5) No Program shall use the logo of the Department, any logo or symbol of any other governmental entity, or the seal of the State of Georgia in any advertising or on any Program stationary or correspondence; and
- (6) No Program Owner, ~~Director~~, Instructor, employee, or agent shall directly or indirectly solicit business by personal solicitation within on 500 feet of public property, by phone, e-mail, or by mail.
- (7) Violations of this regulation may result in the Cancellation, Suspension, or Revocation of Program Certification. Additionally, the Department may impose civil penalties and/or pursue criminal charges.

**Authority: O.C.G.A. Secs. ~~§§~~ 40-5-81, 40-5-82, 40-5-83.**

### **SYNOPSIS**

#### **STATEMENT OF PURPOSE**

The purpose of this amendment is to align with statute.

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

The reference to paragraph (3) was removed from paragraph (1) because paragraph (3) was deleted. Language was removed from paragraph (4) to eliminate examples of "false or misleading," and "Offender" was changed to "prospective Student." Paragraph (6) eliminated "Director" since there are no Director requirements anymore and was rewritten to be in alignment with code.