

## **DEPARTMENT OF REVENUE**

### **Division of Motor Vehicles**

#### **DRIVER CONTROL**

##### **1 CCR 204-30**

*[Editor's Notes follow the text of the rules at the end of this CCR Document.]*

---

## **RULE 12 ENROLLMENT IN LEVEL II ALCOHOL AND DRUG EDUCATION AND TREATMENT PROGRAMS**

### **SECTION 1. AUTHORITY**

Basis, Purpose and Statutory Authority:

The statutory bases for this regulation are § 42-2-126(4)(d)(II), 42-2-132, 42-2-144, 42-4-1301.3, C.R.S., 2 CCR 502-1, 21.130, 21.240.2.

The purpose of this rule is to identify the types of documents that the Department will accept as proof that a driver has enrolled in or has completed a required Level II treatment program.

These rules are promulgated under the statutory authority of § 24-4-103 and 42-1-204, C.R.S.

### **SECTION 2. DEFINITIONS**

- 2.1 "Affidavit of Enrollment" means form DR2643 provided by the Department or an approved electronic equivalent.
- 2.2 "Department" means the Colorado Department of Revenue created in § 24-1-117, C.R.S.
- 2.3 "Estimated date of completion" means the latest date when the driver is expected to have successfully completed all components of their assigned Level II Program.
- 2.4 "Identified Data Collection System" means the Office of Behavioral Health database or system that is utilized by Level II Agencies to electronically track and report client enrollment and status.
- 2.5 "Level II Agency" means an organization licensed by the Office of Behavioral Health of the Colorado Department of Human Services that provides Level II Programs.
- 2.6 "Level II Program" means a level II program as described in § 42-4-1301.3(3)(c)(IV), C.R.S.
- 2.7 "OBH" means the Office of Behavioral Health within the Colorado Department of Human Services created in § 24-1-120(6)(d), C.R.S.

### **SECTION 3. AGENCIES DELIVERING LEVEL II SERVICES**

- 3.1 The Affidavit of Enrollment form shall be fully completed by the Level II Agency and the person seeking enrollment, including the Estimated Date of Completion; a copy must be retained by the Level II Agency. The Department will not accept an incomplete Affidavit of Enrollment. The Department may accept an approved electronic equivalent submitted through the identified data collection system.

- 3.2 Level II Agencies are responsible for submitting evidence of program completion to the Department. Evidence of program completion should be submitted through the identified data collection system or a DUI/DWAI Reporting System (OBH form).
- 3.3 If a client changes Level II Agencies for any reason, the client must file a new Affidavit of Enrollment with the Department, and the new Level II Agency shall submit a notice of the enrollment through the identified data collection system.
- 3.4 Level II Agencies shall utilize the identified data collection system to provide reports to the Department on enrollments as well as client status including discharges. The quarterly report requirement referenced in § 42-2-144, C.R.S. is now satisfied by the identified data collection system, which provides daily updates electronically to the Department.