**Section 2060.505 DUI Risk Education**

a) The purpose of DUI risk education is to provide orientation to offenders regarding the impact of alcohol and other drug use on individual behavior and driving skills and to allow offenders to further explore the personal ramifications of their own substance use and abuse.

b) DUI risk education services shall be provided to any offender under the same terms and conditions regardless of ability to pay.

1) If an offender provides proof of indigence, in accordance with poverty guidelines established by the U.S. Department of Health and Human Services and published in the Department's annual Drunk and Drugged Driving Prevention Fund (DDDPF) billing manual, the organization providing the risk education may bill for reimbursement for such evaluation from the DDDPF. All such reimbursement shall be via a rate established by the Department and in accordance with the Department's most current fiscal year DDDPF billing manual.

2) Additionally, all reimbursement from the DDDPF is subject to availability of funds. Organizations shall have an alternative fee assessment and collection procedure for use should DDDPF funding not be available. However, if the reimbursement from the DDDPF or any additional fee assessed to the offender, as specified in subsection (b)(3) of this Section, has not been received by the completion of services, documentation of successful completion of risk education shall still be released to the appropriate circuit court of venue or the Office of the Secretary of State in accordance with this Section.

3) The organization may also assess a fee for the risk education to an indigent DUI offender when the organization's standard fee charged for risk education to a non-indigent DUI offender exceeds the rate of reimbursement provided by the Department. In such cases, the amount assessed to the offender shall not exceed the difference between the organization's standard fee and the Department's rate.

4) Any organization choosing not to submit reimbursement claims shall still provide services to indigent offenders in accordance with this Part.

c) The risk education curriculum shall include:

1) information on alcohol as a drug;

2) physiological and pharmacological effects of alcohol and other drugs, including their residual impairment on normal levels of driving performance;

3) other drugs, legal and illegal, and their effects on driving when used separately and/or in combination with alcohol;

4) substance abuse/dependence and the effect on individuals and families;

5) blood alcohol concentration (BAC) level and its effect on driving performance;

6) information about Illinois driving under the influence laws and associated penalties;

7) factors that influence the formation of patterns of alcohol and drug abuse; and

8) information about referrals for services that can address any identified problem that may increase the risk for future alcohol/drug related difficulty.

d) Risk education courses shall include a minimum of 10 hours of classroom instruction, divided into at least four sessions held on different days. No session shall exceed three hours in length.

e) A pre-test and post-test shall be designed and administered to offenders to assess the effectiveness of the service and any increase in knowledge in the curriculum areas. The pre-test and post-test shall be submitted for review by the Department at the time of application for licensure or license renewal.

f) In order to successfully complete risk education, the offender shall attend each session in its entirety and in proper sequence and achieve a score on the post-test of at least 75%.

g) Upon successful completion, a DUI Risk Education Certificate of Completion shall be issued to each offender. The certificate is produced by the DUI Service Reporting System (DSRS). All sections of this form shall be complete and it shall be signed by the DUI Risk Education Instructor.

h) Audio-visual presentations shall not comprise more than 25% of the total class time.

i) No more than 24 participants shall be permitted in any one class session.

j) Written rules shall be developed and provided to each DUI offender upon enrollment, which address the following:

1) criteria for admission;

2) criteria for disqualification;

3) responsibilities of the DUI offender;

4) sobriety and drug-free requirements during class; and

5) course outline, content and class schedule.

k) Prior to enrollment in risk education classes, the DUI offender shall provide a copy of his or her completed Alcohol and Drug Evaluation Uniform Report indicating that risk education has been recommended.

l) The organization that provided the evaluation or, if applicable, treatment service shall be notified in the event that information is discovered or disclosed while the offender is in risk education that indicates the offender was not correctly evaluated and is in need of additional services. The notification shall also be made to the circuit court of venue or the Office of the Secretary of State, if applicable.

m) The circuit court of venue or the Office of the Secretary of State, whichever is applicable, shall be notified, within five calendar days, when a DUI offender is involuntarily terminated from risk education. This information shall be communicated by using the Department's Notice of Involuntary Termination from DUI Risk Education form.

n) Each risk education instructor shall be available to provide testimony relative to the offender's participation in risk education when summoned by the circuit court of venue, the Office of the Secretary of State or the DUI offender.

o) In addition to meeting the provisions specified in Section 2060.325 of this Part, the following documents shall also be contained in the DUI offender's record:

1) a copy of the Alcohol and Drug Evaluation Uniform Report;

2) the pre- and post-test specifying percentage scores;

3) a copy of the DUI Risk Education Certificate of Completion;

4) a copy of Notice of Involuntary Termination from DUI Risk Education form, if applicable; and

5) a copy of any notification regarding a change in the risk level assignment and intervention.

(Source: Amended at 25 Ill. Reg. 11063, effective August 14, 2001)