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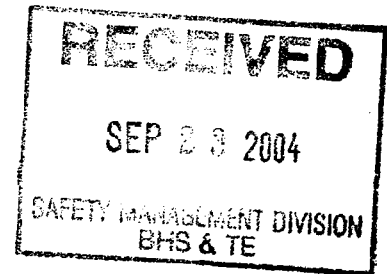
ERIE COUNTY

D.W.I. PROGRAM, INC.

36 NORTH PARK ROW
ERIE, PENNSYLVANIA 16501-1133
(814) 454-3326

September 20, 2004

Louis R. Rader
Bureau of Highway Safety
& Traffic Engineering
Commonwealth Keystone Building
400 North Street
6th Floor
Harrisburg, PA 17120-0064



Subject: **67 PA Code CH. 94**

Dear Mr. Rader:

William Chisholm, President of the Board of Directors of D.W.I. Inc. and I have reviewed the proposed Chapter 94, which was published in the Pennsylvania Bulletin on August 28, 2004. As you are aware, District Justice Chisholm served on the Quality Assurance Committee that assisted in developing the criteria for this rule as well as the implementation of these guidelines which will give credibility to DUI Programs throughout the State. After reviewing Chapter 94, we have the following comments for your review/consideration:

I. §94.7(b) Student Attendance Requirements

A. What if the offender does not successfully complete the AHSS as a result of failure to make up a component or failure to pay?

1. A statement should be added regarding payment in full. This is vitally important to the survival of the AHSS, without client payment, we will be unable to continue operation whereby we provide this service. Additionally, payment in full is required in the mandated law. {Section 3807(b)(1)(viii) and Section 1548(e)}

2. Expungement of the record should be denied.
3. A PENNDOT form should be developed which the AHSS could send to the Clerk of Courts notifying them of the offender's noncompliance thereby requesting that the record not be expunged.

II. §94.6(c) Entry and Inspection

- A. In order to comply with this inspection, the Department very clearly needs to advise all AHSS's exactly what files should be maintained and for what period of time.
- B. A checklist for the inspection should be provided.

III. §94.12 The DUI Coordinator will earn 12 recertification credits every 2 years.

- A. Will the 12 credits maintain CRN and Instructor Certification?
- B. Currently 18 credits are required to maintain both certifications.

Thank you for your attention to these issues and for the opportunity to submit comments. We look forward to your response on these issues.

Sincerely,

ERIE COUNTY D.W.I. PROGRAM, INC.

William Chisholm/sb.

William Chisholm, President

Sherry Brinager

Sherry Brinager, DUI Coordinator