



## Directive

To : All Employees (DORALL)  
Rehabilitation Directive Manual Holders

From : Department of Rehabilitation  
2000 Evergreen Street  
Sacramento CA 95815

Date : October 29, 2004

Subject : REHABILITATION DIRECTIVE 2004.012

APPROVAL OF VEHICLE PURCHASE AS A TRANSPORTATION  
SERVICE AND OF MOBILITY EVALUATIONS AND/OR VEHICLE  
MODIFICATIONS

### ISSUE:

To assure that transportation services, and in particular the purchase of vehicles by the Department of Rehabilitation (DOR), are provided consistent with federal and DOR regulations regarding vocational rehabilitation (VR) services, Rehabilitation Directive 2003.006 is rescinded, effective immediately. It is superseded by this directive.

### BACKGROUND:

Transportation is provided only when necessary to enable a consumer to participate in a VR service. 34 Code of Federal Regulations (CFR) 361.5(b)(57); Title 9 California Code of Regulations (CCR) section 7029, 7161. The purchase (or repair) of a vehicle is a transportation service. 34 CFR 361.5(b)(57), Example 2; Title 9 CCR section 7029(b)(5).

Because any transportation service provided by DOR must be for the purpose of participating in a VR service, the purchase of a vehicle or other transportation service for the purpose of transporting a consumer to and from the workplace or for use on the job does not meet the definition of "transportation" and cannot be provided as a VR service. DOR does not provide employment-related "transportation" needed by an applicant or consumer, due to the limitation that transportation services, as defined, are provided only when supportive of a VR service.

Further, because transportation is a supportive service that is provided to assist the consumer to participate in a VR service, it is never provided as a sole service. Title 9 CCR section 7161(a)(2). The applicant's need for other VR services must first be identified, and transportation services are then authorized only to the extent necessary to allow the consumer to participate in such identified VR services.

The limited scope of transportation provided as a supportive VR service may also affect determinations of eligibility and priority for services.

- An applicant is eligible only when he or she requires VR services to prepare for, secure, retain or regain employment. 34 CFR 361.42(a)(1)(iii); Title 9 CCR section 7062(a)(3). The Senior Vocational Rehabilitation Counselor (SVRC) must determine that the applicant requires VR services, exclusive of transportation, to determine eligibility. Because transportation is provided to support other VR services, eligibility cannot be established based on a need for "transportation" alone.
- Priority for services is based in part on a determination that the applicant requires "multiple" VR services. Title 9 CCR section 7051. In determining the number of VR services required, certain forms of transportation, including purchase of a vehicle, may be considered. However, because transportation can only be supportive of another VR service, an applicant cannot be determined to be in a priority category based solely on a need for "transportation".

Vehicle modifications are a rehabilitation technology service, not a transportation service. Title 9 CCR sections 7024.7, 7029(b)(5). The purchase of a vehicle (as transportation, a supportive service) and the purchase of modifications (as rehabilitation technology) are separate services and must be separately evaluated and approved.

- In some cases, a consumer will need transportation to participate in VR services, and the purchase of a vehicle may be determined to be the most cost-effective means of providing transportation. Assuming this is the case, and that all other applicable conditions for a vehicle purchase as a transportation service are met, the SVRC will then also determine if modifications to the vehicle are necessary to allow the consumer to operate the vehicle.
- In other cases, vehicle modifications may be an appropriate service even though a vehicle purchase is not an appropriate transportation service. For example, a consumer who needs a vehicle for work-related or commute purposes in order to retain his or her employment will not qualify for the purchase of a vehicle as a transportation service. If the consumer purchases his or her own vehicle, however, the consumer may qualify for vehicle modifications as a rehabilitation technology service.

In regard to vehicle modifications, the decision whether to provide VR services to make a DOR-purchased vehicle useable by the consumer is made separately from, and only after, the initial decision is made to provide a vehicle as transportation to enable the consumer to participate in a VR service. The initial decision to purchase the vehicle must be based on the consumer's need to get to and from VR services, other than VR services necessitated by the purchase of the vehicle, such as a mobility evaluation, driver's training or vehicle modifications.

Currently, Title 9 CCR section 7164(a)(4) requires a mobility evaluation (or a waiver of a mobility evaluation) prior to a vehicle purchase for a consumer. Title 9 CCR section 7164.4(b) requires the approval of the District Administrator (DA) prior to the authorization of a mobility evaluation. Section 7164.6(a)(9) requires the approval of the Rehabilitation Supervisor (RS) for a waiver of a mobility evaluation. Rehabilitation Administrative Manual (RAM) section 15251 states, "Motorized vehicles such as vans, cars, trucks, motorcycles, autoettes, agricultural vehicles, etc., may be purchased with prior District Administrator approval."

Approval of a vehicle modification for a consumer must be based upon the applicable requirements in Title 9 CCR section 7165. Title 9 CCR section 7165(c) requires approval of the RS for vehicle modifications costing less than \$2,000, and approval of the DA for vehicle modifications costing \$2,000 or more.

## **POLICY/PROCEDURE:**

### Approval of Vehicle Purchase as a Transportation Service

The DA is required to review and approve any vehicle purchase that is proposed as a transportation service, in accordance with the regulations, prior to the authorization of the purchase or of a mobility evaluation.

For internal control purposes, effective immediately, the SVRC shall prepare a casenote regarding the need for the proposed vehicle purchase, addressing at a minimum the issues identified on the attached checklist, prior to seeking DA approval. The DA is responsible for verifying that the casenote has addressed all the issues in the checklist, and that the proposed purchase appears to meet all applicable regulatory requirements. Prior to the authorization of the mobility evaluation and/or vehicle purchase, the Deputy Director, or designee, will review the casenote and if there are any concerns about whether the proposed decision meets all applicable regulatory requirements, shall discuss the proposed purchase with the DA, prior to the DA's approval of the mobility evaluation and/or vehicle purchase.

After such review, the DA shall approve or deny the purchase of a vehicle as transportation, and document the reasons for the decision in the case record.

### Approval of Vehicle Modification as a Rehabilitation Technology Service

Prior to authorization and purchase of any vehicle modification, whether the modification will be made to a consumer-owned or Department-purchased vehicle, a mobility evaluation, pursuant to Title 9 CCR section 7164.4(b) (or a waiver pursuant to section 7164.6) is required. Title 9 CCR section 7165.

If DOR is considering whether to authorize modifications to a consumer-owned vehicle, approval of the mobility evaluation by the DA is considered to be the approvals of the RS and the DA required by Title 9 CCR section 7165(c) for the purchase of the vehicle modifications recommended by the mobility evaluator, subject to the confirmation and documentation process set forth below.

If DOR is considering the purchase of the vehicle to be modified, the policy/procedure for the purchase of a vehicle as a transportation service, set forth above, must be followed prior to the determination that vehicle modifications are required. If a vehicle purchase for the particular

consumer does not meet the definition of transportation service, a vehicle cannot be purchased and DOR can provide modifications only if they are to be made to a consumer-owned vehicle.

### Documentation following Mobility Evaluation

Upon receipt of the mobility evaluation report by the DOR field office and prior to proceeding with the vehicle purchase and/or authorization of vehicle modifications, the SVRC shall confer with the Vehicle Coordinator in Central Office to review the appropriateness of the recommendations. The SVRC will then enter a casenote in the consumer's DOR case record confirming that the recommended service(s) continues to be consistent with the consumer's Individualized Plan for Employment (IPE), and that the requirements in Title 9 CCR section 7164.4(f) have been met.

### Other State Regulations on Transportation

All state regulations (CCR) on transportation must be applied in a consistent manner and in a manner that is consistent with federal law applicable to the VR program.

In particular, the following CCR provisions must be applied in a manner that is internally consistent and consistent with the limitation in federal law that transportation is provided only to enable participation in a VR service.

Current state regulations (Title 9 CCR sections 7161, 7161.5) provide that transportation services may be provided to a consumer who is engaged in "suitable employment" under the following conditions:

- (a) until the consumer has received the first full month of pay at the employment or until the case is closed, whichever occurs sooner [Title 9 CCR sections 7161(a)(4)(A), 7161.5(a)];
- (b) for a period after the employed consumer has received the first month's pay, if the DA approves the service and if "undue financial hardship" exists, but a case is not kept open solely because the consumer is unable to assume the cost of transportation [Title 9 CCR sections 7161(a)(4)(A), 7161.5(b), (c), (d), (e)]; or
- (c) after case closure, to support a program of post-employment services, if the services are requested within 12 months of closure [Title 9 CCR section 7161(a)(4)(B), (e)].

Providing an employed consumer with funds to pay for transportation expenses pursuant to Title 9 CCR section 7161.5, if the transportation is for the purpose of commuting to work or performing job duties, would be

inconsistent with the limitation in 34 CFR 361.5(b)(57) and Title 9 CCR section 7029 that transportation services are provided only to enable participation in a VR service. However, providing a consumer with transportation to and from work under the specific limitations described in Title 9 section 7161.5 could be authorized as short-term or emergency financial assistance pursuant to Title 9 CCR section 7174(b)(1), rather than as a transportation service.

Providing transportation to a consumer who is engaged in suitable employment after case closure pursuant to Title 9 CCR section 7161(a)(4)(B) and (e) is consistent with the limitation on transportation as a supportive service, because the regulation specifies that the transportation service is specifically being provided to support a VR service (post-employment services).

Title 9 CCR section 7162.3 specifies the conditions under which DOR will pay for vehicle insurance as a transportation service, and states that one circumstance will be when the consumer must have a vehicle "as a condition of employment". Authorizing payment of vehicle insurance to enable the consumer to use a vehicle to perform job duties would be inconsistent with the limitation in 34 CFR 361.5(b)(57) and Title 9 CCR section 7029 that transportation is provided only to enable participation in a VR service. However, payment of vehicle insurance for a limited period when short-term financial need exists may be authorized as short-term or emergency financial assistance pursuant to Title 9 CCR section 7174(b)(1), rather than as a transportation service.

Title 9 CCR section 7164(a)(1)(B) provides that a vehicle purchase may occur when a consumer is "job ready", has been offered a job or is already employed. This regulation cannot be used to authorize purchase of a vehicle for use by the consumer to get to and from work or for use on the job, as such an interpretation would be inconsistent with the limitation in 34 CFR 361.5(b)(57) and Title 9 CCR section 7029 that transportation services are provided only to enable participation in a VR service. Transportation services to consumers who are job ready, have been offered a job or are employed can only be provided to the extent the consumer requires transportation to participate in a VR service.

**REFERENCES:**

34 CFR 361.5(b)(57), 361.42.

Title 9 CCR sections 7024.7, 7029, 7051, 7062, 7161, 7164, 7164.4, 7164.6, 7165.

RAM section 15251.

Supersedes Rehabilitation Directive 2003.006.

**EXPIRATION:**

This directive will expire two years from the date of issuance, or when incorporated into CCR and RAM, whichever comes first.

**CONTACT PERSON:**

Further questions may be addressed to the appropriate Regional Program Manager: Elena Gomez, North/Central Regional Program Manager, at (916) 263-8939 or CALNET 435-8939, or email [egomez@dor.ca.gov](mailto:egomez@dor.ca.gov); or Donna Smith, South Regional Program Manager, at (714) 991-0866 or email [dcsmith@dor.ca.gov](mailto:dcsmith@dor.ca.gov).

Attachment: Checklist for Proposed Vehicle Purchase

TITLE 9. REHABILITATIVE AND DEVELOPMENTAL SERVICES  
DIVISION 3. DEPARTMENT OF REHABILITATION [FNA1]  
CHAPTER 3. VOCATIONAL REHABILITATION SERVICES FOR INDIVIDUALS WITH  
DISABILITIES

ARTICLE 5. TRANSPORTATION SERVICES

This database is current through 3/14/08, Register 2008, No. 11

§ 7164.2. Vehicle Purchase - Financial Ability

(a) A client shall demonstrate that he/she has the financial ability to operate, maintain and replace a vehicle by having actual or projected remaining disposable monthly income for basic living expenses at least equal to the current SSI/SSP monthly payment level for a disabled individual in an independent living situation. The client's remaining disposable monthly income shall be computed as follows:

(1) Subtract the client's monthly involuntary payroll deductions, such as federal and state income tax withholding and state disability insurance, from the client's total monthly gross earned income. If the client is employed, actual gross earnings and involuntary deductions shall be used. If the client is not employed, projected gross earnings, based upon the type of employment being sought and the client's marketable skills, shall be used. Involuntary deductions shall be projected as 20 percent of the projected gross earnings. These calculations determine the client's total monthly net earned income.

(2) Combine the client's total monthly net earned income with the client's total monthly unearned income and, for client's who are SSI/SSP recipients, the SSI adjusted amount determined in accordance with (b). This is the client's total monthly income. Unearned income includes such payments as SSDI, Veterans benefits and pensions.

(3) From the total monthly income determined in (2), subtract the projected monthly vehicle operation and maintenance costs determined in accordance with (c) and the projected driver's costs, if any, determined in accordance with (d). This is the client's remaining disposable monthly income.

(b) The SSI adjusted amount shall be calculated as follows:

(1) Subtract the client's actual or projected monthly impairment-related work expenses, if any, from the client's actual or projected total gross earned income determined in accordance with (a)(1). Impairment-related work expenses shall be limited to those items specified in 20 CFR 416.976(c), April 1988 edition, which is incorporated by reference herein. If the client is employed, the actual cost of impairment-related work expenses shall be used. If the client is not employed, the Counselor, together with the client, shall estimate the cost of impairment-related work expenses based upon the special needs of the individual client.

(2) If the client has:

(A) Both earned and unearned income:

1. Subtract \$20 from the client's unearned income. This is the client's total unearned income used to determine the SSI adjusted amount.
2. Subtract \$65 from the amount determined in (1). Divide the remainder by two. This is the client's total earned income used to determine the SSI adjusted amount.
3. Add the amount determined in 1., even if the amount is less than zero, to the amount determined in 2. This is the client's total combined monthly income used to determine the SSI adjusted amount.

(B) Only earned income:

1. Subtract \$85 from the amount determined in (1).
  2. Divide the amount determined in 1. by two. This is the client's total monthly income used to determine the SSI adjusted amount.
- (3) Subtract the amount determined in (2)(A) or (B), as appropriate, from the current SSI/SSP payment level. This is the SSI adjusted amount to be used in (a)(2).

(c) The costs of operating, maintaining and replacing a vehicle shall be projected on a monthly basis in accordance with this subsection. Based upon the special needs of the individual client, the Counselor, together with the client, shall estimate the type of vehicle and modifications/assistive devices that will be required. The applicable of the following amounts shall then be applied:

(1) Monthly vehicle costs:	
(A) Compact or subcompact car.....	\$330.00
(B) Intermediate-sized car.....	\$370.00
(C) Pickup truck.....	\$392.00
(D) Station wagon.....	\$392.00
(E) Van.....	\$410.00
(2) Monthly modification costs:	
(A) Single, such as hand controls or left foot accelerator.....	\$1.66
(B) Moderately complex, such as passenger equipment lift or power doors.....	\$12.50
(C) Complex, such as lift, transfer seat, power tiedown or sensitized steering.....	\$22.91

(d) If the vehicle will be purchased for the client as a passenger and the client anticipates driver costs, the Counselor together with the client shall estimate the number of hours a month that the client will need a driver for employment-related purposes. This amount shall be multiplied by the minimum wage of \$4.25 per hour to determine the projected driver costs.

<<DIVISION 3. DEPARTMENT OF REHABILITATION [FNA1]>>  
[FNa1] Formerly in Title 22, Division 1.8, Chapter 1.

Note: Authority cited: Sections 19006 and 19016, Welfare and Institutions Code. Reference: Section 19150(a)(11), Welfare and Institutions Code; 34 CFR Section 361.42.

HISTORY

1. New section filed 7-18-91; operative 8-17-91 (Register 91, No. 45).

9 CCR § 7164.2, 9 CA ADC § 7164.2  
1CAC

9 CA ADC § 7164.2

TITLE 9. REHABILITATIVE AND DEVELOPMENTAL SERVICES  
DIVISION 3. DEPARTMENT OF REHABILITATION [FNA1]  
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§ 7164.4. Mobility Evaluations.

(a) Mobility evaluations shall be accepted only if completed by a Department-approved Mobility Evaluation program which complies with the standards specified in section 7302.

(b) Prior to the authorization of a mobility evaluation, the approval of the District Administrator shall be obtained. The District Administrator's decision shall be based upon such criteria as verification that:

(1) All of the conditions in section 7164(a)(1)(A) and (C) and (2) and (3) are met.

(2) There is compliance with section 7161(b) and all of the requirements therein are met. For the purposes of client financial participation, the amount shall be calculated for the month in which the vehicle will be received by the client and payment shall be made to the Department at the time the client receives the vehicle.

(3) There is evidence that the client has completed or will successfully complete his/her IWRP.

(c) A mobility evaluation for clients who wish to be drivers shall include an assessment of all of the following:

(1) Physical functional abilities, including but not limited to, medical condition, strength and range of motion.

(2) Perceptual and cognitive abilities, including but not limited to, visual abilities, judgment skills and emotional stability.

(3) A behind-the-wheel assessment using the type of vehicle and equipment recommended pursuant to (f) which shall include both of the following:

(A) Stationary vehicle testing to determine the client's specific positioning needs, initial equipment needs and functional potential to operate the vehicle.

(B) A moving vehicle assessment which shall include an assessment of all of the following. The client's:

1. Physical performance in the driving set-up.

2. Integration of physical, visual and cognitive skills in varied driving environments.
3. Endurance and fatigue threshold.

(4) Potential for obtaining a driver's license.

(d) If the client has the potential to obtain a driver's license, the mobility evaluation, in addition to the items specified in (c), shall include both of the following:

(1) Specifications for adaptive driving equipment and vehicle modifications as specified in (f).

(2) An estimate of the amount and type of driver instruction needed

(e) A mobility evaluation for clients who will be passengers shall include both of the following:

(1) An assessment of the client's:

(A) Functional abilities.

(B) Equipment needs for safety as a passenger.

(2) The appropriate recommendations specified in (f).

(f) Recommendations for the least expensive and complicated type of vehicle and assistive device which will meet the client's functional capabilities and vocational and safety needs. A van shall be the last alternative considered. Recommended vehicle modifications and assistive devices shall meet the standards specified in section 7165(d).

<<DIVISION 3. DEPARTMENT OF REHABILITATION [FNA1]>>

[FNA1] Formerly in Title 22, Division 1.8, Chapter 1.

Note: Authority cited: Sections 19006 and 19016, Welfare and Institutions Code. Reference: Section 19150(a)(11), Welfare and Institutions Code; 34 CFR Section 361.42.

HISTORY

1. New section filed 7-18-91; operative 8-17-91 (Register 91, No. 45).

9 CCR § 7164.4, 9 CA ADC § 7164.4  
1CAC

9 CA ADC § 7164.4

TITLE 9. REHABILITATIVE AND DEVELOPMENTAL SERVICES  
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§ 7164.6. Mobility Evaluation - Waivers.

(a) A client who will be the driver of the vehicle shall have the mobility evaluation waived only if all of the following conditions exist:

(1) The client has driven a modified car and possesses a current and valid driver's license which has been issued after the onset of the client's disability. The client shall present his/her driver's license as verification.

(2) The new car has similar options, such as power steering, power brakes, etc. as the client's former car and/or the modifications to be purchased have the same generic classifications, such as hand control, spinner knob, etc., as the modifications the client has been using and the modifications will cost \$750 or less

(3) The client, within the three prior years, has had no moving violations or record of an accident while operating a vehicle as verified through a printout of the client's driving record from the Department of Motor Vehicles, driver instructor's reports or similar documents.

(4) Supporting medical evidence is presented by the client which indicates that the client's medical condition is, or can be expected to remain, stable and that the client has no perceptual problems. In addition, there shall be confirmation from a Medical Consultant that the supporting medical evidence is accurate and consistent with the client's medical information maintained by the Department.

(5) There is verification that the new vehicle and/or modifications to be purchased is consistent with that recommended by an occupational or physical therapist.

(6) Approval of the Program Supervisor has been obtained. The Program Supervisor's decision shall be based upon whether or not there is verification:

(A) Of the criteria specified in (1) through (5)

(B) That the requirements of section 7164(b) and 7164.2 have been met.

(b) A client who will be transported as a passenger in the vehicle shall have the mobility evaluation waived only if all of the following conditions exist:

(1) The client will be transported in a standard, full-sized van.

(2) The measured height of the client from the floor to the top of his/her head while sitting upright is less than 51 inches.

(3) The client, without tipping the wheelchair, can temporarily bend over in his/her wheelchair so that the distance from the floor to the top of his/her head or the highest point on the wheelchair is less than 48 inches.

(4) The distance from the back of the rear wheel to the tip of the toe or end of foot plate, whichever is longer, is less than:

(A) 45 inches if the chair is equipped with anti-tip rollers.

(B) 48 inches if the chair is not equipped with anti-tip rollers.

(5) The client has no respiratory or other special equipment which must be attached to the van.

(6) The client does not anticipate the need or ability to be an independent driver in the next five years.

(7) The client has a standard noncustomized wheelchair. Recliner wheelchairs are permissible only with a doctor's permission for repeated use.

(8) The Counselor and/or the client foresee no equipment needs other than any of the following:

(A) A wheelchair lift operable by an attendant and located according to client needs and preference.

(B) Lift switches located such that the client's attendant can see the lift through its whole cycle of operation.

(C) A light near the lift for night use.

(D) The floor of the van leveled.

(E) A manual (non powered) wheelchair tiedown at the standard passenger position between and just behind the two front seats.

(F) A seat belt attached to the van at the passenger position.

(G) Buckle or velcro closure trunk supports attached to the client's wheelchair for trunk stability while stopping or cornering.

(9) The approval of the Program Supervisor has been obtained. The Program Supervisor's decision shall be based upon whether or not there is documentation of the criteria specified in

(1) through (7).

<<DIVISION 3. DEPARTMENT OF REHABILITATION [FNA1]>>

[FNa1] Formerly in Title 22, Division 1.8, Chapter 1.

Note: Authority cited: Sections 19006 and 19016, Welfare and Institutions Code. Reference: Section 19150(a)(11), Welfare and Institutions Code; 34 CFR Section 361.42

HISTORY

1. New section filed 7-18-91; operative 8-17-91 (Register 91, No. 45).
2. Editorial correction of subsection (b)(6) (Register 95, No. 43).

9 CCR § 7164.6, 9 CA ADC § 7164.6  
1CAC

9 CA ADC § 7164.6

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§ 7164. Vehicle Purchase.

(a) A motor vehicle shall be purchased for a client only when all of the following conditions exist:

(1) The client for whom the vehicle will be purchased meets all of the following conditions:

(A) Is physically unable to use non-adapted or alternate forms of transportation.

(B) Has competitive employment as a vocational goal and one of the following conditions exist. The client:

1. Is ready for or participating in vocational training.

2. Is job ready.

3. Has been offered a job.

4. Is already employed in suitable employment.

(C) Has the financial ability to operate, maintain and replace the vehicle as determined pursuant to section 7164.2.

(2) All other modes of transportation, as well as permanent relocation, have been explored and documented and a determination has been made that vehicle purchase is the most cost effective means of obtaining transportation necessary to meet the client's specialized vocational needs.

(3) For a client who is a SSI/SSP recipient, the Counselor, as part of fulfilling the requirements under section 7161(b), has obtained documentation of refusal of the Social Security Administration to allow the client to establish an approved plan for achieving self-support as defined in 20 CFR sections 416.1180 through 416.1182 and sections 416.1225 through 416.1227.

(4) The client has been evaluated by the Department or by a Department-approved mobility evaluation program in accordance with section 7164.4, or has obtained a waiver of the mobility evaluation in accordance with section 7164.6 and one of the following conditions exist:

(A) The client has a driver's license and has obtained a waiver of the mobility evaluation.

(B) The mobility evaluation program has determined that the client has a driver's license or has the potential for obtaining a driver's license and the client agrees that:

1. All driving instruction recommended by a mobility evaluation program shall be mandatory
2. Until the unlicensed client receives a driver's license, a licensed driver who has been approved by the Counselor and who has been provided instructions regarding any modifications added to the vehicle shall be utilized at all times, even if the client has a current driver's license.

(C) The client does not have the potential to obtain a driver's license, but both of the following conditions exist:

1. A determination has been made through the mobility evaluation program or waiver process that the client meets the passenger criteria.
2. The client agrees that a licensed driver who has been approved by the Counselor and who has obtained instructions regarding any modifications added to the vehicle shall be utilized at all times.

(5) The client has signed the Issuance of Vehicle form (DR290A dated February, 1991) promising to abide by the following conditions while his/her case remains open:

(A) If the client does not possess a driver's license, only the person(s) specified in (4)(B)2. or (C)2. shall operate the vehicle.

(B) Manufacturers guidelines or General Service Administration's instructions contained in STD 271 (revised 8-78), which is incorporated by reference herein, regarding vehicle maintenance shall be followed.

(C) A record of both vehicle and modification maintenance shall be maintained in STD 271 and shall be reviewed annually by the Counselor.

(D) The client shall provide proof of insurance in an amount at least equal to the State's legally prescribed minimum level for the vehicle being purchased.

(E) Until the case is closed, the Department shall be the legal owner of the vehicle. If the case is closed for a reason other than "rehabilitated", the vehicle shall be returned to the Department, unless the client purchases the vehicle from the Department at fair market value as determined in accordance with section 7194(c). In no instance shall any client financial participation obligation paid by the client be refunded.

(F) The client shall make no alterations to the vehicle or its adaptive equipment without the prior written approval of the Counselor.

(G) The client shall obtain any recommended driver instruction and not drive the vehicle independently until all instructions recommended by the Mobility Evaluation program are completed.

(H) If the client is the driver, the client shall maintain a valid California driver's license and shall notify the Counselor if his/her license is no longer valid.

(I) The client shall notify the Counselor if the vehicle is involved in an accident.

(J) The client shall notify the Counselor of any reason which prevents him/her from carrying out his/her IWRP.

(b) The least expensive vehicle which meets the client's specialized vocational needs shall be purchased.

(c) The vehicle shall be inspected and approved by the Fleet Administration Division of the Department of General Services.

<<DIVISION 3. DEPARTMENT OF REHABILITATION [FNA1]>>

[FNA1] Formerly in Title 22, Division 1.8, Chapter 1.

Note: Authority cited: Sections 19006 and 19016, Welfare and Institutions Code. Reference: Section 19150(a)(12), Welfare and Institutions Code; 34 CFR 361.42.

HISTORY

1. New section and heading filed 7-18-91; operative 8-17-91 (Register 91, No. 45).
2. Amendment of subsection (a) (1) (B) and Note filed 8-20-92; operative 9-21-92 (Register 92, No. 34).
3. Change without regulatory effect repealing subsection (b) and relettering following subsections filed 10-7-92 pursuant to section 100, title 1, California Code of Regulations (Register 92, No. 41).
4. Editorial correction of History 3 (Register 95, No. 11).

9 CCR § 7164, 9 CA ADC § 7164  
1CAC

9 CA ADC § 7164