

**62A-15-503 Assessments for DUI -- Use of money for rehabilitation programs, including victim impact panels -- Rulemaking power granted.**

- (1) Assessments imposed under Section 62A-15-502 may, pursuant to court order, either:
  - (a) be collected by the clerk of the court in which the person was convicted; or
  - (b) be paid directly to the licensed alcohol or drug treatment program. Those assessments collected by the court shall either be:
    - (i) forwarded to the state treasurer for credit to the Intoxicated Driver Rehabilitation Account created by Section 62A-15-502.5; or
    - (ii) forwarded to a special nonlapsing account created by the county treasurer of the county in which the fee is collected.
- (2) Proceeds of the accounts described in Subsection (1) shall be used exclusively for the operation of licensed alcohol or drug rehabilitation programs and education, assessment, supervision, and other activities related to and supporting the rehabilitation of persons convicted of driving while under the influence of intoxicating liquor or drugs. A requirement of the rehabilitation program shall be participation with a victim impact panel or program providing a forum for victims of alcohol or drug related offenses and defendants to share experiences on the impact of alcohol or drug related incidents in their lives. The Division of Substance Abuse and Mental Health shall establish guidelines to implement victim impact panels where, in the judgment of the licensed alcohol or drug program, appropriate victims are available, and shall establish guidelines for other programs where such victims are not available.
- (3) None of the assessments shall be maintained for administrative costs by the division.

Amended by Chapter 278, 2010 General Session