

Title 16. Professional and Vocational Regulations
Division 22. State Board of Guide Dogs for the Blind

⚔️📖[Article 5.](#) Miscellaneous ([Refs & Annos](#))

➡️§ 2295. Issuance of Citations and Fines.

(a) The Executive Officer of the Board or his designee may issue a citation containing an order to pay a fine between \$100 and \$5,000 and an order of abatement against a licensee for any violation of the Guide Dog Act or the California Code of Regulations or any laws governing the guide dog schools or guide dog instructors. A citation may be issued without the assessment of a fine, when determined by the Executive Officer or his designee.

(b) Each citation shall be in writing and shall describe with particularity the nature and facts of each violation specified in the citation, including a reference to the law or regulation alleged to have been violated.

(c) The citation shall be served upon the cited person either personally or by certified United States mail.

Note: Authority cited: Sections 125.9, 148 and 7200.1, Business and Professions Code.
Reference: Sections 125.9, 148, 7209.5, 7210, 7210.5 and 7213, Business and Professions Code.

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⚔️📖[Article 5.](#) Miscellaneous ([Refs & Annos](#))

➡️§ 2295.1. Criteria To Be Considered.

In the issuance of any citation, the following factors shall be considered:

(a) Nature and severity of the violation.

(b) Length of time that has passed since the date of the violation.

(c) Consequences of the violation, including potential or actual consumer harm.

(d) History of previous violations of the same or similar nature.

(e) Evidence that the violation was willful.

(f) Gravity of the violation.

(g) The extent to which the cited person has remediated any knowledge and/or skill deficiencies which could have injured a consumer.

Note: Authority cited: Sections 125.9 and 148, Business and Professions Code. Reference: Sections 125.9, 148, 7209.5, 7210, 7210.5 and 7213, Business and Professions Code.

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➡ **§ 2295.2. Contested Citations.**

- (a) The citation shall inform the licensee that if he desires a hearing to contest the finding of a violation, that hearing shall be requested by written notice to the board within 30 calendar days of the date of issuance of the citation. Hearings shall be held pursuant to the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.
- (b) In addition to requesting a hearing provided for in subdivision (a) of this section, the cited person may, within 14 calendar days after service of the citation, submit a written request for an informal conference with the Executive Officer.
- (c) The Executive Officer or his designee shall, within 30 calendar days from receipt of the written request, hold an informal conference with the person cited and/or his legal counsel or authorized representative.
- (d) The Executive Officer or his designee may affirm, modify or dismiss the citation, at the conclusion of the informal conference. A written decision stating the reasons for the decision shall be mailed to the cited person and his legal counsel, if any, within 14 calendar days from the date of the informal conference. This decision shall be deemed to be a final order with regard to the citation issued.
- (e) If the citation is dismissed, the request for a hearing shall be deemed withdrawn. If the citation is affirmed or modified, the cited person may, in his discretion, withdraw the request for a hearing or proceed with the administrative hearing process.

Note: Authority cited: Sections 125.9 and 148, Business and Professions Code. Reference: Sections 125.9, 148, 7209.5, 7210, 7210.5 and 7213, Business and Professions Code.

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➡ **§ 2295.3. Citations for Unlicensed Practice.**

The Executive Officer may issue a citation, in accordance with Section 148 of the Code, against any unlicensed person who is acting in the capacity of a licensee under the jurisdiction of the board and who is not otherwise exempt from licensure. Each citation may contain an assessment

of an administrative fine, or an order of abatement fixing a reasonable period of time for abatement. Administrative fines shall range from \$250 to \$5,000 for each violation. Any sanction authorized for activity under this section shall be separate from and in addition to any other civil or criminal remedies.

Note: Authority cited: Sections 125.9, 148 and 3622, Business and Professions Code.
Reference: Sections 125.9, 148, 7209.5, 7210, 7210.5 and 7213, Business and Professions Code.

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☞ [Article 1.](#) General Provisions ([Refs & Annos](#))

➡ **§ 2252. Definitions.**

For purposes of this chapter, the term “Board” means the California State Board of Guide Dogs for the Blind; and the term “Code” means the Business and Professions Code.

Note: Authority cited: Section 7208, Business and Professions Code. Reference: Section 7208, Business and Professions Code.

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☞ [Article 3.](#) Training Schools ([Refs & Annos](#))

➡ **§ 2275. Sterilization of Dogs.**

The school shall give to each blind person who receives a guide dog a certificate of a veterinarian stating that the guide dog has been neutered. The school shall retain a copy of such document in its records.

Note: Authority cited: Section 7208, Business and Professions Code. Reference: Sections 7208 and 7215, Business and Professions Code.

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☞ [Article 4.](#) Standards of Training and Instruction ([Refs & Annos](#))

➡ **§ 2284. Instructor -When License Required.**

Anyone instructing a blind person in the use of a guide dog must be licensed by the Board, provided, however, that a school may employ apprentices to assist in such instruction. No apprentice shall act as an instructor except under the direct and immediate supervision of a licensed instructor.

Note: Authority cited: Business and Professions Code, Section 7208. Reference: Business and Professions Code, Sections 7208 and 7210.