



Virginia Commission on Youth 2018 Legislative Studies and Initiatives

Barriers to Obtaining a Driver's License for Virginia's Foster Youth ADOPTED RECOMMENDATIONS IN BLUE

Adopted Language

Recommendation 1 – Provide funding to support youth in foster care in obtaining their driver's license.

Introduce a budget amendment to increase funding available to local departments of social services to reimburse foster parents and foster youth for increases to their existing automobile insurance premiums that occur because a foster youth in their care has become a licensed driver and to add additional coverage (umbrella policy or the equivalent) that will provide additional liability protection should a licensed foster youth in their care get into or cause a catastrophic accident. Provide funding to the Virginia Department of Social Services to coordinate and administer the driver's licensing program based on best practices from similar programs in other states.

Recommendation 2 – Introduce legislation to address foster parents' concerns about their automobile insurance policies being cancelled because they have foster youth in the household who drive.

Amend § 38.2-2212 of the *Code of Virginia* to require that no insurer shall refuse to issue or renew a motor vehicle insurance policy solely because of policy owner's status as a foster care provider or foster care youth.

Recommendation 3 – Recognize developmental and behavioral challenges.

Support the present policy of DSS, in which the foster parent or private provider, with input from the foster care worker, determines if obtaining a driver's license should be part of a foster youth's transition plan, consistent with the prudent parent standard.

Recommendation 4 – Educate foster parents, private providers, and foster youth on 1) insurance and liability issues; 2) how to navigate DMV's licensing process; 3) whether funding is available for "Behind the Wheel," and 4) why getting a driver's license on time is important for normalcy and a successful transition to adulthood.

Request DSS and/or other agencies develop educational or training materials that educate foster parents, private providers, and foster youth about 1) liability issues, insurance laws, and common insurance practices (to include laws about renewal and cancellation, how long an accident can affect premiums, how to establish that a foster youth is no longer living in the residence, and other applicable topics); 2) DMV requirements to obtain a learner's permit and driver's license; 3) what funding and resources are available to assist in this process, to include paying school lab fees for "Behind the Wheel" or paying a private driving education company; and 4) why getting a driver's license on time is important for normalcy and a successful transition to adulthood.

Recommendation 5 – Support obtaining a driver's license as part of the transitional plan for foster care youth.

Request DSS to institute policy or otherwise communicate to caseworkers, foster youth, and foster parents that obtaining a driver's license before the age of 18 should be ~~a priority of~~ an element of consideration in the youth's transition plan as part of normalcy and should be encouraged when possible.