



Virginia Commission on Youth 2018 Legislative Studies and Initiatives

Barriers to Obtaining a Driver's License for Virginia's Foster Youth

Recommendations	Public Comments
<p><u>Recommendation 1 – Provide funding to support youth in foster care in obtaining their driver's license.</u></p> <p><u>Option 1a</u></p> <p>Introduce a budget amendment to increase funding available to local departments of social services to reimburse foster parents for increases to their existing automobile insurance premiums that occur because a foster youth in their care has become a licensed driver.</p> <p>(or)</p> <p><u>Option 1b</u></p> <p>Introduce a budget amendment to increase funding available to local departments of social services to reimburse foster parents 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.</p>	<p><u>In support</u></p> <p>The Virginia Association of Licensed Child Placing Agencies (VALCPA) provided comments in support of the proposed recommendations which would decrease and eliminate barriers to obtaining a driver's license for youth in foster care.</p> <p>Children's Home Society of Virginia (CHS) supports "providing reimbursement to the foster family for any increase due to the fact the foster youth has a driver's license."</p> <p>Additionally, CHS supports option 3, and adds that they would encourage localities to provide as much assistance, above and beyond the minimum 50%, as possible.</p> <p>NewFound Families-Virginia supports options 1b, 2 and 3 for recommendation 1.</p> <p>Voices for Virginia's Children strongly supports recommendation 1 with respect to all three options.</p>

Option 2

Introduce a budget amendment to increase funding available to local departments of social services to reimburse foster parents for the cost of their automobile insurance deductible in the event that a claim is made against their automobile insurance policy as a direct result of a foster youth in their care driving a covered vehicle.

Option 3

Introduce a budget amendment to increase funding available to the Foster Care Independent Living Program to reimburse foster youth age 18 to 21 who have their own cars and insurance policies for a minimum of 50 percent of the cost of minimum liability insurance required by state law while they are enrolled in the Fostering Futures program.

More specifically on option 3, Voices stated that, “We strongly support a budget amendment for the Virginia Department of Social Services to support youth in care and those who are participating in extended foster care to 21 to directly pay for their car insurance.”

Voices would like to see an additional option that would “allow for youth in care to be able to obtain car insurance when their foster parents are unwilling to allow them on their contract.” For example, “Nebraska introduced legislation that would allow for a child 16 years of age or older to contract for the cash purchase of a motor vehicle and the purchase of a motor vehicle insurance policy, with the consent of the court.”

In opposition

Donna Sayegh does not support any recommendation to “provide money to Social Service for Insurance for the teenagers.”

In general, and regarding options 1a, 1b, and the remaining recommendations, Ms. Sayegh would “oppose the suggestion for the government to dictate to parents to give their foster child a driver’s license before the age of 18.”

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.

Option 1

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

Children’s Home Society of Virginia (CHS) supports this recommendation.

NewFound Families-Virginia supports this recommendation.

Voices for Virginia’s Children strongly supports recommendation 2.

Recommendation 3 – Recognize developmental and behavioral challenges.

Option 1

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.

Children’s Home Society of Virginia (CHS) states that “while the case worker, foster parents and/or private providers should all work together to promote [obtaining a driver’s license], it should be determined who, whether it is the foster parent, private provider or case worker, will be responsible for taking the lead in assisting youth through all steps of obtaining a license.”

Children’s Home Society of Virginia also proposes an additional recommendation stated as follows:

“In the event it is determined that it is not appropriate for a youth in foster care to obtain a driver’s license, the case worker should ensure transportation remains a key part of the youth’s transition plan. This should include planning for how the youth will commute to and from home, work, school, etc. without a driver’s license and education on all available transportation options and costs.”

	<p>NewFound Families-Virginia supports this recommendation and adds that it should also include language “inform[ing] foster youth of their rights to appeal the lack of services or supports related to normalcy and driver’s license attainment to the VDSS Commissioner through Fair Hearings and Appeals.”</p>
<p><u>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.</u></p> <p><u>Option 1</u></p> <p>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.</p>	<p>Children’s Home Society of Virginia (CHS) supports “the development of educational and training materials to educate parents, providers and youth on the requirements and resources to obtain a driver’s license. As a part of this, the obtaining of a driver’s license, when appropriate, should be a key part of a youth’s transition plan and foster parents, providers and case workers should promote obtaining a driver’s license.”</p> <p>NewFound Families-Virginia supports this recommendation and adds that it should also include language “inform[ing] foster youth of their rights to appeal the lack of services or supports related to normalcy and driver’s license attainment to the VDSS Commissioner through Fair Hearings and Appeals.”</p>
<p><u>Recommendation 5 – Prioritize obtaining a driver’s license as part of the transitional plan for foster care youth.</u></p> <p><u>Option 1</u></p> <p>Request DSS to institute policy or otherwise communicate to caseworkers, foster youth, and foster parents that obtaining a</p>	<p>NewFound Families-Virginia supports this recommendation and adds that it should also include language “inform[ing] foster youth of their rights to appeal the lack of services or supports related to</p>

<p>driver's license before the age of 18 should be a priority of the youth's transition plan as part of normalcy and should be encouraged when possible.</p>	<p>normalcy and driver's license attainment to the VDSS Commissioner through Fair Hearings and Appeals."</p>
<p><u>Recommendation 6 – Create a program to 1) assist youth through all steps of the licensing process and providing solutions when progress is interrupted by a disrupted placement; 2) develop programs for youth in congregate care settings; 3) contract with private driving education companies; 4) reimburse insurance costs or directly pay insurance companies; and 5) conduct statewide trainings and education initiatives for all stakeholders.</u></p> <p><u>Option 1</u></p> <p>Introduce a budget amendment directing the Virginia Department of Social Services to issue a Request for Proposals for a private/nonprofit agency to coordinate and administer a driver's licensing program for foster youth, based on best practices from similar programs in other states. The contract shall include the authority to administer and reimburse funds to foster care parents and to foster care youth in the Fostering Futures Program for the cost of insurance supplements, driver's education and "Behind the Wheel," and other related costs as approved by the General Assembly. The contractor shall develop educational material and provide outreach to foster parents and youth, foster care caseworkers, and other stakeholders regarding the importance of driver's education and the importance of obtaining a driver's license as a part of normalcy.</p> <p>(or)</p>	<p>NewFound Families-Virginia supports either option.</p>

<p><u>Option 2</u></p> <p>Introduce a budget amendment creating a new position in state government to coordinate and administer a driver's licensing program for foster youth, based on best practices from similar programs in other states. The coordinator shall reimburse funds to foster care parents and to foster care youth in the Fostering Futures Program for the cost of insurance supplements, driver's education and "Behind the Wheel," and other related costs as approved by the General Assembly. The coordinator shall develop educational material and provide outreach to foster parents and youth, foster care caseworkers, and other stakeholders regarding the importance of driver's education and the importance of obtaining a driver's license as a part of normalcy.</p>	
<p><u>Recommendation 7 – At the September 18, 2018, Commission on Youth meeting, a discussion was raised about the potential benefits of a foster child under the age of 18 possessing an identification card.</u></p> <p><u>Option 1</u></p> <p>Amend § 63.2-905.3 of the <i>Code of Virginia</i> to add language to require that for a child in foster care aged 15 -18, the local department of social services shall ensure that the child acquires an identification card issued by the Commonwealth.</p>	<p>NewFound Families-Virginia supports this recommendation.</p>