

VIRGINIA COMMISSION ON YOUTH

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

Findings and Draft Recommendations

(Language in red reflects Commission on Youth discussion at the 9/18/18 meeting. Commission members directed staff to include an additional recommendation for consideration and public comment.)

Finding 1:

Cost of insurance is a major barrier to foster youth obtaining their driver's license while in foster care.

Draft Recommendations:

1a. 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.

OR

1b. 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.

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.

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.

Finding 2:

Foster parents' concerns about their automobile insurance policies being cancelled because they have foster youth in the household who drive is a barrier to foster youth obtaining their driver's licenses while in foster care.

Draft Recommendation:

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.

Finding 3:

Some foster youth do not get their licenses on time because they are not ready, developmentally, because of behavioral challenges, or because they are not permitted to do so by the juvenile courts due to past infractions.

Draft Recommendation:

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.

Finding 4:

Foster parents, private providers, and foster youth lack information and/or have misinformation relating to 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.

Draft Recommendation:

1. 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.

Finding 5:

Foster youth who are not interested in getting their driver's licenses because of various barriers report that foster parents and/or caseworkers often do not encourage them to make getting a license a priority or help them overcome barriers.

Draft Recommendations:

1. 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 the youth's transition plan as part of normalcy and should be encouraged when possible.

Finding 6:

Other states have recognized that the best way to affect a cultural shift that prioritizes foster youth obtaining their driver's licenses is to create a program that is dedicated to addressing all barriers, to include 1) assisting youth through all steps of the licensing process and providing solutions when progress is interrupted by a disrupted placement; 2) developing programs for youth in congregate care settings; 3) contracting with private driving education companies; 4) reimbursing insurance costs or directly paying insurance companies; and 5) conducting statewide trainings and education initiatives for all stakeholders.

Draft Recommendations:

1. 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.

OR

2. 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.

Finding 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.

Draft Recommendation:

1. Amend § 63.2-905.3 of the *Code of Virginia* 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.