
*Keys to Independence:
Driving for Foster Youth*



Pennsylvania Children and Youth Administrators Association

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Penn State Dickinson Law's Children's Advocacy Clinic

Keys to Independence: Driving for Foster Youth

The Children's Advocacy Clinic of Penn State Dickinson Law and the Pennsylvania Children and Youth Administrators Association (PCYA) joined together to prepare this report, **Keys to Independence: Driving for Foster Youth**. Because of our close work with foster youth, the staff and faculty of Children's Advocacy Clinic and PCYA are very familiar with the roadblocks to driving that foster youth in Pennsylvania face every day. In addition to our direct knowledge of foster youth who have struggled to obtain drivers licenses and car insurance, we completed research on the topic, which included a survey of both youth and child welfare agency administrators across the state.

Recent changes to both federal and state law have taken big steps towards creating normal life experiences for youth in foster care. Congress passed the "Preventing Sex Trafficking and Strengthening Families Act of 2014 (H.R. 2980), which among many other important provisions includes a mandate to states to implement standards to create normalcy for youth in care. The Pennsylvania Legislature responded by passing House Bill 477 in December of 2015. House Bill 477, is entitled the "Activities and Experience for Children in Out-of- Home Placements Act" or Act 75 of 2105. Governor Tom Wolf signed the bill into law on December 10th, 2015. This Act allows Pennsylvania youth to participate in the social, recreational, and extracurricular activities without barriers, which most teenagers get to experience on a daily basis. The new law requires foster parents and caregivers to utilize the "reasonable and prudent parent" standard to make decisions about whether or not the foster youth in their care can participate in age-appropriate activities. Before the passage of Act 75, foster youth were often denied chances to participate in normal teenage activities. Frequently, youth would need court permission to participate, which involved delays in participation and lost opportunities. While this law took a large step toward protecting foster youths right to normalcy, there are many steps left to take.

One roadblock continues to interfere with youth's ability to participate in normal teenage activities – the ability to drive. **Keys to Independence: Driving for Foster Youth** examines the obstacles that foster youth face when they try to obtain a driver's license. In many areas of our Commonwealth, a driver's license is necessary for the youth to participate in extracurricular activities at school and in the community, to find employment and maintain a job, and so much more. The independence that the foster youth gains with their driver's

license is invaluable toward creating a normal teenager experience and preparing a foster youth for their independence as an adult.

Foster youth need to be able to obtain a learner's permit and a driver's license just as easily as a non-foster youth. They need access to driver's education courses, both lessons in the classroom and on the road to help them learn to be safe drivers and to pass their driver's test. Foster youth also need access to automobile insurance. Car insurance may present a major roadblock, because foster youth need insurance to own a car and drive, but they may need the car to find work in order to pay for the insurance. In order to overcome these roadblocks, we propose some policy changes and new legislation in order to make it easier for Pennsylvania foster youth to be able to drive.

Keys to Independence: Driving for Foster Youth offers an overview of the unique challenges that foster youth face when they try to get a driver's license and a car. This report also offers recommendations as to how to address some of these challenges. This report is not an exhaustive review of all the challenges faced by foster youth, but it provides an overview of the issues which are directly related to being in foster care, and suggestions on how to ameliorate the concerns. If foster youth are able to drive, they would have greater access to work, to educational options, and to the community in order to become responsible adults.

Thank you for taking time to read this report and for helping us address the interests of Pennsylvania foster youth. We would also like to thank Jane Soltis and the Florida Guardian Ad Litem Program for the assistance that they provided in this project and for the information we were able to gather from their *A Voice Heard: Keys to Independence* report. In addition, we would like to thank the child welfare agency administrators that were invaluable in providing information for this report. Additionally, we would like to thank Penn State Dickinson Law student Kathryn Dales & Ailise Delaney for all their work on this project.

Sincerely,

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Introduction

Pennsylvania passed House Bill 477 on December 10, 2015 as part of the 2015-2016 Legislative Session. The new law, known as the Activities and Experience for Children in Out-of-Home Placements Act or Act 75, works to allow foster youth to have a more normal childhood experiences and allows the caregivers of children placed out-of-home to make decisions without court involvement regarding age-appropriate activities¹. These activities include sleepovers, field trips, visiting a friend’s house, and many other normal day-to-day parenting decisions. However, even with this new legislation, foster youth continue to struggle to participate in the common rite-of-passage for many teenagers around the country. Many foster youth are unable to drive.

The Activities and Experience for Children in Out-of-Home Placements Act permits the foster parent to make decisions regarding when the child is allowed to begin driving under a “reasonable and prudent parent standard,” because learning how to drive and acquiring a driver’s license would be considered an age-appropriate activities. However, there are many issues even when the foster parent allows their foster youth to drive. Foster youth face additional barriers at nearly every stage of the process. Receiving their permit, taking a driver’s education course, taking their license test, getting a car, and getting car insurance are each a new hurdle that foster youth must overcome.

Child welfare agency administrators across the state responded to a survey related to issues facing their older youth population, specifically related to driving. In addition, we received comments from youth directly on the issues related to obtaining a driver’s license, and the obstacles that prevent them from receiving one. The benefits which the youth mentioned included: getting to work, seeing friends, general transportation, and increasing independence and responsibility. Some of the obstacles the IL Youth noticed included: money and documentation needed to get a license and the cost of a car and insurance.

Many rural counties noted limitations in their public transportation systems that would require youth to drive in order to work, but that they are unable to drive because they lack the funds to do so.

Youth Comments Regarding Benefits of Driving:

“To get to work and see friends.”

“It would help you get where you need to be when you need to be there.”

“It could help me get to school, job, and home.”

“It would help me feel more independent.”

“It can further teach me how to take care of things.”

¹ Activities and Experiences for Children in Out-of-Home Placements Act, 440 Pa. Laws 75 (2015).

Youth Quotes Regarding Obstacles to Driving:

“Cost of a car and insurance.”

“The money and papers to get it.”

“Passing the permit test.”

Background

Representative Dave Hickernell, the original sponsor of House Bill 477, published a statement detailing the motivation for the Activities and Experience for Children in Out-of-Home Placements Act in October 2015². He stated:

Children in foster care are entitled to and should be encouraged to participate in activities that offer opportunities for healthy childhood and adolescent development...However, things that other children take for granted, such as playing on an athletic team, joining the marching band, going on a field trip, getting a driver's license learner's permit, or going on a family vacation are often difficult to arrange for children in foster care because of the need for prior, formal approval from the county child welfare agency or private agency that has legal custody of the child.³

His statement reflects the difficulties that foster youth face in achieving normal teenage milestones and participating in normal teenage activities.

In the 2014 fiscal year, there were 22,510 children in foster care in Pennsylvania and 21.4% of those children were ages 15 and older. Approximately ten percent of those youth are between

² Lardner, C. (2015, October 21). Hickernell Bill Making it Easier for Foster Children to Participate in Out-of-Home Activities Passes House. Retrieved June 06, 2016, from <http://www.pahousegop.com/NewsItem.aspx?NewsID=25353>

³ Lardner, C. (2015, October 21). Hickernell Bill Making it Easier for Foster Children to Participate in Out-of-Home Activities Passes House. Retrieved June 06, 2016, from <http://www.pahousegop.com/NewsItem.aspx?NewsID=25353>

the ages of 18 and 20⁴. Pennsylvania must work to ensure that this population of foster youth is able to develop independence and necessary life skills, by easing the way for them to drive.

The Children's Advocacy Clinic and PCYA distributed a survey to obtain information related to assess to driving for foster youth in Pennsylvania. The survey ran from June 1, 2016 until June 7, 2016. The survey, attached in the Appendix, addressed foster youth ages 16-21 throughout Pennsylvania. Out of 67 counties in Pennsylvania, 23 counties provided data for this survey, which have a combined population of approximately 500 foster youth between the ages of 16 and 21. The survey specifically addressed how many youth in that age range had access to driving, public transportation, driver's education, a vehicle of their own, insurance and various other aspects of driving. Please note that these results are approximations based on a compilation of each of the 23 counties' information and were taken as a point-in-time survey.

The compilation of the data is outlined below⁵.

Number of Youth Surveyed – Chart A	
Age	Number of Youth Reported in Care
16	132
17	176
18	96
19	53
20	45
21	11
16-18	404
19-21	109
16-21 (Total)	513

Out of the 513 youth between the ages of 16 and 21 that were surveyed, 422 of the youth reported a desire to drive, which equates to 82% of the youth. The age breakdown of those 422 youth is noted in the following chart.

⁴ The State of Child Welfare. (2015). Retrieved June 6, 2016, from http://www.porchlightproject.org/reports/socw15/2015_SOCW_Pennsylvania.pdf

⁵ Please note that not all 513 youth answered each question, and that percentage results are based on the number of youth accounted for in each question.

Number of Youth Surveyed Who Reported Desire to Drive – Chart B	
Age	Percentage of Total
16	100 of 132 – 76%
17	144 of 176 – 82%
18	81 of 96 – 84%
19	47 of 53 – 89%
20	40 of 45 – 89%
21	10 of 11 – 91%
16-18	325 of 404 – 80%
19-21	97 of 109 – 89%
16-21 (Total)	422 of 513 – 82%

Of the 23 counties who responded to the survey, only 223 youth of the 513 youth population reported that they had access to regular public transportation, which is 43% of the youth.

331 youth reported that they would prefer driving to public transportation, which is 65% of the youth.

394 youth responded to survey questions related to the driver's education courses.

How Many Youth Took A Driver's Education Course – Chart C		
Question	Number of Youth	Percentage of Total (394)
How many took a course?	103	103 of 394 – 26%
How many did not take a course?	291	291 of 394 – 74%
How many did not take a course, but there was a course available?	51	51 of 394 – 13%

The 51 youth who elected not to take a driver's education course are included in the 291 youth that did not take a driver's education course. That group makes up only 18% of the total youth that were unable to take a driver's education course.

The majority of the youth surveyed reported they were not able to take a driver's education course while they were in the foster care system. They were not able to take the course for a variety of reasons, which include: school program was cut, moved into new school without meeting driver's education requirements because of prior moves, cost of a private driver's education program, and more.

Of the 291 youth who did not take a driver's education course, 67% of the youth, were between 16 and 18 years old. 33% of the youth were between 19 and 21 years old.

These young driver's need access to driver's education in order to learn to be safe drivers as they grow more independent.

How Many Youth Took A Driver's Education Course with In Car Training – Chart D		
Question	Number of Youth	Percentage of Total (394)
How many took a course with in car training?	61	61 of 394 – 15%
In car Training was available but the youth elected not to take it	11	11 of 394 – 3%

Only 15% of the foster youth surveyed were able to take a driver's education course that included behind-the-wheel training. Of the remaining youth, only 3% had a driver's education course with in-car training available and elected not to take the in-car training. Therefore, 82% of the foster youth surveyed did not have access to an in-car training program for driver's education.

The child welfare agency administrators also collected information about how many youth currently in care between ages 16 and 21 were able to get their learner's permit, their driver's license, and a vehicle.

These resulted are assessed based on the 513 total youth surveyed.

How Many Youth At Each Age Have a Learner's Permit – Chart E		
Age	How Many Have Permit	Percentage of Youth at That Age
16	13	13 of 132 – 10%
17	26	26 of 176 – 15%
18	21	21 of 96 – 22%
19	14	14 of 53 – 26%
20	10	10 of 45 – 22%
21	3	3 of 11 – 27%
16-18	60	60 of 404 – 15%
19-21	27	27 of 109 – 25%
16-21	87	87 of 513 – 17%

Only 87 out of 513 total foster youth between the ages of 16 and 21 had their Learner's Permit, which is only about 17%.

How Many Youth At Each Age Have a Driver's License – Chart F		
Age	How Many Have License	Percentage of Youth at That Age
16	4	4 of 132 – 3%
17	14	14 of 176 – 8%
18	17	17 of 96 – 18%
19	12	12 of 53 – 23%
20	12	12 of 45 – 27%
21	5	5 of 11 – 45%
16-18	35	35 of 404 – 7%
19-21	27	27 of 109 – 25%
16-21	62	62 of 513 – 12%

Only 12% of foster youth between 16 and 21 had their driver's license.

Thirty percent of foster youth surveyed between the age of 16 and 21 had either a learner's permit or a driver's license at the time of this survey.

How Many Youth At Each Age Have a Vehicle – Chart G		
Age	How Many Have a Vehicle	Percentage of Youth at That Age
16	0	0 of 132 – 0%
17	6	6 of 176 – 3%
18	11	11 of 96 – 11%
19	3	3 of 53 – 6%
20	4	4 of 45 – 9%
21	4	4 of 11 – 36%
16-18	17	17 of 404 – 4%
19-21	11	11 of 109 – 10%
16-21	28	28 of 513 – 5%

Only 5% of the foster youth surveyed had a vehicle.

The following information about car insurance was based on information provided by licensed drivers in the foster care system who responded to the survey.

How Many Foster Youth Had Insurance – Chart H						
Age	Insurance on Foster Parent's Plan Paid for by Foster Parent	Insurance on Foster Parent's Plan Paid for by Foster Youth	Foster Youth has their own insurance plan which they pay for	Other	Percentage of Foster Youth with a Driver's License (62)	Percentage of Total Foster Youth (513)
16-18	6	2	8	1	17 of 35 – 49%	17 of 513- 3%
19-21	1	1	16	0	18 of 27 – 67%	18 of 513- 4%
Total	7	3	24	1	35 of 62 – 56%	35 of 513- 7%

69% of the 35 foster youth that had car insurance had their own insurance policy and paid for that policy on their own; an additional 9% of foster youth paid for their portion of the insurance on the foster parents' plan.

Learning to Drive: Learner's Permits

There are a series of steps required for youth in Pennsylvania to get their learner's permit. The basic state requirements are⁶:

1. 16 years of age
2. Passing a written test on the driving rules in PA
3. Passing a vision screening on the day of the permit test (with or without corrective lenses)
4. Medical Examination to show youth is fit to drive
5. Completed DL-180 Form (Permit Application)
 - a. This form must be signed by spouse, guardian, or parent who is over 18 if the youth is under 18
 - b. Medical Professional must fill out the medical section
 - c. If youth is under 18, there must be a Parent or Guardian Consent Form as well

⁶ Drivers Permits in Pennsylvania. (n.d.). Retrieved June 06, 2016, from <http://www.dmv.org/pa-pennsylvania/drivers-permits.php>

(DL-180TD)

6. Proof of Identity – several options
 - a. Original U.S. Birth Certificate
 - b. Certificate of U.S. Citizenship
 - c. Valid U.S. Passport
 - d. See DL-180 Form for complete list
7. Proof of PA Residency if the youth is over 18
8. Social Security Card
9. Check or Money Order for \$35.50

Currently, PA law under 55 Pa. Code § 3130.45 requires that the child welfare agency receive permanent documents regarding the child, and that they be given to the permanent caregiver when the youth is discharged. If the youth is 18 at the time of discharge, then the documents are returned directly to the youth⁷.

However, some county child welfare agency policies also address whether or not a foster youth can get their learner's permit and the youth will need to follow all county regulations in addition to the state requirements. These additional roadblocks vary by county and some may prevent the youth from receiving their learner's permit⁸.

Challenges

1. Cost to submit the DL-180 Form and access to a check or money order
2. Access to Proof of Identity Documents and Social Security card when in an out-of-home placement
3. County specific requirements can complicate the process and make it unclear what guidelines need to be followed

RECOMMENDATIONS

1. Provide funding in order to cover the cost of the Learner's Permit application. Options: provide allowance to youth to cover the cost, provide allowance to foster parent to cover the cost, seek private funding, or request Pennsylvania DMV waive the filing fees with regards to foster youth.

⁷ 55 Pa. Code §3130.45

⁸ Know Your Rights: A Guide for Youth in Substitute Care. (n.d.). Retrieved June 8, 2016, from <http://www.aphsa.org/content/dam/aphsa/PPCWG/Communications/ombudsman/Example-Education-about-Youth-Rights-Responsibilities-Guide-Pennsylvania-Youth-Advisory-Board.pdf>

2. Require child welfare agencies to provide the original birth certificate and any other necessary forms of identification to the foster youth, at least temporarily, in order to apply for their Learner's Permit

Learning to Drive: Driver's Education

Many schools in Pennsylvania no longer offer driver's education courses due to budget restraints. Of the schools that offer driver's education, even fewer offer behind-the-wheel training as part of their course. In the schools that continue to offer a driver's education program, the programs often cost money for the youth to enroll. Furthermore, foster youth can be highly mobile and often move between schools, and as a result, they may be ineligible for school driver's education programs where they exist.

Foster Youth Comment about Driving Issues:

"It would have been nice to have help with driving lessons and getting my license earlier."

Overall, foster youth have limited access to a driver's education programs where they can learn how to drive.

There are private driving schools that provide both classroom instruction and in-car driving. However, these private courses can be quite expensive, ranging from an hourly rate around \$40 to \$60 or \$300-\$400 for a six hour program of in car driving. Most private schools only provide approximately six hours of in-car training, when Pennsylvania requires a driver under the age of 18 to document 65 hours of supervised driving with a driver over the age of 21. Ten of those supervised hours must be at night, and five must be in inclement weather⁹. The classroom driver's education program generally costs an additional fee on top of the in-car driving portion. If foster youth are unable to obtain private training, the foster youth turn to their foster parents. Some foster parents are wary of allowing the youth to practice in their vehicle due to insurance concerns.

Challenges:

1. Cost of a driver's education course that provides in-car driving and classroom lessons about safe driving
2. 65 hours of behind-the-wheel driving time prior to taking the driving test if under 18 and documentation of those hours
3. Access to driver's education as an elective in school
4. Potential risk to adults who allow the youth to use their vehicle for practice

RECOMMENDATIONS

⁹ Drivers Permits in Pennsylvania. (n.d.). Retrieved June 06, 2016, from <http://www.dmv.org/pa-pennsylvania/drivers-permits.php>

1. Offer subsidies to cover the cost of a driver’s education programs that include both a classroom component and an in-car driving component.
2. Encourage foster parents to help foster youth reach the required number of hours necessary to take their driver’s license test. For youth over 18, encourage the caregiver to provide the youth with enough practice hours to feel comfortable to complete the exam.
3. Waivers to allow adults other than the foster parent or caregiver to offer in-car driving lessons to the youth, such as mentors, teachers, coaches, etc.

Learning to Drive: Getting a Driver’s License

To be eligible for a driver’s license, a person must have had their learner’s permit for at least six months and have 65 hours of documented driving time if the youth is under 18 (see specifications under Driver’s Education) prior to taking the driving test. Generally, a parent or guardian must sign the parental verification form to show that the youth completed 65 hours of driving¹⁰. After they meet the requirements to take the driver’s test, the test can be scheduled online or over the phone at a Pennsylvania DMV that provides testing¹¹.

A youth can receive their Junior License if they pass the driving test after meeting the initial requirements. While on a Junior License, the youth can drive unsupervised during unrestricted hours.

The youth can also drive supervised between 11:00p.m. and 5:00a.m., with a parent or guardian over 21 or a spouse over 18. They can also drive unsupervised during restricted hours, if they receive a notarized affidavit from their employer or volunteer coordinator to verify their need to drive during restricted hours¹².

Foster Youth Comments about Issues with getting their Driver’s License:

“It’s really hard for someone in foster care to get a license.”

“Foster parents may not want to put the time in.”

“I think a youth should be able to get their license at age 16, like everybody in America.”

“I think the caregiver should assist with their youth getting a license.”

¹⁰ Drivers Permits in Pennsylvania. (n.d.). Retrieved June 06, 2016, from <http://www.dmv.org/pa-pennsylvania/drivers-permits.php>

¹¹ Drivers Permits in Pennsylvania. (n.d.). Retrieved June 06, 2016, from <http://www.dmv.org/pa-pennsylvania/drivers-permits.php>

¹² Applying for a New License (Teen Drivers) in Pennsylvania. (n.d.). Retrieved June 06, 2016, from <http://www.dmv.org/pa-pennsylvania/teen-drivers.php>

Youth are able to move to an unrestricted license at either 17 ½ or 18 years old. In order to move to an unrestricted license at 17 ½, the youth must complete and pass an approved driver's education course, have no driving violations for one year, have no at-fault accidents for a year, hold the junior license for a year, and have approval by their parent or guardian. To apply for a senior license at 17 ½, the youth must have a school official's signature verifying the driver's education course. In addition, a parent, guardian, or spouse's notarized signature giving permission is required. The youth can then receive a free update card to carry with their junior license or pay \$28.50 to receive a regular license with check or money order. It can be difficult for foster youth to take advantage of the opportunity to receive their unrestricted license at 17 ½ because of their lack of access to driver's education courses. In addition, foster parents or caregivers might be more wary of signing permission due to liability concerns.

If the youth is unable to get permission or to take a driver's education course, the youth moves to an unrestricted license at 18 years old automatically¹³.

Learning to Drive: Auto Insurance and Liability for Foster Youth

Currently, there is no unified effort in Pennsylvania to address auto insurance and liability for foster youth who have a driver's license. Foster parents often cannot add the youth to their auto insurance plan without a significant increase in the cost of the plan. Youth often cannot afford the cost of car insurance, and cannot work without access to a vehicle and insurance in many counties.

Youth in foster care can either purchase their own insurance plan or be added to their caregiver's plan in order to meet state insurance requirements. However, this is often cost prohibitive for foster youth and their resource families¹⁴.

Foster Youth Comments about Driving Issues

“Not having the resources to learn how to drive as well as not having the financial stability of being able to sustain what comes with a license, mainly car insurance, makes it seem like I will never be able to drive.”

To further complicate the matter, minors cannot purchase their own car insurance¹⁵.

¹³ Applying for a New License (Teen Drivers) in Pennsylvania. (n.d.). Retrieved June 06, 2016, from <http://www.dmv.org/pa-pennsylvania/teen-drivers.php>

¹⁴ Youth Independent Living Services Guidelines Bulletin Appendix. (n.d.). Retrieved June 6, 2016, from http://www.dhs.pa.gov/cs/groups/webcontent/documents/bulletin_admin/d_005742.pdf

¹⁵ Know Your Rights A Guide for Youth in Substitute Care in Pennsylvania. (n.d.). Retrieved June 6, 2016, from <https://kidsvoice.org/download/?t=resources&id=18>

The cost of car insurance can be prohibitive for many youth. Many insurance companies give youth with good grades a discount, as well as youth who took a certified driver's education course, which can help to offset the cost of insurance. One example of an available car insurance plan would cost approximately \$2000.00 a year, and for a parent or guardian to add the youth to an existing plan would still have cost an additional \$1590.00 a year. Another insurance option, a youth was able to receive his or her own insurance plan for \$86.00 a month, which is \$1,032.00 per year. The insurance options available to youth vary based on location, qualifications, and more.

A person does not need to have their own insurance when they are driving on a learner's permit. Pennsylvania law allows foster youth to be covered by their foster parent or guardian's insurance plan when driving with a learner's permit¹⁶. However, some insurance companies do require a person to get individual insurance for someone who has their learner's permit. Therefore, foster parents and caregivers should be sure to call their own provider to determine if they need insurance for a foster youth with their learner's permit.

Liability

Another major concern is who will be liable if a youth gets into an accident. Some insurance plans report that the foster parent could be liable even if the youth has their own insurance plan as a household member. This can be very concerning for foster parents who are considering whether or not to allow the youth to get their permit and drive.

Foster Youth Comment about Problems with getting their Driver's License:

“Foster Parents may not want you to drive their car.”

It may not be feasible to eliminate all potential liability, but there are some steps that can be taken in order to reduce the risk. One possible measure would be allowing youth to obtain their own insurance plan instead of putting them on to the foster parents' plan. The youth could purchase a plan specifically for non-owner drivers if they are driving a car that belongs to the resource family.

Another option would be to add language in the law that allows foster youth to enter into contracts for the limited purpose of receiving auto insurance, so that more providers would be willing to take the contract even though it is with a minor. When the youth is over 18, they can get their own insurance without difficulty due to their age. However, cost might still become an issue and budgeting is very important when considering the purchase and maintenance of a vehicle, cost of insurance, and other automobile related expenses.

¹⁶ Youth Independent Living Services Guidelines Bulletin Appendix. (n.d.). Retrieved June 6, 2016, from http://www.dhs.pa.gov/cs/groups/webcontent/documents/bulletin_admin/d_005742.pdf

Challenges

1. Making sure all resource families and youth between the ages of 16-21 are aware of the potential issues with insurance and the possible methods of resolution.
2. Risk of liability to the foster parent if the foster youth gets into an automobile accident.
3. Cost of insurance premiums for either foster youth or resource family
4. Youth under 18 may not be able to enter into their own insurance contract

Foster Youth Comments about Driving Issues and Insurance Help for Foster Youth:

“...In my experience, insurance is very hard to get.”

“Car insurance is so expensive if you are not on a parent’s policy.”

RECOMMENDATIONS

1. Pass legislation to allow foster youth to enter into contracts for the limited purpose of automobile insurance
2. Provide reimbursement to increased cost of insurance for resource families when adding foster youth to policy
3. Explore the possibility of creating an exemption to liability for foster parents and resource families
4. Create a statewide insurance program specifically for foster youths where the youth can receive insurance from the Children and Youth services agency or another state agency. The agency could create a system of requirements, such as driver’s education, to keep the risk of accidents low.
5. Explore subsidies to private insurance companies that offer a reduced rate for foster youth
6. Provide access to appropriate driver’s education courses with in-car driving to reduce the risk of accidents and open up insurance discounts

Access to Automobiles

Access to a car can be vital for youth in some areas to find work, to be involved in the community, and to take part in many other opportunities. In many counties, public transportation is limited and possible employment locations are not within walking distance¹⁷. As a result, youth have trouble finding summer employment during school or even employment after they complete their high school education. Transportation becomes a cyclical problem

¹⁷ State and County Supported Car Ownership Programs. (2001, November 28). Retrieved June 06, 2016, from <http://www.cbpp.org/archives/11-8-01wel.htm>

where the youth needs a car to get to a job, but they need a job in order to be able to afford to purchase and maintain a car.

Most states have programs which offer used and donated vehicles to at risk populations¹⁸. The initial cost of purchasing a car is often beyond the means of a foster youth. However, the child welfare agencies could work with a non-profit organization to help foster youth receive affordable cars without expensive financing agreements.

Challenges

1. Cost to purchase a vehicle
2. Cost to maintain a vehicle
3. Cost to insure a vehicle

RECOMMENDATIONS

1. Collaborate with organizations that can provide donated vehicles at a reduced cost
2. Ensure foster youth are aware of the costs of purchasing, maintaining, and insuring an automobile and help with budgeting as needed
3. Provide subsidies to help cover the insurance cost of the vehicle and the initial purchase of a vehicle

Foster Youth Comments about Vehicle Costs:

“For a car that costs \$3000, maybe \$500 to \$1000 should be contributed by the agency.”

“I think the agency should pay 1/3 of the cost of the car.”

“The youth should pay for the whole vehicle, it makes them more independent, they need to work for it.”

¹⁸ State and County Supported Car Ownership Programs. (2001, November 28). Retrieved June 06, 2016, from <http://www.cbpp.org/archives/11-8-01wel.htm>

Moving Forward

Many states have been grappling with the question posed by access to driving for foster youth. Florida researched many state policies, and with that information, Florida developed a new program to address many of the roadblocks which their foster youth faced with regards to driving¹⁹. The legislation and programs that they developed after their research is described below.

Florida passed House Bill 977 to enable foster children who are at least 16 to obtain car insurance and a driver's license. The insurance is provided through the Florida Joint Underwriting Association and the state funded the program. FAJUA provided youth non-owner insurance policies that the state funds. The State set aside \$800,000 per year for a 3 year pilot program. The program also was designed to reimburse youth and caregivers for costs associated with driver's education, driver's license, and vehicle insurance²⁰. The Florida Keys to Independence Act, which created this program, became law in 2014. Initially, there was concern regarding liability. The program administrators addressed liability by using the Florida GAL Association in concert with their Providers Association. They taught that foster care is a high risk industry and that driving is a tiny part of the risk associated with a youth. However, to date, they have had no accident claims from the over 600 youth currently participating in the program.

Pennsylvania does not currently have a specific program to address many of these issues. An overview of general Pennsylvania procedure presently is outlined below.

Pennsylvania: Currently the child welfare agency must ensure that foster youth are demonstrating responsible behavior before permitting the youth to work on their driver's permit or license, which the caseworker or guardian needs to sign off on²¹. The resource family generally cannot sign off on

Youth Comments Regarding the Proposed Ideas:

Age 16: "That's very clutch! That is a poppin opportunity for us in our future."

Age 18: "That's not fair. Can I go back in time and do this all over again?"

Age 20: "It would be a great chance for youth to be able to get help toward achieving a huge accomplishment."

¹⁹ A Voice Heard: Keys to Independence [Pamphlet]. (2013). Tallahassee, FL: Florida Guardian Ad Litem Program. <http://guardianadlitem.org/wp-content/uploads/2014/08/FINAL-KEYS-8-1-13.pdf>

²⁰ 2014 Independent Living Services Advisory Council. (2014). Retrieved June 8, 2016, from http://www.dcf.state.fl.us/programs/inliving/docs/Final_ILSAC_REPORT_FOR_2014.pdf

²¹ Youth Independent Living Services Guidelines Bulletin Appendix. (n.d.). Retrieved June 6, 2016, from http://www.dhs.pa.gov/cs/groups/webcontent/documents/bulletin_admin/d_005742.pdf

these forms. In addition, they are expected to have passing grades in school or a part-time job if they are not in school. If they receive their license, they are expected to maintain insurance under state law requirements. PA does not currently have a program designated to help foster youth with their insurance costs – it is left up to the foster youth or the resource family²².

Proposal for Legislation: Children’s Advocacy Clinic of Penn State Dickinson Law and the Pennsylvania Children and Youth Administrators Association (PCYA), together with the Juvenile Law Center, have drafted legislation to address these concerns in Pennsylvania. It is anticipated that this program could be maintained through the County Commissioners Association of Pennsylvania (CCAP), at least through a three year trial period, thereby not further putting pressure on Department of Human Services (DHS) staff resources. The proposed legislation would address concerns with contracting for car insurance due to minority, as well as provide subsidy or direct payment for costs associated with obtaining drivers education, licensing, and insurance.

It is anticipated that the program would need a full-time staff to provide outreach to promote the program and work with driver’s education courses and insurance companies to help facilitate implementation. It is anticipated that \$3million dollars would fully fund the pilot for a three year time period, during which time data could be gathered on the number of youth served and a return of investment calculated. In a system with a \$1.4 billion dollar budget, this is a very small amount that could substantially better the lives of numerous children in care and further assist them along the way to independence.

²² Youth Independent Living Services Guidelines Bulletin Appendix. (n.d.). Retrieved June 6, 2016, from http://www.dhs.pa.gov/cs/groups/webcontent/documents/bulletin_admin/d_005742.pdf



“It is not what you do for your children, but what you have taught them to do for themselves that will make them successful human beings.”

– Ann Landers

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Appendix

Survey Regarding Foster Youth Age 16-21 and their Road to Independence/Ability to Drive

PCYA and the Children's Advocacy Clinic (CAC), at Penn State Dickinson School of Law are working cooperatively to complete research in support of providing additional support to foster youth in regards to driving and car insurance. We ask that you please complete this survey to assist us in gathering the necessary data to complete the white paper.

For Foster Youth Ages 16-21

All Questions are Specific to the County completing the Survey. We will not be identifying any specific County data in the results.

1. Name of person filling out the survey:
2. County:
3. Number of youth age 16-21 in foster care broken down by age: 21____, 20____, 19____, 18____, 17____, 16____
4. Number of youth age 16-21 who reported wanting to drive (answer: broken down by age): 21____, 20____, 19____, 18____, 17____, 16____
 - a. How many of these youth have access to regular public transportation: _____
 - b. How many of these youth reported preference to driving instead of utilizing public transportation: _____
5. How many of these youth who wanted to drive took a driver's education course: _____
 - a. Number of youth who did not take a course: _____
 - i. How many of the youth above are between 16 and 18: _____
 - ii. How many of the youth above are between 19 and 21: _____
 - b. Number of youth who did not take a course when one was available and they elected not to take it: _____
6. How many took a driver's education course that included in-the-car training: _____
 - a. The number of youth who did not take a course of in car training, when one was available and they elected no to take it: _____
7. How many have permit at each age: 21____, 20____, 19____, 18____, 17____, 16____
8. How many have license at each age: 21____, 20____, 19____, 18____, 17____, 16____
9. How many have a vehicle at each age: 21____, 20____, 19____, 18____, 17____, 16____
10. How many have car insurance
 - a. Of those youth who have auto insurance, how many have auto insurance on their foster parent's plan in which the foster parent pays the total cost: _____
 - i. How many of the youth above are between 16 and 18: _____

- ii. How many of the youth above are between 19 and 21: _____
- b. Of those youth who have auto insurance, how many have insurance on their foster parents plan that the youth pays the additional cost of insuring them: _____
 - i. How many of the youth above are between 16 and 18: _____
 - ii. How many of the youth above are between 19 and 21: _____
- c. How many have auto insurance separately from their foster parents plan in which the youth pays the total amount: _____
 - i. How many of the youth above are between 16 and 18: _____
 - ii. How many of the youth above are between 19 and 21: _____