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JOINT STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES

L.D. 1712, "An Act Regarding Driver's Licenses for Individuals in Foster Care"

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Senator Baldacci, Representative Meyer, and Members of the Joint Standing Committee on Health and Human Services, my name is Shenna Bellows, and I am the Secretary of State and chief motor vehicle officer. Thank you for the opportunity to provide testimony in support of L.D. 1712.

To begin, I would like to thank Representative Roeder, who saw the challenges foster youth are facing and introduced this important bill to address those barriers.

The licensing of young drivers is one of the Bureau's major responsibilities. Obtaining a first driver's license is both a rite of passage and a vital part of entering the world of adult responsibilities. We recognize the size of our state practically makes it a requirement to have a vehicle in order to get to work or school, transport loved ones, seek medical care, and buy groceries. Having a vehicle does not simply mean mobility but also independence, stability, and better quality of life.

Last year, two members of my department began attending meetings for the driving workgroup lead by the Youth Leadership Advisory Team (YLAT), a collaboration between Maine youth in foster care and DHHS, the Muskie School at the University of Southern Maine, and the Office of Child and Family Services. In 2022, the driving workgroup applied for and were accepted into the Federal Technical Assistance Program from Paving the Way. Paving the Way works with states to identify barriers and create or enhance driver license programs for youth in foster care. Through the program a study of foster youth access to driver education and licensing in Maine was conducted and found that "one of the most significant barriers is young people acquiring the needed driving hours" due to several factors including "cost of [] insurance and reluctance by some resource providers/kinship providers to have youth in care on their auto policies" and "high turnover of caseworkers which limits the knowledge of [DHHS] policies and driving resources available," among other reasons.

Additionally, the report found that other barriers foster youth faced were "being encouraged to wait until they turn 18 to get their driver's license because resource parents are concerned about the cost and liability." We know for many young people waiting until they turn 18 can be the most cost-effective manner of obtaining their license because once a person turns 18 years old, they do not need to take driver education to get their license. However, waiting might not be an option for some since access to transportation can mean increased chances of escaping systemic poverty and, ultimately, a better chance for getting ahead in life. We have included a copy of the Paving the Way report with our testimony.

We applaud and are in strong support of this bill's intention to ease the path of individuals in foster care toward becoming drivers and motor vehicle owners.

For these reasons, we support this bill. I would be happy to answer any questions or get you any information you need for the work session.



Maine

Overview

Maine has developed a Driving Workgroup that has been working diligently since 2018. The Driving Workgroup is a joint effort between the Youth Leadership Advisory Team, the Office of Child and Family Services, AAA of Northern New England, Adoptive and Foster Families of Maine, and Alumni of the Child Welfare System. Its purpose is to identify the current resources and barriers to young people in foster care obtaining a driver's license, and to identify strategies to reduce barriers and increase the number of licensed drivers.

The dependency system in Maine is state run with eight districts organized by county. Each of these districts are centralized through a central office. The points of contact in each district collaborate regularly. The Office of Child and Family Services (OCFS), specifically, its Youth Transition Program, oversees the work done to support older youth in foster care through the driving process. The Department of Health and Human Services currently covers the total cost for driver's education. The caseworker will ensure the youth's caregiver follows reasonable and prudent parenting standards regarding who may supervise the youth's driving time. All individuals assisting the youth with their practice driving hours must be insured to the minimum liability, or other coverage limits required by the law. The Department may pay a professional driving instructor when no other approved option is available for driving time, and youth may not use state issued vehicles or personal vehicles owned by OCFS staff for driving hours. In addition, eligible youth (including those in foster care or on Extended Care Agreements) may access funds for driving expenses through Vocational Rehabilitation Services when needed to meet their employment goals.

OCFS staff partnered with Paving the Way to review current policies and procedures, to identify barriers to service, and create a vision for future growth.

Identified Barriers

Several barriers have been identified by OCFS and the Driving Workgroup. One of the most significant barriers is young people acquiring the needed driving hours. This is due to:

- Limited number of driver's education schools across the state (most of which are no longer housed in the high schools).
- Limited number of driving educators making it difficult to purchase time through driving schools to provide additional driving hours.
- Group homes not having vehicles to allow youth to practice driving hours.

In addition to difficulty with driving hours, other barriers have been identified including:

- The cost of auto insurance and reluctance by some resource providers/kinship providers to have youth in care on their auto policies.
- Youth under the age of 18 not being able to secure their own insurance policy.
- High turnover of caseworkers which limits the knowledge of current OCFS policies and driving resources available.

In December 2019 and January 2020, staff of the Youth and Community Engagement team at the University of Southern Maine surveyed OCFS child welfare caseworkers to better understand barriers related to older youth in care obtaining their driver's license. A total of 22 caseworkers responded to the survey. Participants were recruited by OCFS Youth Transition Workers. All the caseworkers who responded work with older youth in care as a part of their caseload.

According to respondents, the most reported barrier for young people in getting their license was **obtaining driving hours (73%)**. This included issues such as a young person not having access to a car or a support person to drive with them. One third of respondents stated that logistical reasons were a major challenge. This included: placement stability, transportation (to/from Driver's Ed), time, and costs. Navigating driving issues with foster parents was another frequent response (23%) – this theme overlapped with the previous two, especially that foster parents may not feel comfortable with completing the driving hours with the young person as well as associated insurance costs. Insurance was also identified as a barrier, especially related to cost for both youth and foster parents.

Youth Voice Suggestions and Feedback

As a rural state, transportation is a challenge for all young people in Maine. OCFS and the Driving Workgroup are committed to finding an equitable solution that targets youth in care, who have historically been licensed at lower rates than their peers who are not in care.

The Paving the Way team met with young people formerly in foster care in Maine, who were able to express barriers they faced when working towards their driver's license. Among the specific barriers faced when in foster care the following were noted:

- Minors cannot sign a contract to get their own policy. As soon as a young person gets a license, they are put on the policy of the place they are living. It has been a significant barrier for many placements. There is no funding to assist with this cost.
- Being encouraged to wait until they turn 18 to get their driver's license because resource parents are concerned about the cost and liability.
- A lack of resources to complete all required driving hours.
- Required documentation when at the Bureau of Motor Vehicles and either their staff or the case managers lacking knowledge of the process for youth in foster care.
- Lack of caregiver knowledge of this process and supports already available in Maine.

Desired Outcomes

OCFS believes that increasing access to transportation will support youth in care by moving them out of systemic poverty. On-going access to reliable transportation will enable them to have greater access to housing options, employment, education, mental health supports, and their informal support systems. Simply stated, Maine would like all eligible young people that are exiting foster care to do so with a driver's license.

Recommendations from Paving the Way

The following recommendations are developed in response to Maine's identified needs and barriers and overall goals. It is organized developmentally by the essential aspects of a thriving, equitable, and sustainable driving program and, noted for each area, are recommendations and suggested next steps.

Defining Goals and Assessing Eligible Population

OCFS should identify staff or a contract provider to facilitate program implementation. Staff will be primarily responsible for reviewing applications, alerting young people and their support of application approval or denial, answering questions, and submitting reimbursement requests for driving services/fees or direct payments. Dedicated staff could explain the process to the new case manager and caregivers and help all participants through the process. Staff could also develop the relationships with driver's education schools and Bureau of Motor Vehicle to help expand resources for the young people.

Eligibility criteria should then be created. Maine should be flexible with this as it does not need to be permanent. In Florida, Keys to Independence began with youth in foster homes and group homes only. As the program grew and barriers were worked through, the program expanded the eligible population to include those in relative and non-relative placements. Ultimately, the program further expanded to include young people enrolled in extended foster care. OCFS is interested in reaching as many youth in Maine as possible regardless of their dependency status. If they can help others while also helping youth experiencing foster care, they should.

Paving the Way recommends that the process to apply be made widely available via a website and include a one-page application for the youth, resource parent, case manager, etc. to complete (ex. [Treehouse - Driver's Assistance \(treehouseforkids.org\)](http://treehouseforkids.org)). The application should include name, date of birth, demographic information, what stage of the process the young person is in (are they enrolling and already have a permit or have a driver's license and need help with insurance), and a summary of the expectations of all involved. Ensuring this information is collected securely should be a high priority. This application should not be complicated but needs to seek relevant information to verify that the youth qualify for the services. This application can be sent to an email box established specifically for this program that can be accessed by all staff involved in the application process.

A quick turnaround of approval is essential. We recommend that the applications are reviewed, approved or denied, and the youth is contacted within 30 days of submitting the application. This can be done via email in which the staff sends a welcome email and an acceptance certificate OR denial email with reason for denial. Use this email to communicate everything this program has to offer.

Marketing Efforts

Marketing and networking are critical to the roll out of such a far-reaching program. Materials will need to be created to spread information throughout the state so that young people, partner agencies, resource parents, and CASAs (Court Appointed Special Advocates) can be educated.

All the materials developed should lead back to a centralized place for all parties to learn more. This includes listing a clear, single point of contact for questions and having some portion of a website or online resource where all the information lives. For examples of what the online portal may look like visit <https://keystoIndependencefl.com/>.

For many caregivers, the best way to build support and buy in is through consistency and longevity of the program. Both Florida and Washington experienced resistance from caregivers as programs were established, with many folks unsure about the liability and potential costs that would come with a youth in their care learning to drive. The best way to overcome this is through repeated and consistent outreach, slowly building recognition of the support offered and demonstrating that the support is going to be ongoing. Additionally, word of mouth among caregivers and participants sharing their own stories of impact is a powerful tool. Incorporating personal stories or testimonials along with educational materials can build trust and make the program feel more accessible.

Funding

In Florida, which has had an active program for seven years, it costs about \$200 per eligible child to run a comprehensive statewide program to get youth in foster care access to driver's licenses. There are approximately 277 young people in Maine currently eligible to access learner's permits or driver's licenses, including approximately 80 young people in extended foster care. Recently, the age for those in extended foster care was increased from 21 years old to 23 years old which will impact the amount of young people served.

If Maine decides that the estimated 350 youth in foster care (includes estimating an additional 75 young people with the expansion of extended foster care to serve up to age 23) who are 15 and older should be eligible, it will cost approximately \$100,000, including both direct and indirect costs, to administer the program statewide. This does not include the cost of purchasing cars. It is assumed that 60% of the young people would access the program, but most of those would not immediately get a driver's license or car insurance. Instead, they would get learner's permits and drivers' education and/or behind the wheel lessons. If any of these factors are different in Maine, the cost could increase or decrease.

It should be noted that it will likely take a couple of years to reach a 60% target of enrolled young people. In Florida, about 65% of eligible youth are enrolled in a program that has operated for 7 years. In Washington State, about 50% of young people are enrolled after having operated for about 4 years.

Maine currently uses state general funds for driver's education, practice hours for driving, and Bureau of Mother Vehicle fees. Maine uses these same funds for other needs of youth and makes the decisions of how dollars are spent based on the identified needs of the young people. What is not included in Maine's existing program is the cost of insurance. Paving the Way recommends that Maine cover this expense. This expense is included in the budget estimates above.

Chafee dollars can be used for some transportation expenses. This is the quickest way to startup as the funding exists and is readily available. Another potential source of money could be through grants from the National Highway and Safety Commission. Treehouse was able to secure funding through their Department of Transportation by advocating not just for normalcy for young people experiencing foster care, but also safer roads in general for all those living in Washington State.

Paying for Insurance

The cost of adding a teen driver to an insurance policy can fluctuate significantly based on several factors. OCFS would need to estimate how many young people would request insurance funding. With approximately 350 young people over age 15 in the foster care system in Maine, funding insurance has potential to have a significant impact.

In Washington, approximately 15% of eligible youth request assistance with auto insurance through the Driver's Assistance program. This has increased as the program's reputation has grown and as more participants have access to the needed resources to get licensed. We recommend starting with an assumption of approximately 30 participants requesting insurance support per year.

When forecasting the expenses needed to offer insurance there are three primary methods that can be used to contain cost. First is putting a cap on the number of youth that can be served by the program. Second is capping the duration of time that insurance premiums will be paid. Third is putting a cap on the amount that you will cover for each month of premiums. Each of these cost containment efforts can be implemented separately, or in conjunction with one another. In both Washington and Florida, it took a significant amount of time to build the program to a point where the funding was running out and both states have since been successful in obtaining additional funds once able to clearly demonstrate the need.

When setting up systems to pay for insurance there are a variety of practical points to consider. First, it is recommended that OCFS plan to collect a copy of the policyholder's declaration page to keep on file. An Auto Insurance Declaration Page is a summary of a policyholder's coverages. The name can vary by insurance company, but this is the primary name the document is referred to. The length of the document can also vary by insurance company—some can be as succinct as one page while others can be multiple pages long.

Having the appropriate policy documents on file will allow OCFS staff to process payments in a timely and efficient manner and work directly with insurance companies to ensure premiums are being paid.

One of the major barriers identified was the youth's inability to contract for their own insurance in order to overcome caregivers' reluctance to take the risk of foster youth on their auto policy. However, youth buying a separate policy will not prevent the caregiver from having the youth added to the caregiver's policy. Thus, Paving the Way recommends that Maine work with caregivers to help them agree to youth driving under their policy rather than pursuing changes in the law to allow youth to buy policies. One way to help caregivers is to offer to pay a deductible if there is an accident. Florida covers these deductibles.

Vehicle Purchases

Maine has several options in meeting its goal of getting youth access to cars. Paving the Way was able to meet with a resource parent of teens in Maine and car ownership is a major challenge. Since a young person under 18 cannot enter a contract in Maine, a caregiver may also be added to a title. This could be complicated for the young person when changing placements or reunifying.

Below are options that could be considered. If Maine would like to pursue any of these options, additional guidance on implementation may be available. Maine could explore a program like a Central Florida program giving youth access to car loans.

Car Loan Program

In Florida, a young adult can safely enter a loan for a car with the co-signature of Embrace Families to avoid a high APR and with little to no credit.

Cars for Kids (C4K) is a program currently being offered to youth in foster care or young adults formerly in foster care living within Central Florida. This program provides teens and young adults that have experienced foster care the ability to own a car.

C4K has partnered with a local bank to offer our young people low interest rate car loans. These car loans do not exceed \$10,000 so that with the low interest rate, the young person can have affordable monthly payments and the loan paid off within 4 years. The C4K program's budget consists of money donated by a partner bank and other community partners and this budget is allocated to assist youth in car payments when they are struggling, need car maintenance, and have other related expenses. The C4K program is monitored by a committee which consists of community partners.

Car Donation Program

Another option is collaborating for the gifting of safe, donated cars to eligible young people. Several non-profits across the nation have developed programs to accept donated cars and transfer them to eligible, former youth in foster care. This may be more complicated while youth are still in foster care.

Matched Savings Account

Maine already participates in this initiative for young people experiencing foster care. Opportunity Passport has been designed by the national Jim Casey Youth Opportunities Initiative and is a package of resources to help youth and young adults between the ages of 14 and 26 who have experience with foster care. The goal of this program is developing financial literacy, experience with banking, and saving money to purchase assets toward economic stability. Opportunity Passport has paid for cars because this is an asset that is critical to success. This program offers 2:1 matched savings, up to \$3,000 per year. For more information visit, <https://www.jmcg.org/programs/opportunity-passporttm>

Goodwill Car Program

In Kentucky, a Goodwill program has been expanded to include eligible youth in foster care. The Wheels to Work Program is a special used car program that helps working adults receive a reliable car with a special financing program. Training is also provided to help the unemployed develop marketable skills to get a job.

Legislative Strategy

Maine has been able to accomplish a lot without legislation. So, additional legislation to develop the program may not be necessary. However, other states have found legislation helpful to ensure a dedicated source of funds and to establish a program that will withstand a change in executive administration.

Maine's legislative session this year was short, but the next term begins in fall of 2022 and run through June 2023 giving advocates an opportunity to pursue legislation if deemed helpful. Maine could replicate the legislation in Florida, Washington, and more recently Indiana that make it clear that the OCFS has an obligation to offer a comprehensive program for older youth in foster care including an expectation of paying for insurance (F.S. 1003.48, F.S. 627.746 and F.S 322.09). Maine could also create legislation to waive fees for learner's permits, driver's licenses, birth certificates, and any other documents required to obtain a permit or license. This waiver would eliminate the need for one state agency to pay another state agency these fees. These legislative proposals will require an appropriation. Earlier in these recommendations there is an estimate on the cost for a comprehensive program that can be used as a guide.

Data Collection

It is important to have a baseline when beginning to collect data from case managers, resource parents, and young people. To start, document the number of young people with a permit, driver's education completion, driver's license, and who own a car and have insurance. If there is no data, assume zero across the categories.

If a data system does not already exist or cannot be easily modified to include desired data, a simple spreadsheet could be created (SharePoint or Microsoft Teams). Having accurate data is another reason to having centralized staff responsible for the program. It is recommended that a program that shows live

updates and can secure access such as Microsoft Teams is used. When collecting data, the following should be considered as collection points:

- Demographic information: gender, race, address, date of birth, contact information for youth, resource parent, case manager, and any supports
- General information: application date, application approval/denial date, date permit earned and collected, date driver's license earned and collected, date referred to driver's education and completion date
- Payments/reimbursements: date, amount, type, payable to whom

A more sophisticated system can be developed. In fact, an additional module could be built into an existing system if allowed.

The two options that present themselves in this case are either building out a more robust tracking system in Excel or building a secondary database system to house the needed information. Both Embrace Families in Florida and Treehouse in Washington have custom built databases that meet both the data security and privacy requirements and are flexible enough to track new and changing data points as the programs have evolved. Although this may be a larger solution than OCFS needs for the tracking of this data, if there are other data points that are not currently being tracked, it could be a viable solution to multiple issues.

If instead OCFS chooses to build out more robust tracking in Excel, Paving the Way recommends considering how the data is saved and who is asked to contribute. If the data is stored in the cloud, it is possible to have a single tracking location that all offices update and then compiled by a staff person in the central office. This could be tied to monthly or quarterly requests for staff to update, making the process part of a routine and increasing the chances of accurate and timely updates.

Working with Tribal Jurisdictions

States are responsible for serving American Indian/Alaska Native children and youth in their jurisdictions. It is essential to consider federal requirements as well as how equity is infused in one's program. To do this, Maine should consider the following questions:

How will eligibility be determined? Will Tribes be asked to provide comprehensive lists of eligible youth? Will eligibility be confirmed on a case-by-case basis after a young person has applied? What kind of data sharing agreement will need to be in place for each Tribe to facilitate the eligibility process? If Tribes define out of home care differently than OCFS, will the scope of the program be flexible in allowing each Tribe to refer any youth? If Tribes are providing lists of eligible youth, it is important to consider that this may not look the same as information provided by OCFS, especially if eligibility lists are generated directly from a database system. Export options and templates are likely to differ, so clearly determining what is needed will be key. In Washington State, Treehouse has found that some of the fields requested from the state, like child ID number and provider ID, do not align with the way Tribes track their information and alternatives have been negotiated to ensure all relevant information is being provided.

What will the communication expectations be with each Tribe? Will each Tribe need to establish a single point of contact for the program or can each social worker partner directly with OCFS? How will OCFS be expected to communicate programmatic updates to Tribes?

What will reporting look like? Will reporting requirements be different depending on if the Tribe is being asked to contribute to funding the program? Will there be formal contracts in place that delineate the reporting scope and frequency? Will youth under Tribal jurisdiction need to be included in any reporting OCFS does for DCF (Department for Children and Families) or the state, or will they need to be segmented in the data?

What relationships does OCFS have with Tribal representatives? Existing relationships can be leveraged to expedite expansion of new services. If trusting relationships do not already exist, they may take significantly more time to build. Many Tribes approach their work from a relationship-based foundation, and it is essential to plan time into the process for this to happen. Trust is essential and should be established if Tribes are asked to provide confidential information about the youth in their care to a partner with whom they have not previously worked.

How flexible will the program be? If a Tribe prefers different eligibility standards, payment options, reporting or other program variations, will OCFS be open to negotiating these? In Washington, Treehouse has found that what works for a large state agency is often not what will work for a small Tribal court system that only has a few staff or may be set up to operate very differently than the other Tribes. Setting clear expectations for what is negotiable and what is not will help to establish trust and set boundaries while building relationships necessary to launch the program.

Summary

Maine is committed to improve its services to older and former youth and young adults in foster care. It believes providing access to driver's licenses is an important investment toward their success.

OCFS already has dedicated support and partnerships in place to make the program a success. A viable statewide program will need a foundation built around clarity of scope and clear communications, robust tracking and service delivery mechanisms, and a service array that meets the needs of young people. The recommendations covered in this report have the potential to serve as the guideposts for this work and build upon both the successes and the lessons learned of others.