

115TH CONGRESS
1ST SESSION

H. R. 2512

To amend title IV of the Social Security Act to expand foster parent training and provide new appropriations to support the obtainment of a driver's license.

IN THE HOUSE OF REPRESENTATIVES

MAY 18, 2017

Mr. DANNY K. DAVIS of Illinois (for himself, Mrs. DINGELL, and Ms. MOORE) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title IV of the Social Security Act to expand foster parent training and provide new appropriations to support the obtainment of a driver's license.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Foster Youth and
5 Driving Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Transportation is one of the largest barriers
9 foster youth face in their transition to adulthood. It

1 impacts every aspect of well-being, and has been an
2 impediment to meeting their education and employ-
3 ment goals. Public transportation options may pro-
4 vide relief for some, but are not an option for all
5 youth. Certainly for youth in rural areas, public bus
6 stops may not be in walking distance, and in some
7 urban cities, public transportation is not reliable.
8 Impediments to transportation increase the risk of
9 foster youth failing course work in a postsecondary
10 education program due to inability to attend classes
11 on time or at all. For youth that are employed full-
12 or part-time, tardiness due to unreliable transpor-
13 tation is often grounds for dismissal in many em-
14 ployment settings.

15 (2) For youth who do not have access to safe
16 and reliable public transportation options, the ob-
17 tainment of a driver's license is critical. There are
18 many impediments foster youth face in the obtain-
19 ment of a driver's license. Some young people in var-
20 ious States across the country are required to obtain
21 a court order in order to obtain a driver's license.

22 (3) Even after permissions are granted, addi-
23 tional hurdles are the ability for foster youth to en-
24 roll in driver's education classes, obtain the nec-
25 essary driving practice hours to secure a driving per-

1 mit, find access to a car, and obtain insurance—all
2 of which are ultimately required to obtain a driver's
3 license. There are also numerous financial obstacles
4 associated with obtaining a driver's license, including
5 DMV fees, increased insurance costs for young driv-
6 ers, and questions about liability and parental per-
7 mission that can deter foster parents from teaching
8 youth how to drive. These concerns also extend to
9 youth who are placed in residential care where they
10 are supervised by staff who may not be willing to de-
11 vote time and expense to helping a young person ob-
12 tain a driver's license.

13 (4) Purchasing coverage for a foster youth on
14 a foster parent's car insurance plan may be an
15 undue burden. Average insurance rates to cover a
16 teenager range between \$3,600 to \$4,000 a year
17 (depending on the gender of the youth). Foster par-
18 ents currently receive, on average, only \$17 a day to
19 care for a youth who has been placed in their home.

20 (5) There is a need to clarify and specify that
21 the normalcy provisions enacted under the Pre-
22 venting Sex Trafficking and Strengthening Families
23 Act (Public Law 113–183) direct States to imple-
24 ment the reasonable and prudent parent standard
25 for foster parents to empower them to make deci-

1 sions regarding the daily activities of children in
2 their care. These daily activities include the ability
3 to drive a car and obtain a learner's permit and
4 driver's license—appropriate goals for foster youth
5 ages 14 and older (provided the youth is cognitively
6 able to pursue this activity). The obtainment of a
7 driver's license is a normal and healthy experience
8 for foster youth in relation to their non-foster care
9 peers. Active efforts to support this goal should in-
10 clude identification of appropriate car insurance
11 plans to ensure that youth are able to engage in the
12 required number of driving hours and have access to
13 a vehicle to complete a driving test.

14 (6) Some States have recognized the need for
15 supporting youth in this process. Currently 12
16 States (Connecticut, Florida, Georgia, Louisiana,
17 Maine, Nevada, New Jersey, New Mexico, New
18 York, North Dakota, Texas, and Vermont) and the
19 District of Columbia use State and private funds to
20 provide financial support to cover driver's license
21 fees and tuition for enrollment in driver's education
22 courses. There are no States that currently cover all
23 of the fees associated or concerns around liability.

1 **SEC. 3. FOSTER PARENT TRAINING RELATED TO PRE-**
2 **PARING A CHILD TO DRIVE.**

3 Section 471(a)(24) of the Social Security Act (42
4 U.S.C. 671(a)(24)) is amended—

5 (1) by striking “and knowledge and skills” and
6 inserting “knowledge and skills”; and

7 (2) by inserting before the semicolon at the end
8 the following: “and, when appropriate to the age or
9 other circumstance of the child, knowledge and skills
10 related to preparing the child to drive, including as-
11 suring opportunity for practice driving hours and in-
12 formation concerning obtaining a driver’s license and
13 automotive insurance”.

14 **SEC. 4. REQUIREMENT TO INCLUDE A PLAN FOR DRIVING**
15 **PREPARATION IN CASE PLAN.**

16 Section 475(1) of the Social Security Act (42 U.S.C.
17 675(1)) is amended—

18 (1) in subparagraph (G)(ii), by moving sub-
19 clause (II) 2 ems to the right; and

20 (2) by adding at the end the following:

21 “(H) A plan for assuring that the child,
22 when appropriate to the age or other cir-
23 cumstance of the child, receives assistance,
24 knowledge, and skills related to preparing to
25 drive, including opportunity for practice driving

1 hours and information concerning obtaining a
2 driver's license and automotive insurance.”.

3 **SEC. 5. DRIVING AND TRANSPORTATION ASSISTANCE PRO-**
4 **GRAM.**

5 (a) PURPOSE.—Section 477(a) of the Social Security
6 Act (42 U.S.C. 677(a)) is amended—

7 (1) in paragraph (7), by striking “and” at the
8 end;

9 (2) in paragraph (8), by striking the period at
10 the end and inserting “; and”; and

11 (3) by adding at the end the following:

12 “(9) to provide driving and transportation as-
13 sistance to children in foster care and certain former
14 foster care recipients who have attained the appro-
15 priate age to begin receiving such assistance.”.

16 (b) DRIVING AND TRANSPORTATION ASSISTANCE.—
17 Section 477 of the Social Security Act (42 U.S.C. 677)
18 is amended by adding at the end the following:

19 “(k) FUNDS FOR DRIVING AND TRANSPORTATION
20 ASSISTANCE.—The following conditions shall apply to a
21 State driving and transportation assistance program
22 under this section:

23 “(1) Assistance under the program may be
24 available to youths otherwise eligible for services
25 under the State program under this section.

1 “(2) For purposes of this assistance program,
2 youths who, after attaining 16 years of age, are
3 adopted from, or enter kinship guardianship from,
4 foster care may be considered to be youths otherwise
5 eligible for services under the State program under
6 this section.

7 “(3) The State may allow youths participating
8 in the assistance program on the date they attain 21
9 years of age to remain eligible until they attain 26
10 years of age, as long as they are enrolled in a post-
11 secondary education or other employment training
12 program and are making satisfactory progress to-
13 ward completion of that program.

14 “(4) The assistance provided for an individual
15 under this section—

16 “(A) may include vehicle insurance costs,
17 driver’s education class and testing fees, prac-
18 tice lessons, practice hours, and driver’s license
19 fees; and

20 “(B) shall not exceed the lesser of \$3,000
21 per year or the total cost of the items described
22 in subparagraph (A).

23 “(5) The amount of assistance under this sec-
24 tion may be disregarded for purposes of determining
25 the recipient’s eligibility for, or the amount of, any

1 other Federal or federally supported assistance, ex-
2 cept that the State agency shall take appropriate
3 steps to prevent duplication of benefits under this
4 and other Federal or federally supported programs.

5 “(6) The program is coordinated with other ap-
6 propriate programs to support current and former
7 youth in their transition to adulthood.”.

8 (c) CERTIFICATION.—Section 477(b)(3) of the Social
9 Security Act (42 U.S.C. 677(b)(3)) is amended by adding
10 at the end the following:

11 “(L) A certification by the chief executive
12 officer of the State that the State driving and
13 transportation assistance program under this
14 section is in compliance with the conditions
15 specified in subsection (k), including a state-
16 ment describing methods the State will use—

17 “(i) to ensure that the total amount
18 of driving and transportation assistance to
19 a youth under this section and under other
20 Federal and federally supported programs
21 does not exceed the limitation specified in
22 subsection (k)(5); and

23 “(ii) to avoid duplication of benefits
24 under this and any other Federal or feder-
25 ally assisted benefit program.”.

1 (d) INCREASED AUTHORIZATION OF APPROPRIA-
2 TIONS.—Section 477(h) of the Social Security Act (42
3 U.S.C. 677(h)) is amended—

4 (1) in paragraph (1), by striking “and” at the
5 end;

6 (2) in paragraph (2), by striking the period at
7 the end and inserting “; and”; and

8 (3) by adding at the end the following:

9 “(3) an additional \$36,000,000, which are au-
10 thorized to be available for payments to States for
11 driving and transportation assistance in accordance
12 with subsection (k).”.

13 (e) ALLOTMENTS TO STATES.—Section 477(c) of the
14 Social Security Act (42 U.S.C. 677(c)) is amended—

15 (1) by redesignating paragraph (4) as para-
16 graph (5); and

17 (2) by inserting after paragraph (3) the fol-
18 lowing:

19 “(4) DRIVING AND TRANSPORTATION ASSIST-
20 ANCE ALLOTMENT.—From the amount, if any, ap-
21 propriated pursuant to subsection (h)(3) for a fiscal
22 year, the Secretary may allot to each State with an
23 application approved under subsection (b) for the
24 fiscal year an amount equal to the State foster care
25 ratio multiplied by the amount so specified.”.

1 (f) DISCRETIONARY GRANTS.—Section 474 of the
2 Social Security Act (42 U.S.C. 674) is amended—

3 (1) by redesignating subsections (f) and (g) as
4 subsections (g) and (h), respectively; and

5 (2) by inserting after subsection (e) the fol-
6 lowing:

7 “(f) DISCRETIONARY GRANTS FOR DRIVING AND
8 TRANSPORTATION ASSISTANCE.—From amounts appro-
9 priated pursuant to section 477(h)(3), the Secretary may
10 make a grant to a State with a plan approved under this
11 part, for a calendar quarter, in an amount equal to the
12 lesser of—

13 “(1) 80 percent of the amounts expended by
14 the State during the quarter to carry out programs
15 for the purposes described in section 477(a)(9); or

16 “(2) the amount, if any, allotted to the State
17 under section 477(c)(4) for the fiscal year in which
18 the quarter occurs, reduced by the total of the
19 amounts payable to the State under this subsection
20 for such purposes for all prior quarters in the fiscal
21 year.”.

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