



Foster Parent Fact Sheet

Driver's License and Insurance Program (DLI Program)

A program within the Office of the Child Advocate that provides youth and young adults who have experienced foster care access to a driver's license and motor vehicle insurance by overcoming legal barriers and providing funding for driver education, costs incidental to licensure, and motor vehicle insurance

Driver Education Class

1. Any youth under 18 must pass a Delaware driver education class in order to be eligible for a driver's license.
2. A youth should take the driver education class in high school when they're in 10th grade. In some circumstances, the youth may be able to take the class in 11th or 12th grade.
3. Taking the driver education class in high school is free one time. However, youth with an IEP can take the class multiple times for free.
4. If a youth doesn't take driver education class in high school, or if they don't pass the driver education class, they can take it at an alternative location but there may be a fee: [Alternative Driver Education Programs](#). The fee for the alternative driver education program may be paid by the DLI Program.
5. After the youth passes the driver education class, the youth will receive a High School Driver Education Certificate ("Blue Certificate" or "Blue Slip") if they are academically eligible.
6. To be academically eligible for the Blue Certificate, youth must have earned passing grades in 5 credits at the time of certification. Two of these credits must be in English, Math, Science, and Social Studies.

Applying For a License

1. Once a youth receives the Blue Certificate, they have 6 months to apply for a Graduated Driver's License (GDL) at the DMV. If the youth does not go within six months, they will have to take a written test and a road test at the DMV to be eligible for a GDL.
2. To take the road test at the DMV, the youth will need to be accompanied by another adult who will allow the youth to use their insured vehicle for the test. The DMV will not supply a vehicle for a road test.
3. Only a DFS worker can take the youth to the DMV and sign the license application on behalf of the youth.
4. All fees are waived for the youth at the DMV. Foster parents will not be responsible for fees for a youth to apply for a license.
5. Once a youth is granted a GDL, they will not need to return to the DMV or renew their driver's license for 8 years.
6. DFS should include the legal parents in the discussion regarding a youth obtaining their license, but the legal parents' consent is not necessary for the youth to get their license and/or drive.



Driving and Insurance

1. A GDL allows a youth to drive for 12 months under specific conditions. After 12 months, the GDL will become a full Class D license. The date that this occurs will be printed on the license.
2. For the first 6 months, youth must drive with another adult over the age of 25 who has held a driver's license for at least 5 years.
 - a. During this timeframe, the youth should strive to achieve 50 hours of supervised driving, including 10 hours of nighttime driving.
 - b. During the above timeframe, youth do not have to be added as a driver on an auto insurance policy. However, if the youth causes an accident and has not been added to the policy, the insurance on the car will be responsible to pay for any damages and liability may not be limited as provided in [21 Del. C. §6106\(c\)](#). A foster parent should contact their insurance company to see if they can add a youth to the policy during this timeframe so that the protections of [21 Del. C. §6106\(c\)](#) will apply.
 - c. If the foster parent does not want to allow the youth to drive their vehicle during this timeframe, supervised driving through a driving school may be paid for by the DLI Program.
3. For the second 6 months, the youth may drive alone with certain restrictions. [DMV Restrictions](#)
 - a. From this point on, the youth must be added as a driver on the foster parent's auto insurance policy.
4. If the youth is added as a driver on the foster parent's auto insurance policy and is involved in an accident, the foster parent will not be exposed to any liability greater than the limits of their insurance policy. Foster parents should advise their auto insurance company that the youth is driving their vehicle even during the first 6 months of the GDL to best protect themselves.
5. The DLI Program may pay what it costs to add a youth to a foster parent's auto insurance.
 - a. If a youth is listed as a driver on the foster parent's car insurance and then leaves the home the foster parent should contact their company immediately to have the youth removed from the policy.
6. The DLI Program may pay any rate increase if the youth is involved in an accident.
 - a. A foster parent should check with their insurance company regarding accident surcharges before adding the youth.
7. A youth can and should be added as a driver to someone else's auto insurance even if they don't live in the same household, if the youth is a regular operator of the vehicle.
8. If the youth is over 18 and has their own auto insurance, other adults in the home may request to exclude that youth from their auto insurance policy and request the exclusion form to be completed. Once the form is signed and received by the company, the exclusion will be in effect.

Liability

1. DFS workers are exempted from liability for signing the license application on behalf of a youth. Any liability for a youth's negligence will be on the owner of the car the youth was driving.
2. Foster parents will NOT be liable beyond the limits on their policy when they add the youth as a driver to their auto insurance policy, even if the youth is negligent and causes an accident. [21 Del. C. §6106\(c\)](#).



3. If the foster parent does not add the youth as a driver to their car insurance and allows the youth to drive their car, the foster parent may potentially be exposed to liability beyond the limits of their insurance policy. They may also face consequences from their insurance company, such as denial of a claim for damages to the foster parent's car or having to pay the difference in the premium they should have been paying had the youth been added to the policy.
4. Under most circumstances, legal parents will not have standing to bring a lawsuit against a foster parent for permitting a properly licensed youth to drive if the youth is injured in a car accident caused by the youth's negligence or the negligence of the driver of another vehicle.
5. Foster parents should not be subject to an Institutional Abuse investigation simply for allowing a youth to drive, should the youth be involved in an accident, provided the foster parent has followed the rules and restrictions of the GDL and has otherwise acted in accordance with the reasonable and prudent parent standard as outlined in [Title 13 of the Delaware Code, Chapter 25, § 2523](#)