
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1326 Session of
2019

INTRODUCED BY TOOHL, KAUFER, McNEILL, MURT, BURGOS, BERNSTINE,
DiGIROLAMO, WHEATLEY, T. DAVIS, EVERETT, BULLOCK, GREGORY AND
HOWARD, APRIL 25, 2019

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, APRIL 25, 2019

AN ACT

1 Establishing the Keys to Independence Pilot Program.

2 The General Assembly of the Commonwealth of Pennsylvania
3 finds and declares as follows:

4 (1) The costs of driver education and licensure and
5 other costs incidental to licensure and motor vehicle
6 insurance for an individual in out-of-home care are an
7 additional barrier to engaging in normal age-appropriate
8 activities and gaining independence and may limit
9 opportunities for obtaining employment and completing
10 educational goals.

11 (2) Completion of an approved driver education course is
12 necessary to develop safe driving skills.

13 (3) Learning how to drive is an important milestone for
14 young adults, and youths in the child welfare system should
15 have access to the same types of opportunities and
16 experiences as their peers who are not in the child welfare
17 system.

1 (4) A program should be established to provide youths in
2 the child welfare system the opportunity to obtain a driver's
3 license by dedicating resources and eliminating barriers.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Keys to
8 Independence Pilot Program Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Department." The Department of Human Services of the
14 Commonwealth.

15 "Program." The Keys to Independence Pilot Program
16 established under section 3 of this act.

17 Section 3. Keys to Independence Pilot Program.

18 (a) Establishment.--The Keys to Independence Pilot Program
19 is established within the department as a three-year pilot
20 program to pay the costs of driver education and licensure and
21 other costs incidental to licensure and motor vehicle insurance
22 for minors in out-of-home care who have obtained a driver's
23 license.

24 (b) State identification.--All fees associated with
25 obtaining a State identification card under 67 Pa. Code Ch. 91
26 (relating to identification cards) shall be waived for
27 individuals who are either:

28 (1) Between 14 and 21 years of age and are under the
29 care and responsibility of a child welfare agency.

30 (2) Aged out of the child welfare system and are 21

1 years of age or younger.

2 (c) Funding.--

3 (1) The sum of \$3,000,000 in nonrecurring funds is
4 allocated from the unspent child welfare funds from fiscal
5 year 2018-2019 to the department for the implementation of
6 the program in accordance with the following:

7 (i) The funds shall be administered as a grant.

8 (ii) Not more than \$150,000 per year may cover the
9 costs of staff, travel and administration of the program.

10 (iii) The allocation shall be a one-time payment to
11 cover the costs of the three-year program.

12 (2) Funds may be used for the following:

13 (i) Costs relating to obtaining a driver's license,
14 including the following:

15 (A) Driver education.

16 (B) Licensure.

17 (C) Other costs incidental to licensure.

18 (D) Motor vehicle insurance incurred by the
19 youth or caregiver who adds the youth to the
20 caregiver's policy.

21 (ii) Costs relating to administration of the
22 program.

23 (d) Eligibility.--Individuals between 16 and 21 years of age
24 who are under the care and who are the responsibility of a child
25 welfare agency shall be eligible for the program.

26 Section 4. Contractual obligation.

27 An obligor may not assert a defense of infancy if the minor
28 is entering into an agreement to purchase motor vehicle
29 insurance in accordance with the following:

30 (1) The minor must:

- 1 (i) Be 16 years of age or older.
2 (ii) Have been adjudicated dependent.
3 (iii) Be in the care and custody of a child welfare
4 agency.
5 (iv) Have completed a driver's education program
6 under this act.

7 (2) An obligor seeking to make and execute a document,
8 contract or agreement to obtain motor vehicle insurance must
9 have an order from a court of competent jurisdiction removing
10 the disability of infancy under this section.

11 (3) A juvenile court judge shall be authorized to remove
12 the defense of infancy under this paragraph in accordance
13 with 42 Pa.C.S. Ch. 63 (relating to juvenile matters).

14 Section 5. Data collection and reporting.

15 (a) Data collection.--The department shall collect the
16 following data on the number of youths who have received
17 assistance obtaining:

- 18 (1) A learner's permit.
19 (2) A driver's license.
20 (3) Driver's education.
21 (4) On-the-road driving time.
22 (5) Automobile insurance.

23 (b) Reporting.--The department shall submit an annual report
24 to the General Assembly containing the data collected under
25 subsection (a).

26 Section 6. Limitation on additional policies.

27 A county child welfare agency shall:

- 28 (1) Not impose on an individual in the child welfare
29 system additional requirements to receive a permit or
30 driver's license that exceed those required by law, including

1 additional insurance coverage.

2 (2) Include in each contract with an agency that
3 provides care to an individual in the child welfare system a
4 provision that the agency is prohibited from imposing
5 additional requirements that exceed the legal requirements.

6 Section 7. Preferential enrollment.

7 Youths who are eligible for the program shall have
8 preferential enrollment in driver's education classes offered by
9 their local public school.

10 Section 8. Application for driver's license or learner's permit
11 by minor.

12 Minors in the child welfare system may obtain a driver's
13 license or learner's permit in accordance with the following:

14 (1) If the individual applying for a license or permit
15 is under the age of 18 and is under the care and
16 responsibility of a child welfare agency, the permit may be
17 signed by any of the following:

18 (i) The applicant's biological parent, legal
19 guardian, grandparent, adult sibling, aunt or uncle, if
20 the parental rights have not been terminated.

21 (ii) The foster parent or caregiver with whom the
22 applicant resides.

23 (iii) The designated employee of a child-care
24 institution or group home where the applicant resides.

25 (iv) The designated staff member of the public or
26 private child welfare agency providing case management
27 for the applicant.

28 (2) An individual who signs the license or permit under
29 paragraph (1) does not assume obligation nor become liable
30 for damages caused by the negligence or willful misconduct of

1 the minor solely for signing the license or permit.

2 Section 9. Abrogation.

3 All regulations are abrogated to the extent of any
4 inconsistency with the provisions of this act.

5 Section 10. Repeal.

6 All acts and parts of acts are repealed insofar as they are
7 inconsistent with the provisions of this act.

8 Section 11. Effective date.

9 This act shall take effect in 60 days.