

By Senator Detert

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1                   A bill to be entitled  
2           An act relating to motor vehicle insurance and driver  
3           education for children in care; creating s. 409.1454,  
4           F.S.; providing legislative findings; directing the  
5           Department of Children and Families to establish a  
6           statewide pilot program to pay specified costs of  
7           driver education, licensure and costs incidental to  
8           licensure, and motor vehicle insurance for a child in  
9           care who meets certain qualifications; providing  
10          limits of the amount to be paid; requiring payments to  
11          be made in the order of eligibility until funds are  
12          exhausted; requiring the department to contract with a  
13          qualified not-for-profit entity to operate and develop  
14          procedures for the pilot program; requiring the  
15          department to submit an annual report with  
16          recommendations to the Governor and the Legislature;  
17          creating s. 743.047, F.S.; removing the disability of  
18          nonage of minors for purposes of obtaining motor  
19          vehicle insurance; requiring an order by the court for  
20          the disability of nonage to be removed; amending s.  
21          1003.48, F.S.; providing for preferential enrollment  
22          in driver education for specified children in care;  
23          providing an appropriation; providing an effective  
24          date.

25  
26 Be It Enacted by the Legislature of the State of Florida:

27  
28           Section 1. Section 409.1454, Florida Statutes, is created  
29           to read:

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409.1454 Motor vehicle insurance for children in care.-

(1) The Legislature finds that the costs of driver education, licensure and costs incidental to licensure, and motor vehicle insurance for a child in care after such child obtains a driver license creates an additional barrier to engaging in normal age-appropriate activities and gaining independence and may limit opportunities for obtaining employment and completing educational goals. The Legislature also finds that the completion of an approved driver education course is necessary to develop safe driving skills.

(2) To the extent that funding is available, the department shall establish a 3-year pilot program to pay the cost of driver education, licensure and other costs incidental to licensure, and motor vehicle insurance for children in care who have successfully completed a driver education program.

(3) If a caregiver, or an individual or not-for-profit entity approved by the caregiver, adds a child to his or her existing insurance policy, the amount paid to the caregiver or approved purchaser may not exceed the increase in cost attributable to the addition of the child to the policy.

(4) Payment shall be made to eligible recipients in the order of eligibility until available funds are exhausted.

(5) The department shall contract with a not-for-profit entity whose mission is to support youth aging out of foster care to develop procedures for operating and administering the pilot program, including, but not limited to:

(a) Determining eligibility, including responsibilities for the child and caregivers.

(b) Developing application and payment forms.

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59 (c) Notifying eligible children, caregivers, group homes,  
60 and residential programs of the pilot program.

61 (d) Providing technical assistance to lead agencies,  
62 providers, group homes, and residential programs to support  
63 removing obstacles that prevent children in foster care from  
64 driving.

65 (6) By July 1, 2015, and annually thereafter for the  
66 duration of the pilot program, the department shall submit a  
67 report to the Governor, the President of the Senate, and the  
68 Speaker of the House of Representatives evaluating the success  
69 of and outcomes achieved by the pilot program. The report shall  
70 include a recommendation as to whether the pilot program should  
71 be continued, terminated, or expanded.

72 Section 2. Section 743.047, Florida Statutes, is created to  
73 read:

74 743.047 Removal of disabilities of minors; executing  
75 agreements for motor vehicle insurance.—For the purpose of  
76 ensuring that a child in foster care will be able to secure  
77 motor vehicle insurance, the disability of nonage of minors  
78 shall be removed provided that the child has reached 16 years of  
79 age, has been adjudicated dependent, is residing in an out-of-  
80 home placement as defined in s. 39.01, and has completed a  
81 driver education program. Upon issuance of an order by a court  
82 of competent jurisdiction, such child is authorized to make and  
83 execute all documents, contracts, or agreements necessary for  
84 obtaining motor vehicle insurance as if the child is otherwise  
85 competent to make and execute contracts. Execution of any such  
86 contract or agreement for motor vehicle insurance has the same  
87 effect as if it were the act of a person who is not a minor. A

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88 child seeking to enter into such contract or agreement or  
89 execute other necessary instrument incidental to obtaining motor  
90 vehicle insurance must present an order from a court of  
91 competent jurisdiction removing the disabilities of nonage of  
92 the minor pursuant to this section.

93 Section 3. Section 1003.48, Florida Statutes, is amended to  
94 read:

95 1003.48 Instruction in operation of motor vehicles.—

96 (1) A course of study and instruction in the safe and  
97 lawful operation of a motor vehicle shall be made available by  
98 each district school board to students in the secondary schools  
99 in the state. The secondary school shall provide preferential  
100 enrollment to a student who is in the custody of the Department  
101 of Children and Families if the student maintains appropriate  
102 progress as required by the school. As used in this section, the  
103 term "motor vehicle" has ~~shall have~~ the same meaning as in s.  
104 320.01(1) (a) and includes ~~shall include~~ motorcycles and mopeds.  
105 Instruction in motorcycle or moped operation may be limited to  
106 classroom instruction. The course may ~~shall~~ not be made a part  
107 of, or a substitute for, any of the minimum requirements for  
108 graduation.

109 (2) In order to make such a course available to any  
110 secondary school student, the district school board may use any  
111 one of the following procedures or any combination thereof:

112 (a) Use ~~Utilize~~ instructional personnel employed by the  
113 district school board.

114 (b) Contract with a commercial driving school licensed  
115 under ~~the provisions of~~ chapter 488.

116 (c) Contract with an instructor certified under ~~the~~

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117 ~~provisions of~~ chapter 488.

118 (3)~~(a)~~ District school boards shall earn funds on full-time  
119 equivalent students at the appropriate basic program cost  
120 factor, regardless of the method by which such courses are  
121 offered.

122 (4)~~(b)~~ For the purpose of financing the Driver Education  
123 Program in the secondary schools, there shall be levied an  
124 additional 50 cents per year to the driver ~~driver's~~ license fee  
125 required by s. 322.21. The additional fee shall be promptly  
126 remitted to the Department of Highway Safety and Motor Vehicles,  
127 which shall transmit the fee to the Chief Financial Officer to  
128 be deposited in the General Revenue Fund.

129 (5)~~(4)~~ The district school board shall prescribe standards  
130 for the course required by this section and for instructional  
131 personnel directly employed by the district school board. A ~~Any~~  
132 certified instructor or licensed commercial driving school is  
133 ~~shall be deemed~~ sufficiently qualified and is ~~shall~~ not be  
134 required to meet any standards in lieu of or in addition to  
135 those prescribed under chapter 488.

136 Section 4. The sum of \$800,000 is appropriated from the  
137 General Revenue Fund to the Department of Children and Families  
138 for the purpose of implementing this act during the 2014-2015  
139 fiscal year.

140 Section 5. This act shall take effect July 1, 2014.