

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



May 16, 2001

ALL COUNTY LETTER NO. 01-30

TO: COUNTY WELFARE DIRECTORS

SUBJECT: MINORS IN FOSTER CARE
APPLICATION FOR A DRIVER'S LICENSE**REASON FOR THIS TRANSMITTAL**

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

REFERENCE: ALL-COUNTY LETTER NO. 93-06

The purpose of this all-county letter is to advise you of current statutes that enhance the ability of foster youth to apply for a driver's license. The California Department of Social Services' (CDSS) policy that foster youth should be permitted to apply for a driver's license whenever possible is consistent with these statutes.

Before January 1, 1993, California law prohibited the Department of Motor Vehicles from accepting a driver's license application from a minor without the written consent of that minor's parents, guardian, or custodian. AB 2691 (Chapter 865, Statutes of 1992), allowed foster youth, both dependents and wards, to submit a driver's license application signed by a grandparent, a sibling over the age of 18, an aunt, an uncle, or a foster parent with whom the minor resides. Vehicle Code (VC) Section 17701 was also changed to permit a probation officer or child protective services worker, to sign and verify a driver's license application on behalf of the foster youth if the foster youth files proof of financial responsibility.

Under current law, once a minor has a driver's license, his or her parents or guardian are jointly liable for any damages resulting from the negligent or wrongful act or omission of the minor in driving a motor vehicle. The same is true for any person who signs a driver's license application on behalf of a minor. See VC Sections 17707 and 17708. The state, county, probation officers, and child protective services workers are specifically exempted from the joint liability provisions of VC Sections 17707 and 17708. Therefore, probation officers and child protective services workers may sign driver's license applications on behalf of foster youth irrespective of the joint liability provisions if the foster youth file proof of financial responsibility.

If you have any questions regarding this all-county letter, please contact Pat Aguiar at (916) 323-2921. If County Counsel would like any additional clarification, please contact Jack Wright at (916) 654-1196.

SYLVIA PIZZINI
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Children & Family Services