

Texas Foster Youth Justice Project

www.texasfosteryouth.org

(877) 313-3688

Getting a Driver's License

Important information- Foster youth may now qualify for a waiver of fees when getting their license

- **I am in foster care and need my driver's license. Is there any information about getting a license that is just for those in foster care?**
 - **What do I need to do to get my license and the fees waived?**
 - **I am having trouble obtaining my DFPS Foster Youth Driver License Fee Waiver letter. What should I do?**
 - **I was in foster care but am over 18 and no longer in foster care. Do I qualify?**
- **I'm under 18 but am not in foster care. What do I need to do to get my driver's license?**
 - **How do I get an instruction permit?**
 - **How do I get enrolled in a driver training course?**
 - **Do I need insurance?**
 - **What form do I need to have my parent or guardian to sign, and where do I get one?**
 - **Can my parent or guardian sign the form ahead of time?**
 - **Who can sign as my legal guardian?**
 - **Once I have my permit or license, are there still restrictions on how, where, and when I can drive?**

I am in foster care and need my driver's license. Is there any information about getting a license that is just for those in foster care?

Youth who are **in foster care**, even if you are over 18 years old, are eligible to have some fees waived when you get your license.

What do I need to do to get my license and the fees waived?

In addition to the requirements listed below for any other person under the age of 18, you must also:

1. Fill out the *Driver License Application (DL-14A)*.
 - a. Use an address of the foster parent or residential child-care provider listed on the *Driver License Application (DL-14A)*.
 - b. Provide a signature of authorization from the DFPS primary caseworker or other DFPS staff on the Driver License Application in order to issue the license.
 - a) The adult who signs the application is the only person eligible to withdraw authorization for the license.
 - b) Authorization may be withdrawn at any time. If authorization is withdrawn then the license will be cancelled.

2. Complete the *Texas Residency Affidavit (DPS Form DL-5)*. The form must be signed by both the driver license applicant and a representative such as the foster parent, residential child-care provider, or kinship caregiver. This certifies the current residence of the foster youth.
 - a) The person certifying the residential address must accompany the applicant and provide acceptable proof of residency documents. For a complete list of acceptable documents that will be accepted to verify Texas residency, click on Resident Documents at www.txdps.state.tx.us/DriverLicense/residencyReqNonCDL.htm. The 2nd page of the affidavit lists the requirements of the affidavit and when the person signing it must accompany you— read it carefully. Some examples are below. If you have questions on the affidavit, you can contact your local DPS office. Click on Find a Driver License Office at www.txdps.state.tx.us/DriverLicense/.
 - If you live with a foster parent, the foster parent must accompany you and you must provide two acceptable residency documents and the signed affidavit. The foster parent must present a valid driver license or identification card.
 - Any foster youth who lives in a residential child-care setting may present a notarized letter or a notarized *Texas Residency Affidavit* affirming that he/she receives mail and services at that address.
 - A residential child-care provider does not have to accompany the applicant or provide proof of residency documents if a notarized letter or affidavit is presented. Click [here](#) for a sample of a notarized letter verifying your address.
 - You can click [here](#) for a detailed list to show Verification of Texas Residency.
3. Present the completed and signed DFPS Foster Youth Driver License Fee Waiver (Form 2042) letter. You will need to request this from your current DFPS caseworker or Preparation for Adult Living (PAL) staff member. The youth's primary DFPS caseworker must complete and sign the letter verifying that DFPS is the managing conservator of the youth and that the youth is in a DFPS foster care placement. The letters are valid for 30 days from the date of the letter.
4. Present the driver education completion certificate with your application. If you have a learner license or a provisional license (full class), you must still submit your driver education completion certificate.
5. Submit a high school diploma, its equivalent (GED), or a *A Verification of Enrollment and Attendance Form CDD-104 (VOE)* form.
 - a. A letter from your school administrator may be submitted in lieu of the VOE form.
 - b. The letter submitted must contain the same information that is contained on the VOE form.
6. When you take the driving portion of the driver's test, you must provide proof of insurance for the care that you drive.

I am having trouble obtaining my DFPS Foster Youth Driver License Fee Waiver letter. What should I do?

You can contact the Texas Foster Youth Justice Project toll-free at 877-313-3688 or you may email us at <mailto:info@texasfosteryouth.org>.

I was in foster care but am over 18 and no longer in foster care. Do I qualify?

If you are 18 years or older and not in foster care any longer, you are not eligible for a fee waiver. You can find more information on obtaining a Texas driver's license at www.dps.texas.gov. You should know that if you are between the ages of 18 and 24 years old, you need to complete a six-hour Adult Driver Education Course before you can apply for a license. For more information on the required driver education course, please visit: <http://www.txdps.state.tx.us/driverlicense/aduldrvredandsafetycourse.htm>.

For more information about the CPS approval process, see the §10642 Driver Licenses section in the CPS Handbook which can be found at:

http://www.dfps.state.tx.us/handbooks/CPS/Files/CPS_pg_x10600.asp

I'm under 18 but am not in foster care. What do I need to do to get my driver's license?

To get a license, you must provide:

1. A *DE-964 Form* or *DE-964E Form*, completed by your driver training program. This proves that you completed the driver training course that is required.
2. **EITHER:**
 - a. A *Verification of Enrollment and Attendance Form CDD-104*, completed by your high school. This proves that you are currently enrolled in and attending school. <http://www.thsc.org/images/pdfs/VOE.pdf>.

OR

- b. Proof that that you have graduated from high school or received your GED.
3. Proof of social security. The best way to prove your social security number is to bring a copy of your social security card. [Getting a Social Security Card] If you do not have a copy of your social security card, but you do have health, educational, or other records that show your social security number, those records can also be used as proof.
4. Proof of citizenship. You can click [here](#) for more information on how to Prove that you are a Citizen or are Lawfully Present in the US.
5. Proof of your identity. The requirements for proof of identification to get a driver's license are the same as the requirements for proof of identification to get a state-issued identification card. [Getting a Texas State ID Card] You can click [here](#) for more detailed information on how to Prove Your Identity for a Driver's License or State ID.
6. Your parent or legal guardian must sign the form authorizing you to get a license.
7. You must have held an instruction permit for at least six months. You must bring your permit when you go to get your license.
8. You must be at least 16 years old.
9. You must pay a \$5 fee.

How do I get an instruction permit?

To get an instruction permit, you must:

- Be at least 15 years old;

- Pass a written test;
- Pass a vision test;
- Provide proof of your identity, social security number, and citizenship. You can find more information directly above;
- Provide proof that you have completed at least six hours of a state approved driver training course. (More hours may be required, depending on the type of driver training program you use); and
- Provide proof of auto insurance if you own a vehicle
- Provide proof of a high school diploma or its equivalent OR provide proof you are enrolled as a student in public or private school who attended school for at least 80 days in the fall or spring semester preceding the date of application OR provide proof you have been enrolled for at least 45 hours and are currently enrolled in a program prepared for you to pass the high school equivalency exam.
- Submit a *Verification of Enrollment and Attendance Form CDD-104* form or a letter from the school administrator in lieu of the VOE and Attendance form.
- Your parent or legal guardian MUST sign the form authorizing you to get an instruction permit.

How do I get enrolled in a driver training course?

- You must be at least 14 years old to begin a driver training course.
- You must be at least 15 years old and have an instruction permit to begin the in-car portion of a driver training course.
- State approved driver training courses are available through private driving schools (list available at [here](#)) and some public schools (find your local school district contact person [here](#)). Each program has its own individual requirements, schedule, and fees.
- The state also approves of "parent taught" driver training courses. "Parent taught" courses can be taught by your parent, step-parent, grandparent, step-grandparent, foster parent, or legal guardian. If one of these people agrees to teach you, they must follow a specific state-approved curriculum. They also must keep track of the time spent and lessons covered. More information on "parent taught" courses is available at [here](#).
- A useful FAQ is available at [here](#).

Do I need insurance?

- If you own a car, you MUST show proof that you have insurance for that car and that its registration is up to date in order to get your license.
- In Texas, all cars on the road must be insured. This requirement attaches to cars, not to individual drivers. This means that if you will be borrowing other people's cars, rather than buying your own, you are not legally required to buy insurance.
- You MUST double-check the insurance attached to any car that you drive. Some insurance policies only cover the car's owners. Some insurance policies cover the car's owners and a list of a few specific other people. Some insurance policies cover anyone who the owner lets drive the car. You MUST make sure that you are covered by the insurance policy attached to a car BEFORE you start driving it.
- What happens if I'm driving a car and its insurance policy does not cover me?

- If you are in an accident, you will be personally responsible for paying for any damages. This could be very expensive. If you do not have enough money to pay right away, the court might order you to pay in installments.
- Driving without the necessary insurance is a criminal offense. If you are convicted, you might have to
 - Spend up to 90 days in jail
 - AND
 - Pay up to a \$500 fine.
 - AND
 - Have your driver's license suspended.

What form do I need to have my parent or guardian to sign, and where do I get one?

- Your parent or legal guardian must sign the *Driver License Application (DL-14A)*.

Can my parent or guardian sign the form ahead of time?

There are two acceptable ways for your parent or legal guardian to sign the form.

1. Your parent or legal guardian comes with you to the driver's license office when you go to get your instruction permit or license. They sign the form when the officer tells them to.
2. Your parent or legal guardian may sign the form ahead of time only if they get their signature notarized. This means that they take the form to a notary, sign it in front of the notary, and (usually) pay a fee. There is a section on the back of the form dealing with notarized signatures. Pre-signed forms that are not notarized are NOT accepted.

Who can sign as my legal guardian?

- Normally, only the person or agency that has been appointed as your managing conservator can sign legal documents for you.
- If you are under the managing conservatorship of DFPS, see the first bullet in the above section: What do I need to do to get my license and the fees waived?

Once I have my permit or license, are there still restrictions on how, where, and when I can drive?

Yes, although these restrictions eventually fade away.

- When you have your instruction permit, you may only drive with a licensed driver who is 21 years old or older.
- When you first get your driver's license, it is "provisional." While your license is provisional, you may NOT
 - Drive a car between midnight and 5 am unless it is necessary for employment, school, school activities, or a medical emergency, or unless there is a licensed driver over the age of 21 with you.
 - Drive with more than one passenger younger than 21 unless that passenger is a family member, or unless there is a licensed driver over the age of 21 with you.
- More information on graduated licensing is available at http://www.txdps.state.tx.us/director_staff/public_information/pr122101.htm .

Some of the links above are not working.

- The sites are continually changing so if you are having issues reaching one of the links listed above, check the Texas Department of Public Safety webpage at <http://www.txdps.state.tx.us/>. If you are still having issues, please contact us toll free at 877-313-3688.