



SPONSOR: Sen. S. McBride & Sen. Hansen & Rep. Heffernan & Rep. Dorsey Walker & Rep. K. Johnson  
Sens. Hoffner, Huxtable, Pettyjohn; Reps. Baumbach, Briggs King, Bush, Griffith, Minor-Brown, Michael Smith, K. Williams

DELAWARE STATE SENATE  
152nd GENERAL ASSEMBLY

SENATE SUBSTITUTE NO. 1  
FOR  
SENATE BILL NO. 95

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO DRIVER'S LICENSES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend Chapter 61, Title 21 of the Delaware Code by making deletions as shown by strike  
2 through and insertions as shown by underline as follows:

3 §6106. Liability of foster parent for negligence of a child or individual [Effective until fulfilment of contingency in  
4 83 Del. Laws, c. 453, § 11].

5 (c) When a child or an individual identified in § 9011 A (g) (1) of Title 29 does not procure a separate valid policy  
6 of insurance and is instead insured by the private passenger insurance policy of the foster parent, a foster parent of that  
7 child or individual who causes or knowingly permits the child or individual to drive a vehicle on a highway, or gives or  
8 furnishes a motor vehicle to the child or individual, may be liable for damages caused by the negligence of the child or  
9 individual in driving the vehicle only up to ~~the amount of insurance coverage available to the foster parent under their~~  
10 ~~private passenger insurance policy~~ the policy limits of the foster parent's applicable insurance coverage.

11 (d) When a child or individual identified in § 9011 A (g) (1) of Title 29 is within the first 6 months after issuance  
12 of a Level 1 Learner's Permit under § 2710 of this title, a foster parent of that child or individual who causes or knowingly  
13 permits the child or individual to drive a vehicle on a highway or who gives or furnishes a motor vehicle to the child or  
14 individual, may be liable for damages caused by the negligence of the child or individual in driving the vehicle only up to  
15 the policy limits of the foster parent's applicable insurance coverage.

SYNOPSIS

This Act adds clarity to the statutory changes made by Senate Substitute 1 for Senate Bill 151 of the 151st General Assembly related to driver's licenses for foster children. This Act clarifies that during the initial 6 months of a Learner's Permit, a foster parent is liable for the negligent driving of the foster child up to the limits of the foster parent's applicable insurance coverage. This Substitute differs from the original bill in that it clarifies the language that refers to the insurance coverage and clarifies such language in both the new subsection and in the existing Code.

