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Foster Care Licensing

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5101:2-7-15   Transportation

FCASMTL 433

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(A)   Any vehicle owned or leased by a foster caregiver and used to transport a foster child shall:

    (1)   Be maintained in a safe condition and in compliance with all motor vehicle laws.

    (2)   Be covered by liability insurance in accordance with current state laws.

(B)(A) A foster caregiver ~~shall~~is to ensure:

    (1)   Any person transporting a foster child in a motor vehicle shall be licensed to drive that class of vehicle.

    (2)   Any vehicle not owned or leased by the foster caregiver that is used to transport a foster child shall be maintained in a safe condition according to state laws.

    (3)   Any vehicle owned or leased by the foster caregiver is to be reliable, legal and safe for transportation with safety restraints, as appropriate for the child.

        (a)   Reliable transportation includes a properly maintained vehicle or access to reliable public transportation.

        (b)   Legal transportation includes having a valid driving license, insurance and registration as appropriate.

        (c)   Safe transportation includes safety restraints and allowing arrangements with family friends and teen household members as appropriate.

(C)(B) A foster caregiver shall ensure that a foster child transported in a motor vehicle shall at all times be restrained by a seat belt including both a lap belt and a shoulder belt in vehicles that are so equipped.

(D)(C) A foster caregiver shall ensure ~~complaince~~compliance with any motor vehicle seat restraint requirement of section 4511.81 of the Revised Code.

(E)(D) If the foster child is less than eight years of age and less than four feet nine inches in height, the child shall be properly restrained in a booster seat if paragraph (D)(C) of this rule does not apply. The booster seat shall be placed in the back of any motor vehicle that has a back seat.

(F)(E) If paragraph (D)(C) of this rule does not apply and the foster child is at least eight years of age but not older than fifteen years of age the child shall be restrained in a belt positioning booster seat in a forward-facing position or in a seat belt including both a lap belt and a shoulder belt in vehicles that are so equipped.

(G)(F) All children age twelve and under shall ride in the back seat of a motor vehicle that has a back seat

and shall not ride in the front seat of the vehicle unless the vehicle does not have a back seat. If a foster child rides in the front seat of a vehicle as allowed by this rule, the foster caregiver must disable the passenger side airbag if the vehicle is so equipped.

(H)(G) Paragraphs (C), (D), (E), and (F)(B), (C), (D) and (E) of this rule do not apply to the foster caregiver who has a signed affidavit by a licensed physician in Ohio or a licensed chiropractor in Ohio. The affidavit shall state that the child who otherwise would be required to be restrained, has a physical impairment that makes use of a child restraint system, booster seat, or an occupant restraining device impossible or impractical, provided the person operating the vehicle has safely and appropriately restrained the child in accordance with any recommendation of the physician or chiropractor as noted on the affidavit.

(I)(H)   Each foster caregiver shall ensure the recall and safety information issued by the consumer product safety commission (CPSC) related to child safety seats or booster seats are reviewed. Any safety recommendations made by the CPSC in regard to child safety seats or booster seats shall be implemented by the caregiver.

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