

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 47.—Foster Care Licensing

30-47-816. Transportation.

Each licensee shall ensure that all of the following requirements are met:

(a) If a vehicle used for transportation of a child in foster care is owned or leased by a foster family member or is driven by a child in foster care, the following requirements shall be met:

(1) Trailers pulled by another vehicle, camper shells, and truck beds shall not be used for the transportation of children in foster care.

(2) The transporting vehicle shall be maintained in a safe operating condition.

(3) The transporting vehicle shall be covered by accident and liability insurance as required by the state of Kansas.

(b) The driver of any vehicle used to transport a child in foster care shall have a valid driver's license and meet the requirements of the Kansas motor vehicle drivers' license act, K.S.A. 8-234a et seq. and amendments thereto. Each licensee shall apply the reasonable and prudent parent standards when determining who may transport a child in foster care.

(c) The use of seat belts and child safety seats shall include the following:

(1) Each individual shall be secured by the use of a seat belt or a child safety seat when the vehicle is in motion.

(2) No more than one individual shall be secured in any seat belt or child safety seat.

(3) Each seat belt shall be properly anchored to the vehicle.

(4) When a child safety seat, including a booster seat, is required, the seat shall meet the following requirements:

(A) Have current federal approval;

(B) be installed according to the manufacturer's instructions and vehicle owner's manual;

(C) be appropriate to the height, weight, and physical condition of the child, according to the manufacturer's instructions and meet the requirements of K.S.A. 8-1344 and amendments thereto;

(D) be maintained in a safe operating condition at all times;

(E) have a label with the date of manufacture and the model number, for use in case of a product recall; and

(F) have no missing parts or cracks in the frame and have not been in a crash.

(d) The health and safety of the children riding in the vehicle shall be protected as follows:

(1) Order shall be maintained at all times. The driver shall be responsible for ensuring that the vehicle is not in motion if the behavior of the occupants prevents safe operation of the vehicle.

(2) Children less than 10 years of age shall not be left in a vehicle unattended by an adult. When the vehicle is vacated, the driver shall make certain that no child is left in the vehicle.

(3) Smoking in the vehicle shall be prohibited when a child in foster care is in placement in a family foster home, whether or not the child in foster care is physically present in the vehicle.

(e) Before a child in foster care is allowed to drive, all of the following requirements shall be met:

(1) The licensee, child-placing agent, or sponsoring child-placement agency shall obtain permission from the parent or legal guardian.

(2) The privilege of driving shall be included in the child's case plan.

(3) The child shall possess a valid driver's license and shall meet the requirements of the Kansas motor vehicle drivers' license act, K.S.A. 8-234a et seq. and amendments thereto.

(f) Any child in foster care who is a parent and who meets the requirements of subsections (a) through (e) may transport any child of that parent.

(Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective June 7, 2024.)

***** Authenticated Kansas Administrative Regulation *****