

**DEPARTMENT OF LABOR & INDUSTRY
OFFICE OF VOCATIONAL REHABILITATION
PROGRAM GUIDELINES**

NUMBER: 23-200.02

SUBJECT: Driving & Vehicle Services

STATE BOARD

APPROVAL DATE: September 14, 2023

DISTRIBUTION:

OVR staff
OVR legal counsel
Pennsylvania State Board of Vocational Rehabilitation
Pennsylvania Rehabilitation Council
Client Assistance Program
Statewide Independent Living Council
Advisory Committee for the Blind
External stakeholders

EFFECTIVE DATE: March 7, 2024

IMPORTANT CHANGES:

- One, comprehensive policy with corresponding guidance documents and forms instead of eight policies.
- Includes information about Pre-Driving Services (Learner's Permit Tutoring and Clinical Driving Assessment), Driving Services (Adaptive and Non-Adaptive) and Vehicle Modifications.
- Updated **Criteria for Services** to include verification of access to a vehicle upon completion of services.
- OVR may sponsor an upgrade or change in modifications to a customer's currently modified vehicle that was previously sponsored by OVR if it is required due to a documented change in the customer's functioning or mobility device.

ADDENDUM EFFECTIVE MARCH 7, 2024:

- Clinical Driving Assessments can also be conducted by Certified Driver Rehabilitation Specialist (CDRS), or Driver Rehabilitation Professional (DRP). At the completion of the clinical driving assessment, the provider will submit a report to OVR which will be reviewed with the customer.
- Non-Adaptive Driving Evaluations can also be completed by Certified Driving Instructor (CDI), or Licensed Driving Instructor (LDI). Providers will submit a report to OVR at the completion of the non-adaptive driving evaluation which will be reviewed with the customer.
- The prescription must include an expiration date, after which time a review and possible re-evaluation may be necessary.

RESULTING ACTION:

- Archive the following policies:
 - 18-200.01(01), Vehicle Modifications #1 – Guidelines
 - 18-200.01(02), Vehicle Modifications #2 & 3 – Handbooks & Understandings
 - 10-100.07(04), Vehicle Modifications #4 – Evaluation Prescription Check-Out
 - 18-200.01(05), Vehicle Modifications #5 – Competency Qualifications for Providers
 - 10-100.07(06), Vehicle Modifications #6 – PA Specifications & Requirements
 - 10-100.07(07), Vehicle Modifications #7 – Used Vehicle Inspection Report
 - 13-200.04(08), Vehicle Modifications #8 – Competitive Bid Forms Letter

AUTHORING AUTHORITY: Federal Rehabilitation Act of 1973, as amended, 29 U.S.C. §701, et seq., State Vocational Rehabilitation Services Program regulations, 34 C.F.R. §361.1 et seq.

INQUIRIES: Central Office Statewide Transportation Services Specialist
717-787-5244

Copies of this numbered memorandum are available upon request.

All materials provided, produced and published by OVR will be made available in the appropriate alternative format when necessary and/or upon request.

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I. OVERVIEW

Driving and vehicle services should enable individuals to achieve a competitive, integrated employment outcome. As such, the service should contribute to the individual's ability to participate in, or receive the full benefit of, other vocational rehabilitation (VR) services and may be furnished in conjunction with any other rehabilitation service during the rehabilitation process. Not all vehicle services will apply to every customer. All OVR-purchased driving and vehicle services will adhere to the requirements identified by the Pennsylvania Department of Education (PDE), the Association for Driver Rehabilitation Specialist (ADED), the National Mobility Equipment Dealer Association (NMEDA), and the American Occupational Therapy Association (AOTA), along with all state and federal laws.

II. INFORMED CHOICE & CLIENT ASSISTANCE PROGRAM (CAP)

The Rehabilitation Act of 1973 (Act), as amended, requires that applicants and recipients of services, including students with disabilities, and, as appropriate, their representatives, exercise informed choice throughout the VR process. This includes, but is not limited to, exercising choice in how services are provided, providers, employment outcome, and setting(s) in which services will be provided.

Staff are responsible for providing information to customers or assisting customers in acquiring information to exercise informed choice, such as information on the duration of potential services, qualifications of potential service providers, outcomes achieved by individuals working with a potential service provider, and degree to which services are provided in an integrated setting. Some methods staff can use to provide information include, but are not limited to, providing lists of services and providers, making referrals to groups qualified to discuss services, and giving opportunities for the individual to visit or experience potential service or provider settings.

In addition, section 20 of the Act requires that OVR advise individuals who are applicants for or recipients of the services, or their representatives, of the availability and purposes of the Client Assistance Program (CAP) under section 112, including information on the means of seeking assistance under such program.

III. POLICY

All driving and vehicle services must be provided under an Individualized Plan for Employment (IPE). If there is an exceptional circumstance in which a clinical driving assessment or driving evaluation is required for eligibility determination purposes, the service can be provided with an approved waiver by the District Administrator (DA). Customers without an IPE can be referred to comparable benefits for these services.

****NOTE:** For further information regarding waivers, please refer to OVR Guidance Document 23-400.03, **Driving & Vehicle Services Policy Definitions.****

Vehicle modification services are not an allowable service under OVR Guidance Document 20-400.01, **Job Retention Exemption.**

This policy outlines the following driving and vehicle criteria, services and requirements:

A. Criteria for Driving & Vehicle Services Sponsorship

B. Pre-Driving Services

1. Learner's Permit Tutoring
2. Clinical Driving Assessments

C. Non-Adaptive Vehicle Services

1. Driving Evaluation
2. Driver's Training

D. Adaptive Vehicle Services

1. Driving Evaluation
2. Driver Training
3. Vehicle Modifications
 - i. Used Vehicles
 - ii. Equipment Installation & Checkout
 - iii. Upgrade or Change in Modifications
 - iv. Repeat Modifications
 - v. Rentals

E. Comparable Services & Benefits

F. Financial Needs Test (FNT)

G. Provider Requirements

H. Customer Responsibilities

The OVR Executive Director will make the determination regarding the number of hours that may be authorized for any given service outlined in this policy. Availability of funding and other criteria will be considered in making this determination.

A. CRITERIA FOR DRIVING & VEHICLE SERVICES SPONSORSHIP

All of the following criteria must be met to qualify for driving and vehicle services. These criteria apply to all driving and vehicle services. They should be evaluated prior to starting the initial driving/vehicle service and should be re-evaluated if the customer's circumstances change while participating in driving/vehicle services.

****NOTE:** The OVR-337, **Vehicle Services Screening & Consultation Form**, may be used by the Vocational Rehabilitation Counselor (VRC) to assist in gathering information to determine if a customer meets the criteria for OVR driving and/or vehicle services prior to developing the IPE. In addition, the OVR-331, **Vehicle Services Budget Worksheet**, may also be helpful to the VRC in determining if the customer will have the financial means to obtain and/or maintain a vehicle, as applicable.**

1. The customer has a transportation barrier that prevents him/her from obtaining or maintaining the employment goal identified on the IPE.

****EXCEPTION:** The customer requires a clinical driving assessment or

driving evaluation for eligibility determination purposes and a waiver has been approved by the DA.**

2. The customer is:
 - i. currently employed;
 - ii. unemployed and actively involved in documented job search activities;
 - iii. a student in their last year of secondary education; ****or****
 - iv. a student attending a post-secondary education program.
3. After reviewing current and alternative means of transportation (e.g., public transportation, paratransit, carpool, taxi, etc.), as well as the feasibility of relocation with the customer, it is determined that driving and vehicle services are the most viable and cost-effective options to overcome the customer's transportation barrier and meet the customer's vocational needs.
4. It has been verified that the customer will have access to a vehicle upon the completion of services (e.g., statement from guardian, copy of vehicle registration, etc.).
5. The customer or individual financially responsible for the customer has demonstrated they understand the financial implications of vehicle ownership and have the financial means to obtain and/or maintain a vehicle.
6. Comparable benefits have been addressed according to policy.
7. For students in their last year of secondary education, competitive integrated employment must be their immediate post-graduation goal.
 - i. A waiver may be considered for students who have a demonstrated need for driving services prior to their last year of secondary education and have met all other criteria for driving services as outlined in the policy.
8. For students attending a post-secondary education program, the student must:
 - i. Require private transportation as part of their curriculum (e.g., off-campus internship, etc.);
 - ii. Require private transportation because they must live off campus; ****or****
 - iii. Be in their last year of school and require private transportation after graduation to secure competitive, integrated employment.
 - a. A waiver may be considered for students who have a demonstrated need for driving services prior to their last year of post-secondary education and have met all other criteria for driving services as outlined in the policy.

B. PRE-DRIVING SERVICES

Pre-Driving Services are for customers who require assistance prior to participating in behind-the-wheel evaluations or training. Behind-the-wheel

evaluations and training require customers to have a learner's permit, dual control permit, or driver's license. Pre-driving services consist of learner's permit tutoring and clinical driving assessments.

1. Learner's Permit Tutoring

Learner's Permit Tutoring is real-time, interactive instruction that is individualized to the customer's learning needs. Providers for this service must be approved by PDE.

If the customer has a documented disability that indicates cognitive functional limitations or has attempted to pass the learner's permit test (also called the knowledge test) twice without success, the customer may participate in this service to receive specialized assistance to secure their learner's permit through the PA Department of Transportation (PennDOT).

At the completion of this service, the provider will submit a report to OVR that includes an overview of the session(s), customer's performance including outcome of the knowledge test, and recommendations. This report will be reviewed with the customer. OVR will evaluate the customer's need for additional tutorial services following the first attempt to pass the knowledge test after receiving this service. This service will be limited to no more than two authorizations if a learner's permit is not attained.

There may be situations in which a customer passes their knowledge test, but their physician identifies medical concerns that could impact behind-the-wheel driving. In these situations, the customer may be issued a dual control learner's permit. This permit restricts the customer to operating a vehicle equipped with dual controls under the supervision of a licensed driving instructor.

2. Clinical Driving Assessment

Clinical Driving Assessments include tests of physical function, vision, perception, attention, motor function, and reaction time. They are conducted by an Occupational Therapist Registered/Licensed (OTR/L), Certified Driver Rehabilitation Specialist (CDRS), or Driver Rehabilitation Professional (DRP). They do not include a behind-the-wheel component; therefore, a valid learner's permit, dual control permit, or driver's license is not required. A physician's referral is required to participate in this service.

If there are medical concerns about a customer's ability to drive, with or without adaptations, the customer may participate in this service to identify specific physical and/or cognitive barriers to successful behind-the-wheel driving and provide recommendations for behind-the-wheel instruction.

At the completion of the clinical driving assessment, the provider will submit a report to OVR which will be reviewed with the customer. The clinical assessment and recommendations are typically sent to the customer's physician as well.

C. NON-ADAPTIVE VEHICLE SERVICES

Non-Adaptive Vehicle Services are for customers who are not expected to require vehicle modifications to drive, and include non-adaptive driving evaluations and training. A valid learner's permit, dual control permit, or driver's license is required because these services involve behind-the-wheel instruction.

In addition to the criteria for all vehicle services, the case file must contain the following prior to authorizing these services:

- A copy of a valid learner's permit, dual control permit, or driver's license that is uploaded into the case; ****and****
- Documentation indicating the customer has access to a vehicle for additional practice outside of training hours (unless they have a dual control permit).

1. Non-Adaptive Driving Evaluations

Non-Adaptive Driving Evaluations are behind-the-wheel assessments of customers' driving abilities. They are completed by a COTA under appropriate supervision, CDRS, DRP, Certified Driving Instructor (CDI), or Licensed Driving Instructor (LDI). Providers will submit a report to OVR at the completion of the non-adaptive driving evaluation which will be reviewed with the customer.

2. Non-Adaptive Driver's Training

Non-Adaptive Driver's Training is one-on-one instruction intended to ensure customers demonstrate the skills necessary to operate motor vehicles safely and meet the licensure requirements of PennDOT. It is not intended to provide driving experience beyond this skill level; the amount of training provided will be determined on an individual basis. In addition, customers who do not achieve established driving goals within the authorized length of time must be reevaluated to determine if driving is an appropriate goal.

This training can be provided by a COTA under appropriate supervision, CDRS, DRP, or Certified Driving Instructor (CDI) (also known as a Licensed Driving Instructor [LDI]).

Pennsylvania's Graduated Driver Licensing Law requires individuals under the age of 18 to have six months and 65 hours of skill building prior to obtaining their junior license. PennDOT requires this training to occur at different times of the day and in multiple driving conditions. OVR may authorize up to 30 hours of non-adaptive driver's training at a time to assist the customer in establishing the skills needed to obtain a driver's license. After these initial lessons, the driving instructor will report on the customer's progress and whether the customer has acquired the basic driving skills needed to continue earning hours with their parent, guardian, or support person. Additional hours of driver's training beyond the initial 30 hours may be considered with a waiver.

Instructors will provide OVR with progress updates and a final report at the

completion of non-adaptive driver's training, which will be reviewed with the customer.

D. ADAPTIVE VEHICLE SERVICES

Adaptive Vehicle Services are for customers who require specialized equipment to drive and include adaptive driving evaluations, adaptive driver's training, and vehicle modifications. A valid learner's permit, dual control permit, or driver's license is required because these services involve behind-the-wheel instruction. The District Office Transportation Services Coordinator (TSC) must be consulted for all adaptive vehicle services. The TSC must be added as Secondary Case Manager on all adaptive vehicle cases that require a bid, as the TSC facilitates adaptive vehicle services on these cases.

1. Adaptive Driving Evaluations

Adaptive Driving Evaluations include a screening, vehicle assessment and behind-the-wheel driving assessment. The screening consists of a review of the customer's medical and driving history and a general assessment of their physical functioning, vision, cognition, etc. The vehicle assessment evaluates the customer's ability to enter/exit the vehicle, wheelchair seating, and mobility device stowage; when applicable. The behind-the-wheel component assesses the customer's ability to drive with adapted equipment in an actual driving environment. A driving simulator may be utilized as a precursor to in-vehicle work, but not as a replacement for it. Adaptive driving schools typically require a physician's referral to participate in an adaptive driving evaluation. The evaluations are completed by a COTA under appropriate supervision, CDRS or DRP. As per ADED, COTAs and DRPs are equipped to provide service within basic and low-tech programs, but require the supervision of a CDRS for high-tech programs.

If a customer is purchasing a new wheelchair or prosthesis, the driving evaluation should not occur until the driving evaluator can determine that the customer can be properly assessed. The customer must provide the specifications of the new wheelchair or prosthesis and an approval letter from their insurance company, if being paid for by insurance. If the new/replacement is the same/similar equipment, then the evaluation can continue. If there is a significant equipment change, the vehicle modification process should stop until the new wheelchair or prosthesis is received and the customer can be assessed properly for the correct vehicle. This guidance applies to adaptive driver's training and vehicle modifications services as well.

Evaluators will provide OVR with a report at the completion of the adaptive driving evaluation that will be reviewed with the customer. The evaluation should identify the most cost-effective modifications necessary to meet the customer's needs as well as recommendations for lessons, if needed. A copy of the evaluator's report is typically provided to the referring physician.

2. Adaptive Driver's Training

Adaptive Driver's Training is one-on-one instruction intended to ensure that

customers demonstrate the skills necessary to operate motor vehicles safely and meet the licensure requirements of PennDOT using the prescribed adaptive equipment. It is not intended to provide driving experience beyond this skill level. The amount of training provided will be determined on an individual basis. In addition, customers who do not achieve established driving goals within the authorized length of time must be reevaluated to determine if driving is an appropriate goal. Adaptive driver's training is differentiated by high-tech (e.g., reduced-effort steering system) or low-tech (e.g., manual gas/brake hand control) adapted equipment. This training, if high-tech, is provided by a CDRS or DRP under the supervision of a CDRS. Low-tech training can be completed by a DRP or COTA under appropriate supervision.

Instructors will provide OVR with progress updates and a final report at the completion of adaptive driver's training which will be reviewed with the customer. The report should identify the most cost-effective modifications necessary to meet the customer's vocational needs.

3. Vehicle Modifications: Overview

OVR will sponsor new vehicle modifications on new or used vehicles unless an exceptional circumstance waiver has been approved to sponsor used modifications. Both new and used vehicles must have a current Pennsylvania State Inspection sticker. The vehicle must be owned/co-owned by the customer or the customer's parent, guardian, spouse, or domestic partner. The customer must meet all of OVR's vehicle services sponsorship criteria and have a vehicle modification prescription from a qualified instructor.

The prescription is provided after the customer completes an adaptive driving evaluation and training (when training is recommended). When developing the prescription, the COTA under appropriate supervision or DRP (for low-tech equipment only) or CDRS or DRP under the supervision of a CDRS (high-tech equipment) will determine if the customer's existing vehicle is suitable for modifications or recommend an appropriate vehicle (make/model/year) and factory options to be purchased. When possible, it is ideal for the customer to demonstrate the ability to enter, exit, and position themselves in the recommended type of vehicle. The prescription must include an expiration date, after which time a review and possible re-evaluation may be necessary. The installation of the modifications must begin prior to the prescription expiration date. The prescription becomes null and void if there is a change in the customer's medical condition and a new evaluation will be needed. All modifications must adhere to NMEDA Quality Assurance Program (QAP) Guidelines. OVR authorizes funds for vehicle modifications according to OVR Numbered Memo, **OVR Fiscal Procedures & Documentation**.

OVR will file a lien on the vehicle for the cost of the modification and will remove the lien at the end of five years. A customer must have a waiver approved by the Statewide Transportation Services Specialist (TSS) if expected employment will be less than five years.

If the customer is purchasing a new or used vehicle (chassis) for modification, it is their responsibility to provide for installation of equipment ordinarily available from a vehicle dealer at purchase, including but not limited to power steering, power brakes, automatic transmission, heat and air conditioner, tilt steering, cruise control, power external mirrors, radios, power windows and locks, heavy duty alternator battery, rust proofing, etc. The vehicle must be registered and titled to the customer (owner or co-owner), the customer's parent, guardian, spouse, or domestic partner. The customer may not purchase a vehicle prior to obtaining their vehicle modification prescription and approval from their VRC or TSC. The mobility equipment dealer may begin modifying a vehicle upon receipt of an OVR Purchase Order (PO) for the modifications.

OVR only sponsors modifications that are essential and the most cost-effective to meet the customer's vocational needs. Non-essential modifications are the financial responsibility of the customer.

If the customer is able to transfer into and operate an adapted automobile, only automobile modification will be considered.

If a van modification is necessary, OVR will modify a body-on-frame vehicle, lowered floor unibody minivan, or specialized vehicle that accommodates an occupied wheelchair; however:

- The customer's choice of vehicle shall not substantially increase OVR's costs for vehicle services; therefore, OVR will limit its contribution to the fair market cost of a standard dropped floor conversion. This is based upon an annual evaluation of standard conversion costs.
- The customer's choice of vehicle shall not be contraindicated by the disability.
- In the case of lowered floor unibody minivans or a specialized vehicle that accommodates an occupied wheelchair, OVR will sponsor modifications only on models which have been successfully crash-tested with the conversion completed.
- In the event the customer elects to purchase a vehicle that exceeds the customer's minimum modification needs, OVR shall restrict its support to the cost of modifying an appropriate vehicle. Example: A customer who is able to operate a car chooses to purchase a van. OVR shall determine the cost of car modifications and contribute this amount to the van modification with the customer paying the difference.

i. Vehicle Modifications: Used Vehicles

If the customer provides a used vehicle for modification, the vehicle must meet the age and mileage standards dictated by the conversion manufacturers. It is recommended that high-tech equipment be installed on new vans due to the associated maintenance costs. Used vehicles must pass an additional third-party inspection arranged by OVR.

The customer will be responsible for correcting any deficiencies uncovered during either inspection.

Low-tech, removable modifications that are inexpensive and easily transferred to another vehicle are exempted from the vehicle mileage, age, and third-party inspection requirements.

If a customer wants to purchase a van already modified for the use of someone else, OVR will not contribute to the established cost of the modification equipment unless an exceptional circumstances waiver has been approved. In those rare instances when an exception may be warranted, the van shall satisfy NMEDA QAP Guidelines and OVR's standards for used vehicles. OVR will apply a depreciation formula to determine OVR's contribution towards the cost of the used modifications. Some examples of potential exceptions are:

- A van with a dSi/Scott system, since it is primarily generic equipment.
- A situation where OVR adds rather than replaces equipment, such as upgrading a transporter van for wheelchair driving.

ii. Vehicle Modifications: Equipment Installation & Checkout

The provider installing the modifications will make arrangements to get the customer's vehicle to the automotive shop. The customer will make at least one visit to the shop during the modification process for custom fitting, thereby assuring proper placement of the equipment.

The prescribing evaluator may attend the fitting if, in their professional opinion, it is for low-tech or minor modifications. High-tech modifications warrant an evaluator to attend a fitting. If an evaluator does attend, adherence to Commonwealth of PA (CWOPA) travel policy is required.

If individual circumstances warrant the provision of room and board for the customer to attend fittings and/or completion of vehicle modification services, DA approval and adherence to CWOPA travel policy are required.

When all prescribed modifications and equipment have been installed, the provider will test drive the vehicle, checking all systems including steering, braking, throttle, power lifts, turn signals, remote inside and outside control switches, etc. to ensure modifications are working properly. This service will be included in all provider bids. Upon completion of a successful test drive, the TSC will arrange for the final checkout.

The final checkout is applicable to all high-tech modifications. It is to

be attended by OVR TSC (or designee), the driver evaluator, customer, and mobility equipment dealer. The driver evaluator ensures that all prescribed equipment and modifications are completed correctly, and the customer can use them correctly. All parties that attend the check-out must sign the OVR-231, **OVR Vehicle Check-Out Acceptance Form**.

If the vehicle passes the evaluator's checkout and the customer demonstrates to the driver evaluator competence in driving, the vehicle will be released to the customer.

If the vehicle has minor problems not affecting the operation of the vehicle, it can be released to the customer (provided they demonstrate competence in driving) with a general agreement that the customer will return the vehicle to the dealer for those repairs.

If the vehicle has major problems affecting its operation, or prescribed equipment is missing, the provider will take the vehicle back to his/her shop, make the required repairs, and schedule another checkout.

The final checkout is also applicable to all low-tech modifications. It is to be attended by the driver evaluator, customer, and mobility equipment dealer. It is recommended that the OVR TSC (or designee) attend, but this is not required. The driver evaluator ensures that all prescribed equipment and modifications are completed correctly, and the customer can use them correctly. All parties that attend the check-out must sign the OVR-231, **OVR Vehicle Check-Out Acceptance Form**.

All parts and labor are warranted by the mobility equipment dealer for one year or in accordance with the manufacturer(s) standard warranty, whichever is greater. The mobility equipment dealer is responsible for fulfillment of the warranty.

OVR will file a lien on the title with PennDOT for the amount OVR expends in modifying the vehicle. OVR will release the lien from the title after five years. Should a customer choose to dispose of the vehicle in the initial five years following the modification, OVR will use the straight-line depreciation method to establish the residual value of the modifications. The customer will be responsible for reimbursing OVR in the amount remaining on the lien. OVR will release the lien upon receipt of the funds from the customer.

iii. Vehicle Modifications: Upgrade or Change in Modifications

OVR may sponsor an upgrade or change in modifications to a customer's currently modified vehicle that was previously sponsored by OVR if it is required due to a documented change in the customer's functioning or mobility device. If due to a change in

functioning, medical documentation verifying the change in functioning is required. The upgrade must be needed for safety purposes (e.g., a customer who previously drove with a left foot pedal but due to a change in functioning must use hand controls, or a customer who obtains a new wheelchair and requires a new lockdown system to drive). An upgrade or change in modification should be relatively minor and/or low-tech as determined by the prescribing evaluator in comparison to a repeat modification. If the upgrade or change is over 50% of the original cost of the modifications, it is considered a repeat modification. Repeat modifications must follow the policies related to repeat modifications. Because most upgrades and changes are minor, an additional lien is not filed on the upgrades.

To qualify for a vehicle modification upgrade or change, the customer must:

- be currently employed and have been employed three of the five years preceding the request for repeat modifications; ****or****
- be unemployed and have been employed three of the last five years, and currently involved in a documented job search; ****and****
- provide OVR with a maintenance record for the vehicle and modifications that demonstrates maintenance has been provided according to manufacturer requirements; ****and****
- complete a vehicle inspection, at the discretion of OVR; ****and****
- complete an adaptive driver evaluation by a COTA under appropriate supervision, or DRP if low-tech, or CDRS or DRP under the supervision of a CDRS if high-tech, and obtain a vehicle modification prescription.

iv. Vehicle Modifications: Repeat Modifications

OVR may sponsor vehicle modifications for a customer no more frequently than every ten years or 100,000 miles, whichever comes first. The ten years is determined by date of the vehicle checkout and 100,000 miles is the total mileage on the vehicle. It can take approximately six months from time of evaluation to checkout to receive a modified vehicle, depending upon the amount of custom work required. Therefore, repeat modification services can be initiated approximately six months prior to the vehicle reaching ten years or 100,000 miles.

If there is an exceptional circumstance causing the customer to require a repeat modification sooner, a waiver must be approved by the DA. For a waiver to be considered, the vehicle must be inspected by a qualified inspector to determine if the vehicle is within 12

months of, or has reached the end of, its lifespan. Low-tech removable modifications that are inexpensive and easily transferred to another vehicle are exempted from these requirements.

To qualify for a repeat vehicle modification, the customer must:

- be currently employed and have been employed three of the five years preceding the request for repeat modifications; ****or****
- be unemployed and have been employed three of the last five years, and currently involved in a documented job search; ****and****
- provide OVR with a maintenance record for the vehicle and modifications that demonstrates maintenance has been provided according to manufacturer requirements; ****and****
- complete an adaptive driver evaluation by a COTA under appropriate supervision or DRP if low-tech or CDRS or DRP under the supervision of a CDRS if high-tech and obtain a vehicle modification prescription.

v. Vehicle Modifications: Rentals

In the event a modified vehicle has been damaged and cannot be driven, or while awaiting an authorized modification to be completed, the need for a vehicle rental will be decided on a case-by-case basis. Before OVR can consider funding vehicle rentals, all available transportation resources must be explored for individuals who need transportation to work. Rentals are limited to work-related activity only and reasonable time limits may be applied.

E. COMPARABLE SERVICES & BENEFITS

Per 34 CFR § 361.53, the following services are considered transportation services; therefore, staff must determine whether comparable services benefits exist under any other program, and whether those services and benefits are available to the individual, unless such a determination would disrupt or delay the progress of the customer toward achieving the employment outcome identified in the IPE or an immediate job placement:

- Learner's Permit Tutoring
- Drivers Training (adaptive and non-adaptive)

Per § 34 CFR 361.53, the following vehicle services are exempt from the need to rule out comparable benefits, as they are considered an assessment for determining eligibility and VR needs or rehabilitation technology:

- Clinical Driving Assessment
- Driving Evaluation (adaptive and non-adaptive)
- Vehicle Modifications

Although these services are exempt, if the customer or OVR staff is aware of a

comparable benefit at the time the service is being initiated and pursuing the comparable benefit would not pose any undue hardship or delay, OVR is not precluded from utilizing/pursuing that comparable benefit.

Customers must meet the criteria for sponsorship as outlined in this policy. There are times customers may not qualify for OVR sponsored vehicle services, and not all customers qualifying for services will qualify for exempt services. Customers who do not meet OVR's sponsorship criteria will be provided information and referral services should they be eligible for sponsorship from another source such as local education agencies, Workers' Compensation, the Veterans Administration, waiver supports, or insurance. The ineligibility reason(s) and information and referral service will be documented in the customer's case.

For additional information on use of comparable benefits, refer to OVR Numbered Memo, **OVR Fiscal Procedures & Documentation**.

F. FINANCIAL NEEDS TEST (FNT)

Financial Needs Tests (FNTs) are completed with customers prior to the provision of many cost services to determine if they have a financial contribution towards services. Customers who receive SSI/SSDI due to their own disability are exempt from the FNT.

Clinical Driving Assessments and Driving Evaluations (adaptive and non-adaptive) are considered assessments for VR needs, therefore an FNT will not be applied. The FNT will be applied to all other vehicle services, as they are considered cost services.

When a customer purchases a vehicle, the cost of the vehicle, excluding pre-existing modifications, will not be used when calculating the FNT, as a vehicle is not considered a disability-related expense.

For additional information on FNTs, please refer to OVR Numbered Memo, **Financial Needs Test**.

G. PROVIDER REQUIREMENTS

OVR's Statewide TSS is responsible for approving providers. Driving Services and Vehicle Modification provider requirements are outlined in OVR Guidance Document 23-400.01, **Driving Services & Vehicle Modification Provider Requirements**.

H. CUSTOMER RESPONSIBILITIES

For all vehicle services, customers are expected to follow the responsibilities outlined on their IPE. Additionally, for driving/vehicle modification services, the customer responsibilities are outlined in the **OVR Vehicle Modification Handbook** that is reviewed by the customer prior to initiating vehicle modification services. If the customer is receiving vehicle modifications, the customer will review and sign either the OVR-338, **OVR Car Modification Understandings**, or the OVR-339, **OVR Van Modification Understandings**.