

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL DRS35410-NEa-123

Short Title: Foster Care Motor Vehicle Insurance.

(Public)

Sponsors: Senators Sawyer and Jones (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT DIRECTING THE NORTH CAROLINA RATE BUREAU TO AMEND THE
3 EXISTING NAMED DRIVER EXCLUSION ENDORSEMENT FOR PERSONS
4 RECEIVING FOSTER CARE, CLARIFYING THAT A FOSTER PARENT MAY
5 TERMINATE AN ENDORSEMENT PROVIDING MOTOR VEHICLE LIABILITY
6 COVERAGE FOR A PERSON RECEIVING FOSTER CARE IF THE OWNER NO
7 LONGER PROVIDES FOSTER CARE, ESTABLISHING A FOSTER CARE
8 AUTOMOBILE INSURANCE FINANCIAL ASSISTANCE PROGRAM, AND
9 APPROPRIATING FUNDS FOR THE FINANCIAL ASSISTANCE PROGRAM.

10 The General Assembly of North Carolina enacts:

11 **SECTION 1.** G.S. 20-309(a2) reads as rewritten:

12 "(a2) Notwithstanding any other provision of this ~~Chapter, an~~ Chapter or Chapter 58 of the
13 General Statutes:

14 (1) An owner's policy of liability insurance issued to a foster parent or parents,
15 which policy includes an endorsement excluding coverage for one or more
16 ~~foster children~~ person receiving foster care, as defined in G.S. 131D-10.2,
17 residing in the foster parent's or parents' household, may be certified as proof
18 of financial responsibility, provided that each ~~foster child~~ person receiving
19 foster care for whom coverage is excluded is insured in an amount equal to or
20 greater than the minimum limits required by G.S. 20-279.21 under some other
21 owner's policy of liability insurance or a named nonowner's policy of liability
22 insurance. The North Carolina Rate Bureau shall establish, with the approval
23 of the Commissioner of Insurance, a named driver exclusion endorsement or
24 endorsements for ~~foster children~~ persons receiving foster care as described
25 herein. This endorsement shall meet the following requirements:

26 a. It shall be available to any person who received foster care during the
27 coverage period.

28 b. It shall not withhold coverage solely because the person in foster care
29 resides in a household with an existing motor vehicle liability policy.

30 c. It shall provide coverage for the operation by the person receiving
31 foster care of any nonfleet passenger motor vehicle furnished or
32 available to that person for regular use.

33 (2) It shall not be a violation of this Article for the owner of a motor vehicle who
34 provided foster care to terminate an endorsement providing motor vehicle
35 liability insurance coverage for a person receiving foster care if the owner no
36 longer provides foster care for that child."



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1 **SECTION 2.** Article 36 of Chapter 58 of the General Statutes is amended by adding
2 a new section to read:

3 **"§ 58-36-44A. Development of policy form or endorsement providing named non-owner**
4 **passenger motor vehicle coverage for persons receiving foster care.**

5 The Rate Bureau shall develop an optional policy form or endorsement, to be filed with the
6 Commissioner for approval no later than October 1, 2026, that provides named non-owner
7 nonfleet private passenger motor vehicle liability coverage for persons receiving foster care, as
8 that term is defined by G.S. 131D-10.2, and that complies with the requirements of
9 G.S. 20-309(a2)."

10 **SECTION 3.** Article 1A of Chapter 131D of the General Statutes is amended by
11 adding a new section to read:

12 **"§ 131D-10.9D. Foster care automobile insurance financial assistance program.**

13 (a) Program Established. – The Department, in consultation with the Commissioner of
14 Insurance, shall establish a program to provide financial assistance for the purchase of (i) an
15 owner's policy of motor vehicle liability insurance issued to a foster parent that includes an
16 endorsement covering a person that receives foster care and resides in the foster parent's
17 household or (ii) a non-owner policy of motor vehicle liability insurance issued to a person
18 receiving foster care that complies with the requirements of G.S. 20-309(a2) and
19 G.S. 58-36-44A.

20 (b) Financial Assistance. – The program developed pursuant to this section shall provide
21 the following financial assistance for eligible motor vehicle liability coverage:

22 (1) Payment or reimbursement of the increase in premiums caused by adding a
23 person receiving foster care to a foster parent's owner's policy of motor vehicle
24 liability.

25 (2) Payment or reimbursement of the cost of premiums for a non-owner's policy
26 of motor vehicle liability issued to a person receiving foster care.

27 (3) Coverage of all or a portion of an applicable deductible, not to exceed one
28 thousand dollars (\$1,000), for claims arising from the operation of a motor
29 vehicle by a person receiving foster care.

30 (c) Eligibility. – Financial assistance shall not be provided pursuant to this section unless
31 the person receiving foster care and covered by an eligible policy has completed a drivers
32 education program that is approved by the State Superintendent of Public Instruction and is
33 offered at a public high school, a nonpublic secondary school, or a licensed drivers training
34 school.

35 (d) Rules. – The Social Services Commission shall adopt rules to implement the
36 provisions of this section."

37 **SECTION 4.** There is appropriated to the Department of Health and Human Services
38 the sum of one million dollars (\$1,000,000) in nonrecurring funds for the 2026-2027 fiscal year
39 to implement the purposes of this act.

40 **SECTION 5.** Sections 1 and 2 of this act are effective when they become law.
41 Section 3 of this act becomes effective July 1, 2026. The remainder of this act becomes effective
42 January 1, 2027, and applies to policies issued or renewed on or after that date.