

Chapter 312
TRANSPORTATION

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Section I. Definitions

- A. "**Adequate insurance**" means liability, collision (if cost effective), fire, and theft coverage for a vehicle and, if applicable, its adaptive devices.
- B. "**Basic vehicle**" means a motorized conveyance which is to be used on a public highway; the term does not include adaptations necessitated by the disability.
- C. "**Job-ready**" means that most objectives of a person's IPE have been completed, and competitive employment at or above the substantial gainful activity level as defined by the Social Security Administration is expected to begin within a year.
- D. "**Transportation Services**" means travel and related expenses that are necessary to enable an applicant or eligible person to participate in a vocational rehabilitation service. Transportation services may include, but are not limited to, public transportation costs, travel reimbursement, vehicle rental and lease, vehicle purchase, vehicle repair and maintenance, relocation, and other costs such as insurance and registration. Note: DVR funds may not be used to pay fines imposed on a customer by the legal system, nor can DVR funds be used to pay for other legally-imposed sanctions or requirements such as participation in CRASH.

Section II. General Policy

Transportation services in support of other vocational rehabilitation services, such as training, health services, and placement, may be provided when comparable services and benefits and customer resources are not available or must be supplemented. The least expensive method will always be chosen unless contraindicated by the disability or time constraints. The Division, with the input of the State Rehabilitation Council, shall establish and maintain reasonable spending guidelines for transportation services.

The Division Director or designee may grant exceptions to spending guidelines/limits in this Chapter if all of the following apply:

1. Comparable services and benefits have been exhausted;
2. The customer's resources have been used to the maximum extent possible given the person's anticipated income and expenditures;
3. A monthly payment schedule for the unmet need would be unrealistic in view of costs related to the disability and projected earning capacity; and
4. The cost of making the exception remains reasonable, i.e., delivering the service by exception and enabling the person to continue or enter a vocation will be less costly to the public than not delivering it.

A transportation service must be in support of an activity directly related to the vocational rehabilitation process; the supportive relationship must appear in the record of services.

GUIDANCE: For example, taxi fare to a hospital for a specialty examination may be provided, but taxi fare to a hospital to visit a sick friend cannot be provided.

Section III. Specific Transportation Services

A. Public Transportation

Only customary fares shall be paid.

GUIDANCE: The Counselor may:

1. Authorize the vendor to bill the Division;
2. Give the person a check with which to purchase tickets for specific purposes related to the rehabilitation process;
3. Make other comparable arrangements as fit the needs of the situation.

B. Travel Reimbursement

Reimbursement rates cannot exceed the rate paid to state employees.

GUIDANCE: If the person uses his/her own vehicle, reimbursement may be provided on a per mile basis, on a cost-of-fuel basis, or on a fee-for-trip basis, as negotiated by the Counselor and acceptable to the person. (Please note that if the person must use an adapted van, a higher rate set by the Department of Human Resources is allowed to be reimbursed to a State employee.)

If a person is transported by a third party, reimbursement arrangements may be negotiated with the third party in the same manner as above. The third party may also be paid for his/her time; the State's minimum wage is suggested as a minimum rate for a driver.

C. Vehicle Rental and Lease

1. Vehicles may be rented to meet short-term needs if cost-effective.
2. Time-limited lease payments may be made by the Division if cost-effective.
3. Other alternatives (e.g., hiring a third party to transport) should be explored prior to renting or leasing a vehicle.
4. Justification of the decision to rent or lease as well as of the choice of vendor must be in the customer's record of services.

D. Vehicle Purchase

1. In general, the Division will participate in the purchase of a vehicle only if:
 - a. It is clearly documented in the record of services to be the most cost-effective alternative, including relocation, of completing the objective;
 - b. The person is job-ready;
 - c. A review of the person's living expenses and income or projected income shows that personal funds are/will be substantial enough to meet operating/maintenance costs of the vehicle, including adequate insurance coverage;
 - d. The Counselor should record, either in the case notes or on the IPE, that ongoing maintenance costs have been reviewed with the customer and the Counselor is satisfied that the customer can meet those obligations.

GUIDANCE: As an alternative, the Counselor and the customer can complete the worksheet (Attachment A) at the end of this Chapter and include it, by reference, in the case notes.

- e. The vehicle, if used,
 - i. Has been examined by a mechanic certified in "Automotive Service Excellence" mutually chosen by the person and the Counselor; and

- ii. Has been found suitable to safely and reliably meet the vocational rehabilitation needs of the person; or
- iii. Any repairs, tires, etc., necessary to make the vehicle safe, reliable, and suitable to meet the vocational rehabilitation needs of the person, have been identified and their costs estimated.

GUIDANCE: If the vehicle is a used adapted van, it is important to get a review from the previous owner, Ride Away, or mechanic who serviced the vehicle. It is important that the viability of accessibility equipment be evaluated as well as the basic condition of the vehicle. Typically, retrofitting is needed to make the vehicle accessible to the consumer and what this would add to the overall cost should be determined. It is recommended that the counselor seek the assistance of the Department Business Enterprise Consultant if a used, previously-adapted van is being considered.

- f. If the person is to operate the vehicle, s/he must have a valid driver's license, or have a learner's permit and, by acquiring a vehicle, must either be enabled to get a license or to enter into driver on-the-road training within a reasonable time after acquiring it. Medical or other reports, as appropriate, must indicate that the person has the aptitudes to drive. If the counselor has reason to believe the customer may be legally prohibited from driving, he/she can seek verification of the consumer's current status from the Department of Motor Vehicles.
2. The Division will not participate in the purchase of a vehicle more than once every five (5) years for the same person. Miles driven will also be taken into consideration on van replacement requests. Replacements will be approved only when the current van has at least 100,000 miles on it, or is damaged beyond repair, or has a combination of high mileage and high estimated repair costs that make it not cost effective to repair. The Division will not participate in the repair or replacement of a vehicle which must be repaired or replaced because it was not adequately insured.

GUIDANCE:

If all the above criteria are met, up to \$3,000 may be provided toward the purchase of a vehicle (including estimated costs of 1.d. above, if applicable). If the person's disability mandates that the vehicle be an adapted van, the Division may provide up to \$15,000 of cost of the basic new van for the first van purchased and up to \$12,000 for any subsequent vans. The remaining cost of the van is the responsibility of the individual or other source(s); those funds may be applied toward either the basic vehicle or to its adaptations, whichever is most advantageous to the person due to work incentives such as

impairment-related work expenses available to certain Social Security beneficiaries.

1. The Counselor may make an exception to the job-ready criterion in D.(1) if the other criteria for vehicle purchase are met. In such a circumstance, up to \$2,000 may be provided toward a car; if the disability mandates the use of an adapted van, up to \$3,000 may be provided.
2. If the vehicle is a used one, the local Regional Vocational Technical Center (if able to respond in a timely fashion) may be an option for the examination of being "safe and reliable"; instructors are certified in "Automotive Services Excellence".
3. It is suggested that Division funding be used as a down payment (or partial payment) on a vehicle rather than as full purchase price.

E. Maintenance and Repairs

Maintenance and repairs to a vehicle and/or its adaptations may be provided to accomplish vocational rehabilitation objectives. The customer and the Counselor mutually may choose a mechanic to help ensure that the proposed service will result in safe and reliable use of the vehicle and that the vehicle's value justifies the repairs. Repairs shall not exceed \$1,000 for the life of the case.

In general, if the Division participated in the purchase of a vehicle, it will not fund its maintenance and repairs.

F. Driver Evaluations for Vans, Van Purchases and Van Modifications

All of the Policy and Guidance provisions in Section D. apply to van purchases plus the following requirements.

1. Business Enterprise Specialist and VR Van Modification Specialist

Since a great deal of coordination and expensive transactions are involved in acquisition of an adapted van, the Department's Business Enterprise Specialist (BES) must be involved and should be contacted as soon as it is known a van purchase is imminent. The BES will advise, assist, and guide those involved through all the necessary steps, and will know of vendors, protocols, etc. In most cases the VR counselor of record will be the VR Van Modification Specialist. He/she will be a specialist VR counselor who will handle most cases involving a van purchase and modification. The only exception may be if the consumer has a well established relationship with another counselor. In such cases the counselor and VR Van Modification Specialist will co-manage the case.

2. Driver Evaluations

- a. If a van is needed, the consumer must participate in a driver evaluation conducted by a qualified person/facility. A qualified person/facility must be accredited through the state licensing for driving schools, and the state occupational therapy licensing board, and be a certified driving rehabilitation specialist through the Association for Driving Rehabilitation Specialists (ADED). The consumer and counselor will work together to make an informed choice regarding the selection of a driver evaluator that will take into account the cost of travel to a qualified person/facility (or the cost of the evaluator traveling to the consumer). The least expensive choice for evaluator will generally be chosen unless the counselor and consumer agree there are compelling reasons to do otherwise.
- b. The purpose of a driver evaluation for all drivers is to:
 - Assess if he/she has the appropriate vision, physical and cognitive skills for driving, based on medical history.
 - Evaluate if the consumer's non-driving equipment (such as wheelchair) needs to be updated or altered to be compatible with a van.
 - Determine what equipment, from chassis to primary and secondary controls, are needed.

In addition, the purpose of the driver evaluation for experienced drivers is to:

- Help identify what the consumer likes or does not like about their current vehicle and what new options may be available to make driving safer and more comfortable. (Technology changes and equipment that the driver previously used may no longer be available or better equipment options may be available.)
- Assess any medical changes including age-related changes that would suggest a need for vehicle adaptation changes. These changes, even small ones, can have consequences that can negatively impact the consumer's safety and health as well as the van costs if they are overlooked.

Prior to starting the driver evaluation process the counselor will provide the consumer an overview of the driver evaluation process (Attachment B). The counselor and evaluator should review this with the consumer so they know what to expect from the process.

GUIDANCE: Consumers with many years experience driving with adapted equipment are experts regarding their own needs, preferences and driving skills. It is very important to recognize and acknowledge that experience and expertise throughout the process. If a consumer feels that that their driving competence is being evaluated or that modifications are being imposed on them, they are much

less likely to fully participate or buy into the process. Therefore, it is important that the counselor and evaluator work in partnership with the consumer to identify a vehicle and modifications that best meet the consumer's needs and preferences, and that will ensure he/she has the equipment and modifications necessary to help them be a safe driver. If a consumer does not see the benefit in using a particular adaptive device, it is likely he/she will not use it in the longer term and may be a less safe driver.

3. The Van Purchase, Modification and Training Plan

Based on the evaluation, the counselor, evaluator and consumer will develop a Van Purchase, Modification and Training Plan using the template in Attachment C. The purpose of the plan is to identify:

- The type of vehicle to be purchased
- The planned modifications
- The training requirements
- Items that may need to be re-evaluated, changed or adjusted after the initial modifications have been installed
- The anticipated costs that will be DVR responsibility
- The anticipated costs that will be the consumer's responsibility

The consumer, counselor and the evaluator will each sign the Van Purchase, Modification and Training Plan before the vehicle is purchased and any modifications are initiated.

The consumer's choices and preferences should always inform the process of selecting which modifications and features should be included in the van. However, when there is a conflict between the consumer's choices and the potential safety of the consumer driver and others, safety concerns must take precedence. DVR will only support a van purchase and modification if all the identified safety concerns are resolved. The following are examples of areas where safety considerations must be met:

- a. Steering: The consumer must be able to control the steering wheel at all times and be able to turn the vehicle to avoid unexpected obstacles.
- b. Acceleration and braking: The consumer must be able to demonstrate controlled pressure for acceleration and braking for different driving circumstances.
- c. Secondary controls: The consumer must be able to operate secondary controls (turn signals, horn, high/low beams, defroster, windshield wiper/washer, and emergency brake) when the vehicle is in motion.
- d. Securing the wheelchair and driver: The wheelchair must be secured to the vehicle when the consumer is driving and he/she must demonstrate torso stability when hard braking and turning. The consumer must be able to independently access a secure seatbelt.

- e. Scanning: The consumer must be able to safely scan intersections for other vehicles and be able to observe obstacles when backing up.

The above list is not all-inclusive. The consumer, counselor and evaluator may identify other safety considerations that must be taken into account in the process. As noted, DVR will only support a van purchase and modification if all the identified safety considerations are met and the consumer, DVR and the driver rehabilitation specialist are satisfied the vehicle, as modified, is safe to drive.

4. Final Check Out and Consumer Contribution

The driver rehabilitation specialist and the counselor will account for all the equipment that is installed by the vehicle modifier and ensure that the consumer's van has been adjusted properly for them before they take possession of the vehicle. It may be necessary for the driver rehabilitation specialist to provide additional training and evaluation of the newly installed equipment and check to ensure it is safe and works effectively.

Only after the DVR counselor and the consumer are satisfied that the van modifications are complete and the consumer can operate the vehicle safely, DVR and the consumer will pay the vendor their respective contribution to the cost.

5. Adjustments after Final Check Out

Typically it will take a few weeks for the consumer to get used to a new van and modifications and identify items that may need to be adjusted or any additional modifications that may be necessary to make. DVR will pay for additional adjustments to the van modifications that are identified within 90 days of the final check out. Any additional modifications or adjustments identified after that point will be the responsibility of the consumer.

G. Vehicle Modifications, Accessibility & Driver Adaptations (sedan or van)

1. Vehicle modifications, accessibility and driver adaptations are rehabilitation technology services that are provided to address any barriers resulting from a disability. Accessibility adaptations for a van, such as a wheelchair lift and raised roof, may be provided if the criteria in Section III (D)(1) of this Chapter are met. If all criteria except job-readiness [D (1)(b)] are met, not more than a total of \$1,500 will be provided toward all modifications, accessibility, and driver adaptations. The same policy applies to a vehicle that is not a van. For example, a rooftop wheelchair carrier may be provided for a sedan, fully funded by the Division if all parts of Section III are met. If the job-ready criterion is not met, not more than \$1,000 shall be provided.

2. If the person is to operate the vehicle, the adaptations must enable him/her to safely enter, be secured, and exit the vehicle without the assistance of another person.
3. Such adaptations will be funded by the Division, in full or in part, no more frequently than once every five (5) years for the same person.

H. Relocation

Costs to relocate a customer, rather than buy a vehicle, shall be provided if more cost-effective than providing other transportation services.

I. Other Transportation Services

Registration fees and vehicular insurance costs may be provided for up to twelve months. The Counselor may make exception to this duration guideline if the cost of making the exception is reasonable--i.e., continuing the service by exception and enabling the person to continue or enter a job will be less costly to the public than not delivering the service. Justification for the exception must be in the record of services.

ATTACHMENT A. WORKSHEET
Determining Funds Available to Support a Vehicle

Income	Monthly/Current	Anticipated changes (+/-) Within next 6 months
Your Wages	_____	_____
Public Benefits	_____	_____
Other Household Income Available to You	_____	_____
Total	_____	_____

Expenditures	Monthly/Current	Anticipated changes (+/-) Within next 6 months
Rent/Mortgage	_____	_____
Heat & Lights	_____	_____
TV & Phone	_____	_____
Food	_____	_____
Loans/Credit Cards	_____	_____
Child Support/Alimony	_____	_____
Home/Life/Auto Insurance	_____	_____
Clothing	_____	_____
Health Related	_____	_____
Other Housing Related	_____	_____
Other Regular Expenditures	_____	_____
Total	_____	_____

Amount Income Exceeds Expenditures _____

Known/Anticipated Vehicle Expenses

Monthly loan payment	_____	
Auto Insurance-monthly avg.	_____	
Estimated Gas Cost-monthly (miles per month/est. miles per gal. X price per gal.)	_____	
Regular Maintenance(Oil changes/tires, etc.)	_____	(Est. at least \$25 per month)
Other	_____	
Total	_____	

Income does/does not (circle) exceed expenditures and estimated vehicle expenses and is/is not (circle) sufficient to support maintaining a vehicle.

Counselor's Signature

Date

(Place copy of signed form in case record)

Attachment B.

Driver Rehabilitation Services for a Modified Vehicle**What to Expect from the Process for First Time Van Users**

Congratulations on starting the process to becoming a driver. Driver Rehabilitation Services are designed to identify the appropriate driving equipment to best meet your needs and provide training for you on the use of that equipment. The following sequence of steps takes place from your first appointment at Driver Rehabilitation to when you receive your van.

- 1) **Initial Contact:** Prior to your first meeting you will be contacted by the driver rehabilitation program. The person who contacts you will ask you for general information about your date of birth and contact information. They will also ask you for the name of your physician and they will contact your doctor for a prescription for an Occupational Therapy assessment for driving.
- 2) **Initial Meeting:** At your first meeting you will meet with the driver rehabilitation specialist (DRS). This person is an Occupational Therapist, who is a certified driving rehabilitation specialist and a driving school instructor. In that first meeting (typically referred to as the clinical visit) you and the DRS will discuss your medical history. He/she will discuss with you what your vehicle needs are and take measurement of your physical strength. The DRS may also conduct additional testing of cognition and vision, if it is a possible complication of your condition. DRS will also look at your wheelchair to see if it is meeting your present needs and how your chair will work with different vehicles and driving equipment. If your driving equipment needs cannot be met with the training equipment available in Vermont then the DRS may advise you to go to another driver rehabilitation program that has the equipment that you need. The DRS can work with these other programs in a collaborative effort so that you do not have to go through a lot of additional assessments.
- 3) **On-Road:** The next visit will be the first on-road session. You will drive a modified van equipped with the driving equipment that was identified in the clinical visit. The vehicle is equipped with an instructor's brake and is insured as a driver's education vehicle. The purpose of this session and subsequent sessions is to continue to find out more about your driving equipment needs and preferences as well as train you on the use of the equipment. It is important you provide feedback to the DRS about

how comfortable you feel with the equipment and how easy/difficult it is to use. The DRS uses the training sessions to identify the most appropriate equipment for you. You should be a very active participant in this process. The number of sessions will depend on how complicated the driving equipment is, how much experience you have as a driver and your level of comfort.

- 4) **Prescription Meeting:** When the training is complete, the DRS will develop a prescription for the equipment. Once all parties have had time to review the prescription, Vocational Rehabilitation will hold a meeting with you, your VR counselor and the DRS to discuss each item on the prescription. This is your opportunity to provide any suggestions or feedback. However, it is important you understand that DVR will only support a van purchase and modification if you, DVR and the DRS are satisfied the prescription will allow you to drive the vehicle safely. Once everyone is in agreement, VR will ask you to sign off on the van purchase, modification and training plan.
- 5) **Vehicle Fitting:** Once the van is built to the point where the placement of equipment needs to be determined; you and the DRS will meet at the vendor shop. The location can be in Vermont or out of state depending on the technology demands for building your vehicle. This session is referred to as a vehicle fitting. The purpose is to make sure that the equipment is installed in the proper position and location for your needs. This includes the position of your chair if you are driving from your chair. This is typically accomplished in one session, but on occasion requires two sessions.
- 6) **Vehicle Check-Out:** The vehicle check-out session is similar to the vehicle fitting session in that you and the DRS will meet at the vendor shop. This time you will drive your modified van to ensure that all adjustments to the equipment are appropriate for you. Further adjustments of the equipment may take place with the help of the technicians. Once you and the DRS are satisfied with the installation you will be able to take home your van as long as all other areas such as insurance and payment are satisfied. This will complete your driver rehabilitation services unless there are additional adjustments that are required once you have had a chance to drive the van for a period of time.

Driver Rehabilitation Services for a Modified Vehicle

What to Expect from the Process for Experienced Van Drivers

The purpose of Driver Rehabilitation Services is two-fold. First it is intended to assess the equipment you currently use and determine with you if there are new options that may work better for you. Second, the Driver Rehabilitation Services assess any changes in your overall health/physical condition that may require additional or different equipment to help you drive. If you have driven for some time, you will have a good idea about your preferences and what equipment may work best for you. There may also be some aspects to your current equipment that you would like to change or improve. The ultimate goal is to help get you into a vehicle that works best for you.

The following sequence of steps takes place from your first appointment at Driver Rehabilitation to when you receive your van.

- 1) **Initial Contact:** Prior to your first meeting you will be contacted by the driver rehabilitation program. The person who contacts you will ask you for general information about your date of birth and contact information. They will also ask you for the name of your physician and they will contact your doctor for a prescription for an Occupational Therapy assessment for driving.
- 2) **Initial Meeting:** At your first meeting you will meet with the driver rehabilitation specialist (DRS). This person is an Occupational Therapist, who is a certified driving rehabilitation specialist and a driving school instructor. In that first meeting (typically referred to as the clinical visit) you and the DRS will discuss your medical history. He/she will discuss with you what your vehicle needs are and take measurement of your physical strength. The DRS may also conduct additional testing of cognition and vision, if it is a possible complication of your condition. DRS will also consult with you about your wheelchair to see if it is meeting your present needs and how your chair will work with different vehicles and driving equipment. You should discuss with the DRS what you like and dislike about your current van and driving equipment.
- 3) **On-Road:** The on-road session will take place on the same day as the initial meeting. The DRS will ride with you in your van and assess everything from accessing the van, driving the van and exiting the van. You and the DRS should discuss any step in the process that you find difficult or cumbersome. It is important you provide feedback to the DRS about how comfortable you feel with the equipment and how easy/difficult it is to use. You should be a very active participant in this

process. Equipment changes and technology evolves so that even if you like some equipment it may need to be changed because it may no longer be available. The DRS will talk with you and your vocational rehabilitation counselor about all the options that are available for replacing that equipment. During the drive you will be asked to do routine driving maneuvers you would do on a typical day. The DRS will be looking for safety issues that could suggest an equipment change is needed. Those safety issues include:

- **Steering:** Maintaining control of the steering wheel at all times and being able to turn the wheel to avoid an unexpected obstacle.
 - **Acceleration and braking:** Being able to demonstrate controlled pressure for acceleration and braking for different driving circumstances.
 - **Secondary controls:** The consumer must be able to operate secondary controls (turn signals, horn, high/low beams, defroster, windshield wiper/washer, and emergency brake) when the vehicle is in motion.
 - **Securing wheelchair and driver:** Wheelchairs need to be secured to the vehicle when the driver is driving from the wheelchair or when it is unoccupied. The person needs to demonstrate torso stability with hard braking and turning. The person must be able to independently access a secured seatbelt. The seatbelt needs to be positioned on the torso across the sternum and pelvis.
 - **Searching:** A driver must be able to safely scan intersections for other vehicles and be able to observe obstacles when backing up.
- 4) **Assessment and Training:** The next step is assessment of equipment needs if changes are recommended to primary controls (steering, braking and acceleration). In some cases other equipment that does not involve primary controls may also need to be assessed in a training vehicle. Once the changes have been identified, or if no changes are made to the equipment that require further assessment, then the DRS will write a vehicle prescription. The vehicle prescription will include the van chassis and all driving aids and equipment.
- 5) **Prescription Meeting:** When the on-road assessment and any training is complete, the DRS will develop a prescription for the equipment. Once all parties have had time to review the prescription, Vocational Rehabilitation will hold a meeting with you, your VR counselor and the DRS to discuss each item on the prescription. This is your opportunity to provide any suggestions or feedback. It is important to understand DVR will only support a van purchase and modification if you, DVR and the DRS are satisfied the prescription will allow you to drive the vehicle safely. Once everyone is in agreement VR will ask you to sign off on a van purchase, modification and training plan.

- 6) **Vehicle Fitting:** Once the van is built to the point where the placement of equipment needs to be determined, you and the DRS will meet at the vendor shop. The location can be in Vermont or out of state depending on the technology demands for building your vehicle. This session is referred to as a vehicle fitting. The purpose is to make sure that the equipment is installed in the proper position and location for your needs. This includes the position of your chair if you are driving from your wheelchair. This is typically accomplished in one session, but on occasion requires two sessions.

- 7) **Vehicle Check-Out:** The vehicle check-out session is similar to the vehicle fitting session in that you and the DRS will meet at the vendor shop. This time you will drive your modified van to ensure that all adjustments to the equipment are appropriate for you. An inventory will ensure all adaptive aids and devices are checked and accounted for. Once you and the DRS are satisfied with the installation you will be able to take your van home as long as all other areas such as insurance and payment are satisfied. This will complete your driver rehabilitation services unless there are additional adjustments that are required once you have had a chance to drive the van for a period of time.

ATTACHMENT C.

Van Purchase, Modification and Training Plan

The following is an agreement between _____ and the Vermont Division of Vocational Rehabilitation for the purchase and modification of a van as part of an Individual Plan for Employment.

Vehicle to be Purchased and Price (Estimated)	DVR Contribution	Consumer Contribution (Estimated)
_____	_____	_____

Vehicle Modifications to be Installed

Required Training for Consumer

Items that may need to be re-evaluated, changed or adjusted after the initial modifications have been installed

Signed:

Consumer: _____ Date: _____

DVR Counselor _____ Date: _____

Driver Evaluation Specialist _____ Date: _____