

Chapter 312: Transportation

Vermont Division of Vocational Rehabilitation
Policy and Procedures Manual

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Section 1: 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) **"Cost Sustainability"** means the participant will be able to sustain the cost of the transportation after VR services end. For example, if VR assists a participant with a car purchase, they can sustain the cost of insurance, gas, and maintenance after the case is closed.
- D) **"Job-ready"** means that most objectives of a participant's Individualized Plan for Employment (IPE) have been completed, and the participant is ready for competitive employment.
- E) **"Transportation Services"** means travel and related expenses that are necessary to enable an applicant or eligible individual to participate in a vocational rehabilitation service, including expenses for training in the use of public transportation vehicles and systems. 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.

Section 2: General Policy

- A) Transportation services in support of other vocational rehabilitation (VR) services, such as post-secondary training and education, work experience and job placement, may be provided when comparable services and benefits and participant resources are not available, or must be supplemented. The least expensive method will always be chosen unless contraindicated by disability or time constraints.
- B) DVR funds may not be used to pay fines imposed on a participant by the legal system, nor can DVR funds be used to pay for other legally imposed sanctions or requirements such as participation in the Impaired Driver Rehabilitation Program (IDRP).
- C) The Division may not place an absolute dollar limit on specific service rates or total services provided. However, DVR may set rate guidelines to ensure reasonable costs to the program. The vocational counselor may make an exception to the rates guidelines with the Regional Manager's approval. When considering exceptions to the rates, the Regional Manager must consider a participant's ability to contribute to their services. The participant's contribution must be:
 - 1) Reasonable,
 - 2) Based on financial need, and

- 3) Not so high as to effectively deny the participant a necessary service.

DVR cannot require participants who are SSI or SSDI beneficiaries to provide funding towards their services.

- D) A transportation service must be in support of an activity directly related to vocational rehabilitation services and be directed towards an eventual employment outcome. The relationship between the transportation service and the Individualized Plan for Employment (IPE) must be documented in the case record. The DVR will only support transportation services if participants are engaged in their vocational rehabilitation plan for services. This includes but is not limited to:

- 1) Attending scheduled meetings with their counselor,
- 2) Following through on planned training, education, job search activities, and
- 3) Participant responsibilities as outlined on the IPE.

Guidance: Determining cost sustainability.

When funding transportation services, the counselor must consider the cost sustainability of the transportation option selected post closure. The counselor must avoid setting the participant up with a transportation plan they cannot afford on an ongoing basis. For example, a counselor must not support a car purchase if the participant's earnings are not sufficient to cover the vehicle insurance, fuel, and maintenance costs. 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.

End Guidance.

Section 3: Specific Transportation Services

- A) Public Transportation

- 1) Only customary fares shall be paid.

Guidance: Public transportation payment options.

The counselor may:

- Authorize the vendor to bill the DVR;
- Give the participant a check with which to purchase tickets for specific purposes related to the rehabilitation process;
- Make other comparable arrangements as fit the needs of the situation;
- In general, DVR will not pay for mileage or public transportation to attend in person meetings with a counselor. The counselor will consider exceptions based on individual circumstances.

End Guidance.

B) Travel Reimbursement

Guidance: Travel reimbursement rates.

If the participant uses their own vehicle, reimbursement may be provided on a per mile basis using the State of Vermont mileage reimbursement rate. (If the participant must use an adapted vehicle, a higher rate set by the Department of Human Resources is allowed to be reimbursed to a state employee.)

If a participant is transported by a third party, reimbursement may be calculated in the same manner as above. The third party may also be paid for their time; the State's minimum wage is suggested as the rate for a driver.

End guidance.

C) Vehicle Rental and Lease

- 1) Vehicles may be rented to meet short-term needs. If the participant does not have their own vehicle insurance, the counselor may also cover the rental insurance.
- 2) The counselor must confirm the participant has a valid current driver's license.
- 3) The Division may make time-limited lease payments if it is cost-sustainable for the participant.
- 4) Other alternatives (e.g., hiring a third party to transport) should be explored prior to renting or leasing a vehicle.
- 5) The justification for the decision to rent or lease as well as the choice of vendor must be noted in the participant's case record.
- 6) In some situations, purchasing a bicycle might be a viable alternative for a participant if they do not have a driver's license or cannot drive and live close to their workplace.

D) Vehicle Purchase

- 1) In general, the Division will only participate in the purchase of a vehicle of the following conditions are met:
 - a) The counselor must document in the case record why a car purchase is the most appropriate option for the participant to achieve their employment goal. This must include why public transportation, relocation or other options are less viable;
 - b) The participant has a valid driver's license;
 - c) The participant is job-ready or engaged in a credentialed training or educational program;
 - d) A review of the participant's living expenses and income or projected income shows that personal funds are or will be substantial enough to meet operating and maintenance costs of the vehicle, including adequate insurance coverage. The counselor must record, either in the case notes or on the IPE, that ongoing maintenance costs have been reviewed with the participant and the counselor is satisfied that the participant can meet those obligations.
 - e) The vehicle, if used,
 - (1) Has been examined by a mechanic certified in "Automotive Service Excellence" mutually chosen by the participant and the counselor; and

- (2) Has been found suitable to meet the vocational rehabilitation needs of the participant safely and reliably; or
 - (3) Any repairs, tires, etc., necessary to make the vehicle safe, reliable, and suitable to meet the vocational rehabilitation needs of the participant have been identified and their costs estimated.
 - (4) If the participant is to operate the vehicle, they must have a valid driver's license. Medical or other reports, as appropriate, must indicate that the participant has the aptitude to drive. If the counselor has reason to believe the participant may be legally prohibited from driving, the counselor can seek verification of the participant's status from the Department of Motor Vehicles.
- 2) DVR will not participate in the purchase of a vehicle more than once every five (5) years for the same participant.
 - 3) If all the above criteria are met, the spending guideline for car purchases is \$5,000. The counselor may make an exception to the job-ready criterion in D) 1) c) if the participant is engaged in credentialed training or an education plan that will lead to employment. It is suggested that DVR funding be used as a down payment (or partial payment) on a vehicle rather than as the full purchase price.

E) Maintenance and Repairs

- 1) Maintenance and repairs to a vehicle and/or its adaptations may be provided to accomplish the IPE goals. The participant and the counselor may mutually choose a mechanic to help ensure that the proposed service will result in safe and reliable use of the vehicle and that the repairs do not exceed the vehicle's value as estimated by Kelly Blue Book (KBB) using "sell to private party" in "fair condition".
- 2) The spending guideline for repairs is \$2,500.

F) Driver's Education/Lessons

- 1) In general, DVR does not fund driver's education for students. Students in high school would be expected to access comparable benefits through their school's driver's education program. The counselor may seek an exception to this guidance in special circumstances. The Regional Manager must approve exceptions.
- 2) DVR may pay for driver's lessons for adults if needed for employment or post-secondary training and education.
- 3) The spending guideline for standard driver's lessons is \$500.

G) Full Vehicle Purchase and Modification

- 1) DVR can support a full vehicle purchase and modification for participants who require adaptations to be able to use the vehicle. All the policy and guidance provisions in Section 3: D) 1) apply to a vehicle purchase and modification plus the following requirements:
 - a) Because of the complexity and coordination involved in vehicle modifications and purchases, these services will be managed in most cases, by a specialist counselor. If a counselor has a participant on their

- caseload, that they believe may require these services, they must talk to their Regional Manager about referring the case to the specialist counselor.
- b) Driver Evaluations:
- (1) If an adapted vehicle is needed, the participant must complete a driver evaluation conducted by a qualified person or facility. A qualified person or 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 participant and counselor will work together to make an informed choice regarding the selection of a driver evaluator that will consider the cost of travel to a qualified person or facility (or the cost of the evaluator traveling to the participant). The least expensive choice for evaluator will generally be chosen unless the counselor and participant agree there are compelling reasons to do otherwise.
 - (2) The purpose of a driver evaluation for all drivers is to:
 - (a) Assess whether the driver has the appropriate vision, physical and cognitive skills for driving, based on medical history;
 - (b) Evaluate if the participant's non-driving equipment (such as wheelchair) needs to be updated or altered to be compatible with a vehicle; and
 - (c) Determine what equipment, from chassis to primary and secondary controls, is needed.
 - (3) In addition, the purpose of the driver evaluation for experienced drivers is to:
 - (a) Help identify what the participant 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.)
 - (b) 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 participant's safety and health as well as the vehicle costs if they are overlooked.
 - (4) Prior to starting the driver evaluation process the counselor will provide the participant an overview of the driver evaluation process (Attachment B). The counselor and evaluator should review this with the participant so they know what to expect from the process.

Guidance: Participant's needs, preferences and expertise.

Participants with many years of experience driving with adapted equipment are experts regarding their own needs, preferences and driving skills. It is especially important to recognize and acknowledge that experience and expertise throughout the process. If a participant feels 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 participant to identify a vehicle and modifications that best meet the

participant's needs and preferences, and that will ensure the participant has the equipment and modifications necessary to help them be a safe driver. If a participant does not see the benefit in using a particular adaptive device, it is likely they will not use it in the longer term and may be a less safe driver.

End Guidance.

- c) The Vehicle Purchase, Modification and Training Plan:
 - (1) Based on the evaluation, the counselor, evaluator and participant will develop a Vehicle Purchase, Modification and Training Plan using the template in Attachment C. The purpose of the plan is to identify:
 - (a) The type of vehicle to be purchased;
 - (b) The planned modifications;
 - (c) The training requirements;
 - (d) Items that may need to be re-evaluated, changed or adjusted after the initial modifications have been installed;
 - (e) The anticipated costs that will be DVR's responsibility;
 - (f) The anticipated costs that will be the participant's responsibility.
 - (2) The participant, counselor and the evaluator will each sign the Vehicle Purchase, Modification and Training Plan before the vehicle is purchased and any modifications are initiated.
 - (3) The participant's choices and preferences should always inform the process of selecting which modifications and features should be included in the vehicle. However, when there is a conflict between the participant's choices and the potential safety of the participant driver and others, safety concerns must take precedence. DVR will only support a vehicle purchase and modification if all the identified safety concerns are resolved. The following safety factors must be met:
 - (a) Steering: The participant must be able to control the steering wheel and be able to turn the vehicle to avoid unexpected obstacles.
 - (b) Acceleration and braking: The participant must be able to demonstrate controlled pressure for acceleration and braking for different driving circumstances.
 - (c) Secondary controls: The participant 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 participant is driving, and they must demonstrate torso stability when hard braking and turning. The participant must be able to independently access a secure seatbelt.
 - (e) Scanning: The participant must be able to safely scan intersections for other vehicles and be able to observe obstacles when backing up.
 - (4) The above list is not all-inclusive. The participant, counselor and evaluator may identify other safety considerations that must be taken into account in the process. As noted, DVR will only support a vehicle purchase and modification if all the identified safety considerations are met and the participant, DVR and the driver rehabilitation specialist are satisfied the vehicle, as modified, is safe to drive.

- d) Final Check Out and Participant Contribution:
 - (1) The driver rehabilitation specialist and the counselor will account for all the equipment that is installed by the vehicle modifier and ensure that the participant's vehicle 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.
 - (2) Only after the counselor and the participant are satisfied that the vehicle modifications are complete and the participant can operate the vehicle safely, will DVR and the participant pay the vendor their respective contribution to the cost.
- e) Adjustments after Final Check Out:
 - (1) Typically, it will take a few weeks for the participant to get used to a new vehicle 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 vehicle 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 participant.
 - (2) The spending guideline is 100% of the driver's evaluation and modifications required for the participant to drive or travel safely in the vehicle plus \$15,000 for the cost of the base vehicle.

H) Modifications and Adaptations to Existing Vehicles (Sedan or van)

- 1) In some cases, a participant may require modifications to their existing vehicle. Accessibility adaptations for a vehicle, such as a ramp, wheelchair lift and raised roof, may be provided if the criteria in Section 3: D) 1) of this Chapter are met.
- 2) The spending guideline for modifications and adaptations is \$10,000.
- 3) If the participant is to operate the vehicle, the adaptations must enable them to safely enter, be secured, and exit the vehicle without the assistance of another person.
- 4) Such adaptations will be funded by DVR in full or in part, no more frequently than once every five (5) years for the same participant.

I) Relocation

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

J) Other Transportation Services

- 1) 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 participant to continue or enter a job will be less costly to the public than not delivering the service. The counselor must note the justification for the exception in the case record.

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 or Mortgage, Heat & Lights:	_____	_____
TV & Phone:	_____	_____
Food:	_____	_____
Loans or Credit Cards:	_____	_____
Child Support or 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 average:	_____	
Estimated Gas Cost, monthly:	_____	(Miles per month divided by estimated miles per gallon multiplied by price per gallon)
Maintenance (oil changes, tires, etc.):	_____	(Estimate 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

(Place copy of signed form in case record)

Date

Attachment B: Vehicle User Information Sheets

What to Expect from the Process for First Time Modified Vehicle Users

Congratulations on starting the process of 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 vehicle.

- 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. The DRS will discuss with you what your vehicle needs are and take measurements of your physical strength. The DRS may also conduct additional testing of cognition and vision, if it is a possible complication of your condition. The DRS will also look at your wheelchair to see if it meets 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 vehicle 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 in 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 it is to use. The DRS uses the training sessions to identify the most appropriate equipment for you. You should be a continually 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, DVR will hold a meeting with you, your 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 that DVR will only support a vehicle purchase and modifications if you, DVR and the DRS are satisfied the

prescription will allow you to drive the vehicle safely. Once everyone agrees, DVR will ask you to sign off on a Vehicle Purchase, Modification and Training Plan.

- 5) **Vehicle Fitting:** Once the vehicle is built to the point where the placement of equipment needs to be determined, you and the DRS will meet at the vendor's 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 like the vehicle fitting session in that you and the DRS will meet at the vendor shop. This time you will drive your modified vehicle to ensure that all adjustments to the equipment are appropriate for you. Further adjustments to the equipment may take place with the help of the technicians. Once you and the DRS are satisfied with the installation, and other areas such as insurance and payment are satisfied, you will be able to take your vehicle home. This will complete your driver rehabilitation services unless there are additional adjustments that are required once you have had a chance to drive the vehicle for a period of time.

What to Expect from the Process for Experienced Modified Vehicle Users

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 or 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 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 vehicle.

- 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. The DRS will discuss with you what your vehicle needs are and take measurements 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 meets 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 vehicle 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 vehicle and assess accessing the vehicle, driving the vehicle and exiting the vehicle. 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 or difficult it is to use. You should be a highly active participant in this process. Equipment changes and technology evolve so even if you like some equipment, it may need to be changed because it may no longer be available. The DRS will talk to you and your 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:
 - a) **Steering:** Maintaining control of the steering wheel at all times and being able to turn the wheel to avoid an unexpected obstacle.

- b) **Acceleration and braking:** The driver must be able to demonstrate controlled pressure for acceleration and braking for different driving circumstances.
 - c) **Secondary controls:** The participant must be able to operate secondary controls (turn signals, horn, high and low beams, defroster, windshield wiper and washer, and emergency brake) when the vehicle is in motion.
 - d) **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 driver needs to demonstrate torso stability with hard braking and turning. The driver must be able to independently access and secure a seatbelt. The seatbelt needs to be positioned on the torso across the sternum and pelvis.
 - e) **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 vehicle 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, DVR will hold a meeting with you, your 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 that DVR will only support a vehicle 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, DVR will ask you to sign off on a Vehicle Purchase, Modification and Training Plan.
- 6) **Vehicle Fitting:** Once the vehicle 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 DRS will meet at the vendor shop. This time you will drive your modified vehicle to ensure that all adjustments to the equipment are right 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 vehicle 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 vehicle for a period of time.

Attachment C: Vehicle Purchase, Modification and Training Plan

The following is an agreement between _____
and the Vermont Division of Vocational Rehabilitation (DVR) for the purchase and
modification of a vehicle as part of an Individualized Plan for Employment.

Vehicle to be purchased and price (estimated): _____

DVR contribution: _____

Participant contribution (estimated): _____

Vehicle modifications to be installed:

Required training for participant:

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

Signed by

Participant: _____

Date: _____

DVR Counselor: _____

Date: _____

Driver Rehabilitation Specialist: _____

Date: _____