



## Volunteer Driver Programs: A vital part of Wisconsin's Transportation Network

Wisconsin has a network of over 60 volunteer driver programs. Almost every county of the state is in the service area of a volunteer driver program. Volunteer drivers are an economical (but not FREE), efficient use of private resources for public good. Volunteer drivers provide a high level of service, door through door in most cases, to some of the state's most vulnerable citizens. These include individuals who cannot navigate a typical system, those with dementia, dialysis patients who need early morning or Saturday treatments. Volunteer driver programs also fill the gaps between other transportation programs by going where buses don't, taking trips long distances that are too expensive by other modes, and offering service outside regular business hours.

### Volunteer Driver Statistics in WI

The Greater WI Agency on Aging Resources, Inc. conducted a survey in 2019 to identify volunteer programs in the state and how many volunteers are in each program. The survey identified volunteer driver programs operated by Aging Units, Aging & Disability Resource Centers, Community Action Programs, Independent Living Centers, transit agencies and Faith in Action programs. In many areas, the volunteer driver program is the only transportation service available to those who cannot or choose not to drive.

### *Funding*

Volunteers are not free and volunteer driver programs need operating funds to recruit, retain and manage volunteers, reimburse for mileage, and pay other overhead costs associated with running a program - conducting background checks, processing paperwork, writing grants, tracking and reporting rides and training volunteers. While there are some common funding sources used by many programs including the County Elderly and Disabled Transportation Assistance to Counties, State 85.21 funds and Enhanced Mobility for Seniors and Individuals with Disabilities, Federal 5310 matched with State 85.22 funding – these programs usually operate with a patch-work of funding. This makes identifying and tracking statewide volunteer driver program data and impacts to riders difficult.

### *Reimbursement*

Collectively, there are over 2,600 volunteers in these programs. These volunteers are often reimbursed for their mileage, but not for their time or other expenses. All but 5 programs indicate they reimburse their drivers for mileage. The rate of reimbursement varies, the majority of programs reimburse at a rate equal to the IRS business rate.

### *Double Duty*

In 35% of volunteer driver programs (22), the volunteers deliver meals and drive people to their appointments. This makes a policy of changing the mileage rate only for meal delivery problematic and potentially detrimental to volunteer driver programs overall. If the mileage rate is changed for one and not the other, the volunteers will be treated differently under the tax code and these disparities can lead to fewer volunteers driving people where they need to go. This survey excluded data from volunteer driver programs that exclusively deliver meals.

Volunteers spend countless hours accompanying and waiting for riders at doctor's appointments, stopping to get prescriptions, helping riders get into the building to their appointment, and are sometimes the only contact that rider has with another person that day, week or month. The connection between the driver and rider often develops into a friendship that is beneficial to the rider *and* the driver.

## Programs are struggling

Many volunteer driver programs are struggling. Unlike the common misconception that volunteer drivers are risky, the data shows that this is not the case. With appropriate screening and verification of licensing and insurance, there are very few recorded incidents with these programs. There are however, real barriers impacting volunteer drivers related to the charitable driving reimbursement rate, vehicle insurance and liability.

### *State issues*

Since the majority of volunteer drivers are using their own vehicles, a continuing issue for volunteer drivers is the misinterpretation or lack of clear standards related to insurance coverage for their personal vehicle. Volunteer drivers do not make a profit on their rides. They are not Transportation Network Companies (like Uber and Lyft) or a livery service, they are volunteers operating through a non-profit or governmental body. These agencies have their own requirements and screening of volunteers and policies and procedures to ensure the safety of the passenger and correct application of regulations. Differing insurance riders and interpretations by insurance agents, creates uncertainty and makes potential volunteers leery of providing their services.

Wisconsin State Statute 181.0670 provides civil immunity for volunteers, except if damages arise from the operation of a motor vehicle or other malfeasance. This legislation mirrors the Federal Volunteer Protection Act (FED-VPA) which excluded volunteers operating a motor vehicle because it was thought volunteer drivers could easily obtain personal auto insurance coverage. The FED-VPA statute's own preamble explains the intent of the protections and states that "Congress finds ... that ... due to high liability costs and unwarranted litigation costs, volunteer and nonprofit organizations face higher costs in purchasing insurance, through interstate insurance markets, to cover their activities..." 42 U.S.C. s 14501(6). In reality, the insurance related problems facing charities also confront their volunteers who drive for volunteer driver programs.

Striking this exception from the Wisconsin statute provides volunteers protections more consistent with the intent to remove barriers to volunteering. This change does not exempt volunteer drivers from repercussions if they engage in willful misconduct, unlawful behavior or negligence in their duties.

### *Federal issues*

Current Federal law allows for reimbursement of volunteers, on a nontaxable basis, up to \$.14/mile. Alternatively, volunteers are permitted to deduct their "out of pocket" expenses incurred in providing donated services up to \$.14/mile, when those expenses are not reimbursed. Any reimbursement received exceeding \$.14/mile is considered taxable income or is not eligible for deduction on their Federal taxes. Unlike the business and medical/moving rate which are regulated by the IRS and adjusted to account for the increasing cost of operating a vehicle, the charitable rate can only be changed through the legislative process. The charitable mileage rate has not been adjusted since 1997 despite escalating prices in vehicle ownership and fuel costs over the last two decades.

These volunteers drive others in an increasingly expensive and uncertain environment. The current tax regulations are a disincentive for those willing to volunteer their time and personal resources so others can get where they need to go. Volunteer driver programs are in jeopardy and need us to work collectively to address these issues at the state and federal level.

We outlive our driving ability by 7-10 years. That's a long time to be without transportation options, especially one as efficient and effective as volunteer driver programs.