

# BARRIERS AND BURDENS:

## Lack of Language Access at the Virginia DMV Creates Roadblocks for Refugee and Immigrant Newcomers

March 2, 2021

**Laura Berge Jones**, ReEstablish Richmond

**Luis A. Oyola**, Legal Aid Justice Center

**Jennifer Kwon**, Legal Aid Justice Center



## AUTHOR

Laura Berge Jones is the Associate Director of ReEstablish Richmond, a nonprofit organization walking alongside refugee and immigrant newcomers in Richmond, Virginia. Laura's professional background includes a B.S. in English/Secondary Education and Journalism as well as 16 years of living among and learning from local and international communities in Kenya, Cyprus, and England. Since joining ReEstablish Richmond as the Refugee Outreach Coordinator in 2016, Laura has directed the Transportation Independence program – expanding the learner's permit study course curriculum, collaborating with contract interpreters and volunteers, teaching cohorts, accompanying students to the DMV for the learner's permit test, and connecting learner's permit holders to DMV-certified local driving schools.

## CONTRIBUTORS

Luis A. Oyola is the Director of Organizing of the Legal Aid Justice Center. He has over a decade of organizing experience, including coordinating the community response to the Unite the Right rally and anniversaries, building a multi-racial coalition against ICE's private immigration detention center in Farmville, pressuring City officials to increase efforts to investigate the disappearance of Sage Smith, demonstrating in solidarity with Black Lives Matter, advocating for a living wage at UVA, and much more. At LAJC, Luis led the De-ICE Virginia campaign, helping to bring an end to local government contracts with ICE, exposing the Norfolk sheriff's secret contract with ICE, passing legislation paving the way to inspect Farmville, and supporting mutual relief efforts at the start of the COVID-19 pandemic.

Jennifer Kwon is an attorney with the Legal Aid Justice Center's Immigrant Advocacy Program. Her specialties include immigration, civil rights, and education law. Before joining LAJC in 2018, Jennifer worked for a civil rights organization specializing in impact litigation; the U.S. Department of Education, Office for Civil Rights; and an immigration organization in Arizona, assisting detained immigrants in removal proceedings. She also served as a judicial clerk at the U.S. District Court, Central District of California, and developed and taught a civil rights course at the University of Arizona's James E. Rogers College of Law. Jennifer received her B.A. from Hampshire College and her law degree from the George Washington University Law School.

# ACKNOWLEDGEMENTS

My parents were my first models of empathy and often quoted the words of a Native American prayer that hung on the wall in our home: “Great Spirit, grant that I may not criticize my neighbor until I have walked a mile in his moccasins”.<sup>1</sup> I learned early that perspective brings insight and understanding – and, in the case of this report, advocacy. *BARRIERS AND BURDENS* reflects many, many miles that ReEstablish Richmond staff and volunteers have walked alongside our newest neighbors in pursuit of something most Americans take for granted: a driver’s license. In the past five years, I’ve taught the fundamentals of road safety to hundreds of women and men from refugee and immigrant communities. I’ve watched students come to class each week, ready to learn, and become knowledgeable and confident by the end of the course. I’ve taken groups of students to the DMV for the learner’s permit test, only to watch most of them fail because they couldn’t understand the translation on the screen or weren’t sure how to use the computer. I’ve seen DMV customer service representatives working hard within the parameters of the system, but – after running into the same barriers, over and over, with newcomers from various nationalities, languages, and educational backgrounds – it is clear that the system itself is broken. This report is an invitation to understand the barriers, recognize the changes needed, and fix the system so that it works as it should, for everyone.

Like ReEstablish Richmond’s impact in our community, the experiences and insight reflected here, as well as the creation of this report itself, are the result of collective investment. With immense gratitude to:

- **ReEstablish Richmond’s client communities** – for braving the barriers and persevering in spite of ongoing challenges on the path to self-sufficiency. I’m glad you’re here, and I’m proud to be part of your journey.
- **Kate Ayers** – for pioneering our Transportation Independence program, leading our team, and continuing to break down barriers where they exist. I’m grateful to work beside you.
- **ReEstablish Richmond’s volunteers** – for faithfully driving learner’s permit study course students to and from class, caring for their pre-school children, and accompanying students to the DMV.
- **Local faith communities and other partners** – for opening your doors to regularly host space for our learner’s permit study course classes.
- **Antoinette, Bonnie, Elham, Hameeda, Norma, and Sally** – our stellar team of bilingual contractors who support the learner’s permit study course – for ensuring that newcomers can hear and understand the rules of safe driving. I’m honored to partner with you.
- **Megan Essex** – for following up with former learner’s permit study course students, tracking their progress, and creating graphics to tell their story.
- **Ramona Taheri, Sarah Brunke, Regan Gifford, and Eva Grumbine** – for lending your keen eyes to this text and providing thoughtful feedback.
- **Shermeen Imam** – for skillfully taking these words, concepts, and statistics into the creative dimension, designing the final report, and getting it over the finish line.
- And finally, to **Salma** – for using your voice on behalf of others. Our learner’s permit study course was born because you spoke up and said, “The women in my community want to learn to drive but can’t read the driver’s manual.” I’m grateful for your courage and advocacy – empathy in action.

– *Laura Berge Jones, Associate Director, ReEstablish Richmond*

# SUMMARY

Access to reliable transportation is inextricably linked to economic self-sufficiency. For the majority of Americans, earning a driver's license is the most practical way to achieve transportation independence. This is especially true for refugee and immigrant newcomers who arrive here with an eagerness to start working, rebuild their lives, and contribute to the community. For newcomers with limited English proficiency, however, the path to getting a driver's license in Virginia is blocked by lack of language access at the Department of Motor Vehicles (DMV). The barriers and resulting burdens for resettled communities discourage and delay their progress toward self-sufficiency by cutting off access to jobs as well as school, shopping, doctor appointments, faith communities, and more.

Driver education materials accurately translated in the primary languages of newcomers are critical for their successful integration, as well as the overall road safety for everyone in the Commonwealth. Several languages of high trending refugee populations are entirely unsupported by the DMV. Some languages that are addressed use inaccurate or overly formal translations, rendering them inaccessible to resettled populations. Even when the learner's permit Knowledge Exam (Exam) is offered in their primary language, members of newcomer communities are unable to effectively prepare for the Exam because the DMV does not provide translated study materials in these languages. Without adequate language access, test results may not accurately represent a future driver's knowledge and understanding, resulting in false, avoidable failing scores. Lack of language access throughout the driver's license process denies meaningful access and creates unnecessary frustration and delay, preventing newcomers from achieving transportation independence and placing unfair, unreasonable burdens on refugee and immigrant communities, thus increasing the disparity between most long-term residents and newcomers. These inequitable barriers and burdens have only been exacerbated by the COVID-19 pandemic.

ReEstablish Richmond is a 501(c)(3) nonprofit non-governmental organization that connects refugee and immigrant newcomers in Richmond, Virginia to life-building tools and resources to ensure that their integration into the community is a positive and empowering experience. Through ReEstablish Richmond's Transportation Independence program, this small nonprofit has made a significant impact among resettled communities in the local area, equipping newcomers with the knowledge and skills to become safe drivers and get themselves where they want to go. After years of witnessing the barriers that newcomers routinely experience at the DMV and numerous attempts to communicate these injustices to DMV personnel without the needed results, ReEstablish Richmond has partnered with the Legal Aid Justice Center to highlight the systemic inequities that exist. This report outlines the driver's license process in Virginia, explains the overwhelming language access barriers experienced by newcomers in navigating this process, and presents specific, practical changes that should be made in order to create equitable opportunities for transportation independence and improve the overall safety of Virginia's roads.

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# INTRODUCTION

Since 2010, ReEstablish Richmond has been connecting refugee and immigrant newcomers to the resources needed to establish roots, build community, and become self-sufficient. Collaborating with resettlement agencies and other community partners focused on the needs of vulnerable newcomer populations, ReEstablish Richmond bridges the gap that newcomers experience between the initial 3-6 months of resettlement support and longer-term goals that they identify as meaningful to the process of adjusting to life in America – learning English, becoming safe and confident drivers, participating in wellness group activities, developing marketable skills, and studying for the U.S. citizenship test. In all program areas, ReEstablish Richmond meets clients where they are and walks alongside them toward their goals. However, the biggest barriers to integration are systemic ones, and the resulting roadblocks create unfair and unnecessary burdens of stress and frustration for many newcomers and their families. Although the journey from surviving to thriving can take longer when layered upon the trauma of displacement, resettled newcomers who are given the necessary information and the means to take action are empowered to pursue their goals at their own pace.

For newcomers and native-born citizens alike, the lack of reliable transportation is a significant barrier to economic self-sufficiency.<sup>2</sup> Here in Richmond, as elsewhere in Virginia, transportation independence has been a consistently wide gap in resettlement support for newcomers, especially those with limited English proficiency. Local public transit does not provide direct routes between the metropolitan areas where resettled communities live and the places where refugees and other newcomers are commonly employed, like factories with jobs that don't require English skills, nor does public transit operate at times that correlate to these work shifts. Limited by transportation options, most newcomers take the first job they are offered in order to share rides to and from work. Only with a driver's license can most newcomers pursue a better paying job, ensure that they get to doctor appointments on time, and manage basic travel needs like going to the grocery store without relying on someone else.

Getting a driver's license in Virginia can be a fairly smooth process for people who use English as a primary language because all of the resources – the Driver's Manual, Online Practice Questions, learner's permit Knowledge Exam, and Road Skills Test – are available in English. For newcomers with limited English proficiency, however, lack of meaningful language access to DMV study materials and the testing process makes the path considerably and needlessly more difficult. In order to effectively navigate systems here, including transportation, persons with limited English proficiency must be provided with the protection and provision of language access. This is their legal right under Title VI of the Civil Rights Act of 1964<sup>3</sup> and Executive Order 13166.<sup>4</sup>

The Virginia DMV has an opportunity to resolve these inequities and expand access to important road safety information, providing future drivers with a clearer sense of traffic rules/regulations and ensuring a better understanding of safety fundamentals before newcomers get behind the wheel. The DMV also has an opportunity to expand language accommodations at points throughout the testing process, allowing members of resettled communities to effectively communicate their knowledge of safe driving and appropriately demonstrate their driving skills. Implementing the recommendations in this report will improve customer service at the DMV (increasing Exam passage rates among newcomers will reduce the need to repeat Exams due to failure, in turn reducing the overall workload on the DMV from servicing repeat test-takers) and reduce the financial burden of re-examination classes among a population with predominantly low incomes. Most importantly, increased language access will produce safer drivers.

When road safety study materials are available in the languages of resettled communities, new drivers are able to fully understand the rules and regulations of safe driving, promoting the safety of themselves and their families as well as everyone else on Virginia roads. Furthermore, when newcomers are able to safely get themselves to and from work, the general population receives the economic benefit that refugee and immigrant workers patently bring to their local communities.<sup>5</sup> By providing meaningful language access to study materials and the testing process for newcomers with limited English proficiency, the DMV has the opportunity to improve road safety and contribute to the economic well-being of communities across the Commonwealth.

Simply put, improving language access at the DMV is both empowering for refugee and immigrant newcomers and in the best interest of all Virginians. The DMV’s mission-purpose is: “superior service – secure credentials – saving lives”.<sup>6</sup> By making each of the changes outlined in this report, the DMV will fulfill all three aspects of their stated intention.

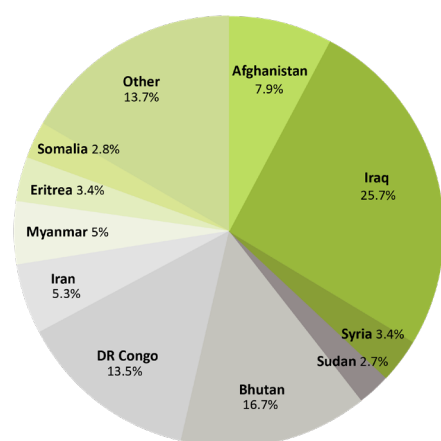


Jorge Malvas celebrates getting his driver’s license at the Broad Street DMV in Richmond, Virginia. *(Photo credit: Caron Malvas)*

**“We start from zero.”** ReEstablish Richmond consistently hears these words from members of resettled communities. “Zero” can mean different things to different individuals, but the experience is the same: rebuilding a life from the beginning. To a refugee from the Democratic Republic of Congo or Bhutan who spent their lifetime in a refugee camp, zero may mean learning to navigate life in a highly industrialized culture for the first time. For an Afghan man with a high-ranking professional background or who worked as an interpreter for the U.S. military, zero means taking an entry-level job when he first arrives here. For an Afghan woman who grew up during the Taliban regime, zero means having the opportunity to learn to read and write for the very first time. For the Sudanese asylee who was a surgeon in his country, zero means working at a convenience store while taking a certification course to drive an ambulance. For a refugee from Myanmar who fled religious persecution, starting from zero means being able to worship freely without fear.

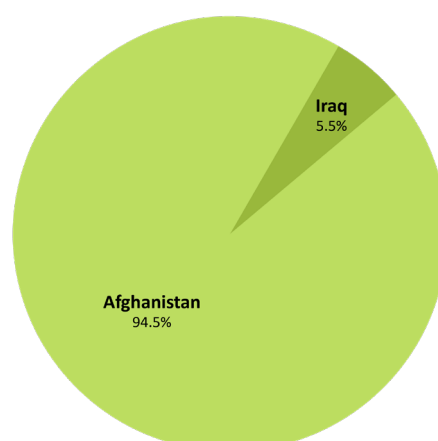
According to the UN Refugee Agency, as of December 2019, more than 79.5 million individuals have been forcibly displaced worldwide as a result of persecution, conflict, violence, or human rights violations.<sup>7</sup> By the time someone resettles here as a refugee, many have survived years of displacement, violence, trauma, and fear. Since 2010, Virginia has welcomed more than 10,000 refugees for resettlement.<sup>8</sup> This fraction of refugees who have resettled in the Commonwealth are already the most vulnerable of this global population, as the requirements for entry into the U.S. as a refugee are very strict.<sup>9</sup> In the same time period, Virginia has welcomed nearly 10,000 special immigrants from Afghanistan and Iraq who worked in support of the U.S. military in those countries and whose lives were endangered as a result of this affiliation. The Special Immigrant Visa (SIV) application process is similar to the refugee vetting process, involving a series of in-depth interviews and submission of many documents, but it is generally shorter because of previous government clearances. SIV holders receive the same protections and benefits as refugees.<sup>10</sup>

**Refugee Arrivals in Virginia  
(2010-2020)**



10,721 people

**SIV Arrivals in Virginia  
(2010-2020)**



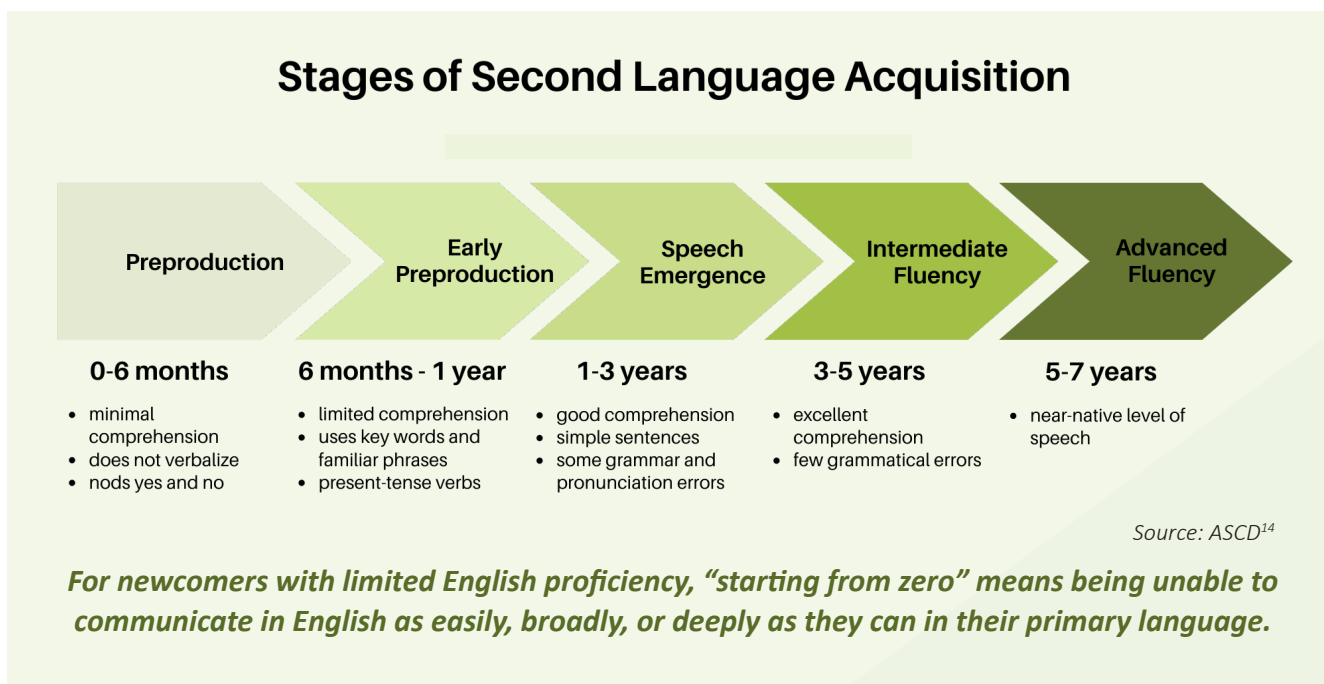
9,879 people

**Total: 20,600 people**



Many people flee life-threatening situations in their home countries but are unable to register for refugee status before coming to the U.S. to request protection. Seeking asylum is a legal human right established by the United Nations in 1951 and upheld by the U.S. Refugee Act of 1980.<sup>11</sup> In addition to those with refugee, SIV, and asylee status, there are an estimated 251,000 unauthorized immigrants in the Commonwealth, according to 2018 data from the Migration Policy Institute.<sup>12</sup> In 2020, Virginia passed a bill to allow all immigrants, regardless of documentation status, to apply for a driver's license.<sup>13</sup> This bill took effect on January 1, 2021.

Regardless of immigration status, resettled newcomers from diverse backgrounds face similar barriers to community integration upon arrival. Many individuals and families who have fled conflict and crisis in their home countries come to the U.S. with few, if any, belongings. Many have limited or interrupted educational backgrounds as a result of experiencing displacement or because of conditions in their country of origin. Most resettled newcomers, even those with advanced degrees and years of professional experience, do not use English as a primary language and have a limited ability to understand, speak, read, or write English.



Anyone who has taken a foreign language class in school understands that learning a new language is a lengthy, arduous process. Understanding vocabulary words is one thing. Being able to follow a spoken conversation, recall corresponding words, and use them correctly in a sentence is another. Passing a written, technical exam that uses specialized terms to analyze particular concepts requires in-depth study and practice, in addition to advanced language skills. A person's level of English proficiency may reflect their educational background and/or previous life experiences but is not an indicator of their intelligence or ability to function as a contributing member of society, including being a safe driver.

English language learners should have access to DMV-approved study materials (the Virginia Driver’s Manual and Online Practice Questions) in their primary language in order to prepare for and pass the learner’s permit Knowledge Exam. ***Without language access to learn and fully comprehend traffic rules and regulations, not only are newcomers prevented from adequately preparing for the Exam, they may not grasp the range of information and situational concepts needed to safely navigate the roads when they do pass the Exam.*** Newcomers with prior driving experience must “start from zero” in understanding and adjusting to ways that U.S. driving rules may differ from their country of origin. Newcomers without prior driving experience – some men and nearly all women among ReEstablish Richmond clients – face a steeper, longer learning curve. In addition to navigating the barrier of language access, living here presents many women with the first opportunity to operate independently outside of their home or extended family. For them, “starting from zero” means contributing to the family income, supporting the travel logistics of the household, and keeping themselves and their families safe on the roads while doing so. Having language access to essential road safety information is both a reasonable expectation and necessary to their successful adaptation to this American cultural norm.

Without language access, refugee and immigrant newcomers “starting from zero” in Virginia are denied DMV resources that are readily available to most long-term, English speaking residents. Removing unnecessary language barriers along the road to self-sufficiency can make a vital impact on the lives of people who have been forced from their home countries and are working hard to rebuild their lives here. Ensuring that newcomer communities have a clear path to pursue transportation independence enables them to integrate sooner and more smoothly, which in turn contributes to the economic well-being, overall safety, and strength of their new communities.

# THE INEQUITIES OF LANGUAGE ACCESS AT THE VIRGINIA DMV

The Virginia DMV determines and maintains the integrity of the driver's license process and manages the legal mechanism by which Virginia residents may obtain a driver's license. The following resources are provided to ensure that licensed drivers are qualified to be behind the wheel:

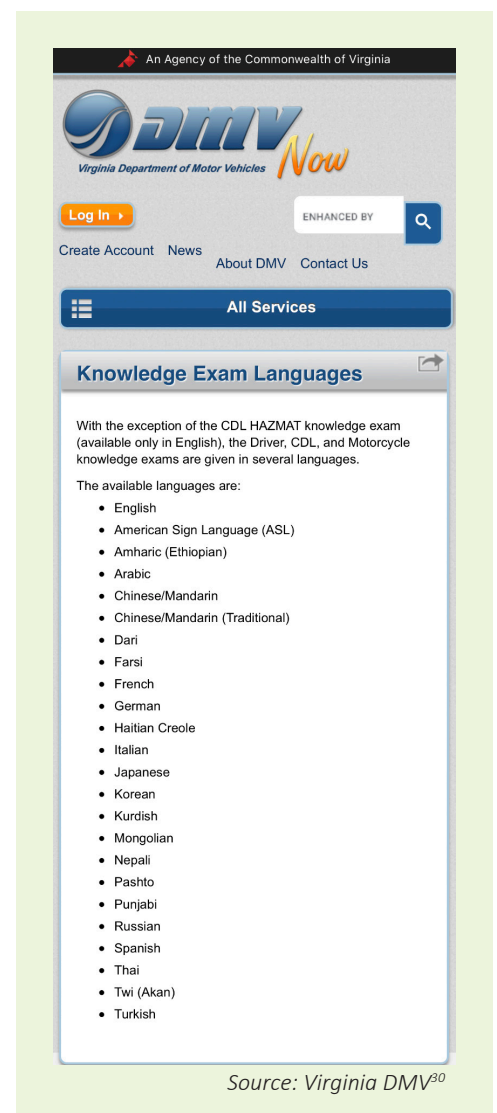
- The Driver's Manual outlines all of the rules and regulations for safe driving.
- The interactive Online Practice Questions offer a chance to review and reinforce this information in a digital format similar to the computerized test at the DMV.
- The Vision Test ensures that future drivers can see clearly enough to be safe drivers.
- The two-part learner's permit Knowledge Exam verifies the future driver's understanding of traffic signs and signals, driver rules and regulations, and safe driving practices.
- The Road Skills Test assures that the applicant can operate a car accordingly.

Most long-term residents and others with English proficiency have the opportunity to move forward through this process unimpeded, getting a driver's license within a few months. For English language learners, however, the process takes considerably longer – up to a year or more.

## Meaningful Access

In accordance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166, all beneficiaries of federally funded programs are required to “take reasonable steps to provide meaningful access” to English language learners.<sup>15</sup> The Virginia DMV specifically includes limited English proficiency among the list of protections outlined in their nondiscrimination policy, stating, “Such discrimination is contrary to our mission of providing superior service and is inconsistent with federal and state laws”.<sup>16</sup> Toward that end, the Virginia DMV provides the learner's permit knowledge Exam in 26 languages, including English and American Sign Language (ASL). This important step in the direction of language access is both admirable and appreciated. In fact, compared with other states, Virginia is second only to California, which currently offers the Exam in 33 languages.

Printed copies of the Virginia Driver's Manual are available in English and Spanish from any DMV customer service center. The English and Spanish manuals are also available as pdf files on the DMV website. Interactive and audio formats are available on the DMV website – but only in English.<sup>17</sup> The interactive guide includes sample test questions that are intended to “reinforce the material and increase your chances of passing the Traffic Signs and General Knowledge Exams,”<sup>18</sup> but again, these review questions are available solely in English.<sup>19</sup> For comparison, the California DMV website offers the driver's manual as a pdf in 12 additional language translations and ASL video<sup>20</sup> as well as sample test questions in English, Spanish, and ASL (online) with similar sample test questions included in the pdf driver's manuals of their remaining 11 translations.<sup>21</sup> California's population includes 19.5% of residents who primarily speak a language other than English at home,<sup>22</sup> and driver's education is also available in multiple



languages through local driving schools. By contrast, Virginia populations with limited English proficiency comprise 5.59% of residents.<sup>23</sup> While the vast majority are located in northern Virginia where some driving schools do accommodate languages other than English, language access to driver's education is unavailable in the remainder of the state. For example, only one driving school in the greater Richmond area provides full instruction in Spanish.<sup>24</sup>

Exam translations alone are inadequate and inequitable without a means to prepare for the Exam. With the exception of the Driver's Manual in Spanish, even newcomers who primarily speak one of the 23 additional languages currently addressed by the Virginia DMV lack language access to DMV-provided resources to prepare for the translated Exam. This discrepancy seems incongruent for the government entity responsible for Virginia's road safety. Translated Exams should be supported by translated study materials. As well as providing meaningful access for English language learners, making the Driver's Manual and Online Practice Questions available in all the languages of the Exam would fulfill the very purpose of the test: to ensure that licensed drivers fully understand the rules and regulations of safely operating a motor vehicle in Virginia.

## Supported Languages

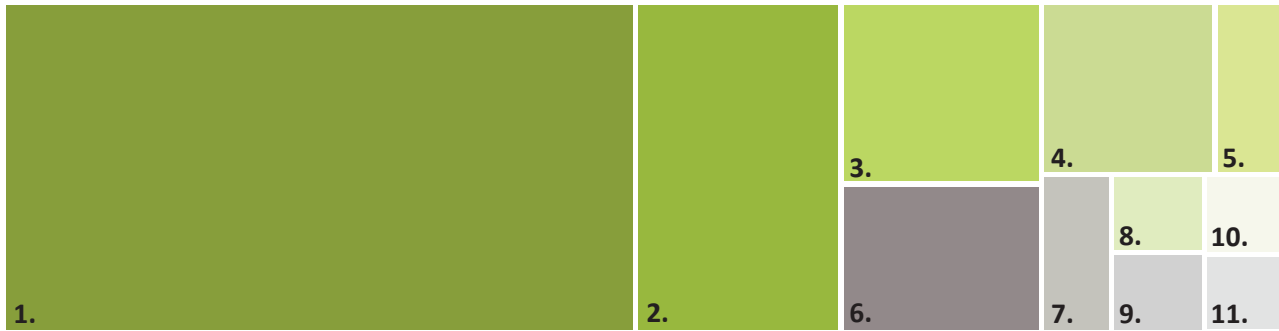
In addition to providing study materials in all the languages of the Exam, the DMV has the opportunity to advance equity in their services by expanding the list of fully supported languages to specifically include populations from countries with high numbers of previously resettled refugees as well as those with high probability for future resettlement, based on trends in global displacement.

The DMV currently offers no language access for Virginia residents who resettle here as refugees from the Democratic Republic of Congo (Swahili and Kinyarwanda, among others), Myanmar (Burmese), Eritrea (Tigrinya), or Somalia (Somali). These nationalities alone represent 24.7% of Virginia's total refugee arrivals since 2010.<sup>25</sup> Of the top ten countries, accounting for 86.3% of refugee arrivals in this period, six of their primary languages are currently addressed by the DMV. However, according to reports from ReEstablish Richmond clients, the particular Arabic dialect used in the DMV-translated Exam is functionally inaccessible to the majority of resettled newcomers from the Arabic-speaking countries of Sudan, South Sudan, and Syria. Combined with refugees from Bhutan (Nepali) and Afghanistan (Dari and Pashto) who, in the experience of ReEstablish Richmond, cannot understand the DMV-translated Exam in these languages, up to 55.3% of refugee newcomers from the top ten countries lack language access at the DMV. To accurately assess the scale of this gap and the resulting impact on resettled communities, it is important to also consider the remaining refugees admitted from other countries as well as the numbers of SIV arrivals, including, as noted earlier, the vast majority of SIV arrivals from Afghanistan – very nearly as many as the total number of refugee arrivals during that time. Taken together, up to 79% of resettled newcomers lack the language access they need to successfully navigate the driver's license process.

Following a commitment from the Biden administration to rebuild the U.S. refugee resettlement program and in keeping with trends of global displacement, in coming years, it is expected that Virginia will host growing numbers of refugees from Syria, Afghanistan, South Sudan, Myanmar, Somalia, the Democratic Republic of Congo, and Eritrea, among others.<sup>26</sup> During the time that it will take to restore the infrastructure needed to support these refugee arrivals,<sup>27</sup> the DMV has the opportunity to increase the equity of language access in the driver's license process by focusing on the primary languages spoken by people from these countries. Adding these languages to the DMV roster would not only remove the roadblocks currently experienced by thousands of current Virginia residents, but ensure meaningful language access for future newcomers, aiding their efforts to rebuild their lives and work toward self-sufficiency.

## Refugee and SIV Arrivals in VA by Nationality and Primary Language (2010-2020)

- |  |  |   |
|--|--|---|
| <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #4F7942; margin-right: 5px;"></span> 1. Afghanistan: <i>Dari + Pashto</i></li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #669933; margin-right: 5px;"></span> 2. Iraq: <i>Arabic*</i></li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #99CC66; margin-right: 5px;"></span> 3. Bhutan: <i>Nepali</i></li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #C6E0B4; margin-right: 5px;"></span> 4. DR Congo: <i>Swahili + Kinyarwanda</i></li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #99CC66; margin-right: 5px;"></span> 5. Iran: <i>Farsi</i></li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #666666; margin-right: 5px;"></span> 6. Other: <i>Various Languages</i></li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #999999; margin-right: 5px;"></span> 7. Myanmar: <i>Burmese</i></li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #C6E0B4; margin-right: 5px;"></span> 8. Eritrea: <i>Tigrinya</i></li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #999999; margin-right: 5px;"></span> 9. Syria: <i>Arabic*</i></li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #E6E6E6; margin-right: 5px;"></span> 10. Somalia: <i>Somali</i></li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #C0C0C0; margin-right: 5px;"></span> 11. Sudan: <i>Arabic*</i></li> </ul> |
|--|--|---|



\*People in Iraq, Syria, and Sudan speak and understand different versions of Arabic

***In spite of the impressive number of Exam translations currently provided by the DMV, up to 79% of resettled newcomers lack the language access they need to successfully navigate the driver's license process. In the experience of ReEstablish Richmond, this inequity undermines the mandate for meaningful access and creates roadblocks for entire communities of resettled newcomers.***

## Availability and Accessibility of DMV Knowledge Exam Translations in the Primary Languages of Refugee and SIV Arrivals in VA (2010-2020)

- Exam Available and Accessible: *Arabic\* (Iraq), Farsi (Iran)*
- Exam Available but Inaccessible: *Dari + Pashto (Afghanistan), Nepali (Bhutan), Arabic\* (Syria), Arabic\* (Sudan)*
- Exam Unavailable: *Swahili + Kinyarwanda (DR Congo), Burmese (Myanmar), Tigrinya (Eritrea), Somali (Somalia)*



\*People in Iraq, Syria, and Sudan speak and understand different versions of Arabic

## Language Translation Quality

In conversations with ReEstablish Richmond staff, the testing program manager of the Virginia DMV has indicated that the English version of the Exam is written at an 8th-grade reading level. However, ReEstablish Richmond clients from various language backgrounds routinely report that Exam translations are either so awkwardly worded or written at such a sophisticated level that they cannot understand the questions and answer choices. In order to ensure meaningful access for persons with limited English proficiency, the Virginia DMV has the opportunity to review all translated resources to ensure that each one is verifiably reliable, clear, and easily understandable for ordinary speakers of those languages, regardless of educational background. This opportunity includes reviewing study materials in all testing languages, all current Exam translations, and the current Driver's Manual in Spanish.

Without meaningful access to quality translations of the Driver's Manual and the Online Practice Questions, newcomers with limited English proficiency are not only prevented from fully understanding the rules and regulations for safe driving, but unable to familiarize themselves with the level of language, particular vocabulary, and/or complexity of syntax used in the DMV-provided translations of the Exam. This is particularly vital when a future driver's primary language does not contain an equivalent term for certain driving concepts like "blind spot," "tailgating," or "overcorrecting." Even though someone may fully grasp the laws and situational concepts of safe driving, they will be unable to understand the test questions and/or pass the Exam if they are presented with technical terms, unfamiliar vocabulary, or an unfaithful or inaccessible translation.



Confident in their knowledge after completing the learner's permit study course, ReEstablish Richmond students are eager to take the Exam at the DMV. Without clear and effective Exam translations, however, test takers with limited English proficiency are scored on their ability to decipher an inferior rendering of the text or overly sophisticated wording rather than their actual understanding of the rules of the road.

According to the Toolkit Guidelines for Culturally Appropriate Translation used by the U.S. Department of Health and Human Services, effective language translation requires human effort in order to clearly communicate the essential meaning of the original message while considering the nuances of cultural differences and remaining easily accessible to the intended audience.<sup>28</sup> Unlike direct or word-for-word translation, which can be accomplished by a machine translation service but lacks cultural adaptation and frequently contains errors, accurate translation conveys the meaning of the message and accomplishes the purpose of being understood by the intended audience. A human translator is critical, especially when the message to be translated contains culturally specific jargon or idioms – otherwise a word-for-word translation of the message can be potentially awkward, unlikely to be understood, unintentionally contradictory or misleading, or possibly offensive.

**Language translation quality is improved when the original text contains simple, easy to understand wording that is free from idioms or other culturally specific expressions. Visuals that convey a conflicting meaning should be avoided.**

Language translations can suffer from issues of formality as well. Professional translators customarily work with official documents containing highly specialized language, and even when the original message is written in simple terms using basic sentence structure, translators may struggle to avoid using high-level vocabulary and/or sophisticated grammatical expressions in the target language. While the resulting translation may be accessible to highly educated people, it will be impossible for most people to understand because it is so different from the way they communicate in daily life and conversation. The Toolkit Guidelines referenced above specify that skilled, professional translators should “have the necessary writing skills and cultural knowledge to produce a culturally and linguistically appropriate translation that is easy for the intended readers to understand and use.” Ensuring that all DMV study materials and Exam translations communicate fully and clearly in easily understandable language would give newcomers the same opportunities as native English speakers to learn important road safety information, understand the test questions and answer choices, and accurately indicate their knowledge on the Exam.

## Equitable Accommodations

DMV customers may take the learner's permit Knowledge Exam on a touch-screen computer or on paper, according to their preference. The computer screen shows Exam questions in color while the paper Exam is available in black and white only. The DMV offers no opportunity for test takers to become familiar with either format before testing, however. It is worth noting that the majority of formerly displaced English language learners have limited digital literacy and therefore experience the computer interface itself as a barrier in the testing process. According to the National Skills Coalition, "40 percent of all workers with limited English have no digital skills, 27 percent have limited skills, 22 percent have proficient skills, and 11 percent have advanced skills."<sup>29</sup> By creating disparate access to visual accommodation, depending on whether the Exam is taken on a computer or on paper, and by not providing meaningful access for test takers to practice navigating either format ahead of taking the Exam, the DMV discriminates against customers with limited digital literacy skills.

Furthermore, in ReEstablish Richmond's experience, necessary accommodations are made for native English speakers during the testing process that are denied to persons with limited English proficiency. For example, ReEstablish Richmond staff members have witnessed DMV customers who use English as a primary language being allowed to take the Exam on paper, sit face-to-face with another English-speaking person, listen to that person read the test questions and answer choices aloud, and indicate their answers on a Scantron sheet. When ReEstablish Richmond clients whose language is supported on the computer have stated their preference to take the Exam on paper with someone to read the questions aloud, the request has been denied, even when the DMV customer has limited literacy in their language. These newcomers have been informed they must take the Exam on the computer by listening to the audio recording of questions and answer choices, activated by touching a telephone icon on the computer screen. When the DMV withholds certain accommodations from English language learners that are provided for those who use English as a primary language, inequity is perpetuated, and meaningful access is denied.

## Final Assurance

After verifying a future driver's understanding of traffic rules and regulations in the Knowledge Exam, the Road Skills Test confirms that the learner's permit holder has the practical driving skills to control a motor vehicle according to these rules and regulations. Although the Knowledge Exam is available in 26 languages in Virginia, the road test is conducted in English only. In order to pass the Road Skills Test in English, newcomers with limited English proficiency must concentrate not only on correctly performing behind the wheel, but they must do so smoothly, confidently, and in real time while simultaneously working to decode the instructions of the Examiner. When interpreters are not allowed inside the car during the road test, the DMV places inequitable burdens on newcomers whose Road Skills Test results may actually reflect their language skills instead of their driving skills.

***Lack of language access to road safety study materials as well as the DMV testing process means that, for refugee and immigrant newcomers with limited English proficiency, transportation independence takes an unreasonably long time. This protracted process causes significant, unnecessary frustration and delays integration. These barriers withhold meaningful access, undermine the purpose of the DMV testing process, make Virginia communities less equitable, and ultimately cause Virginia roads to be less safe than they otherwise could be.***

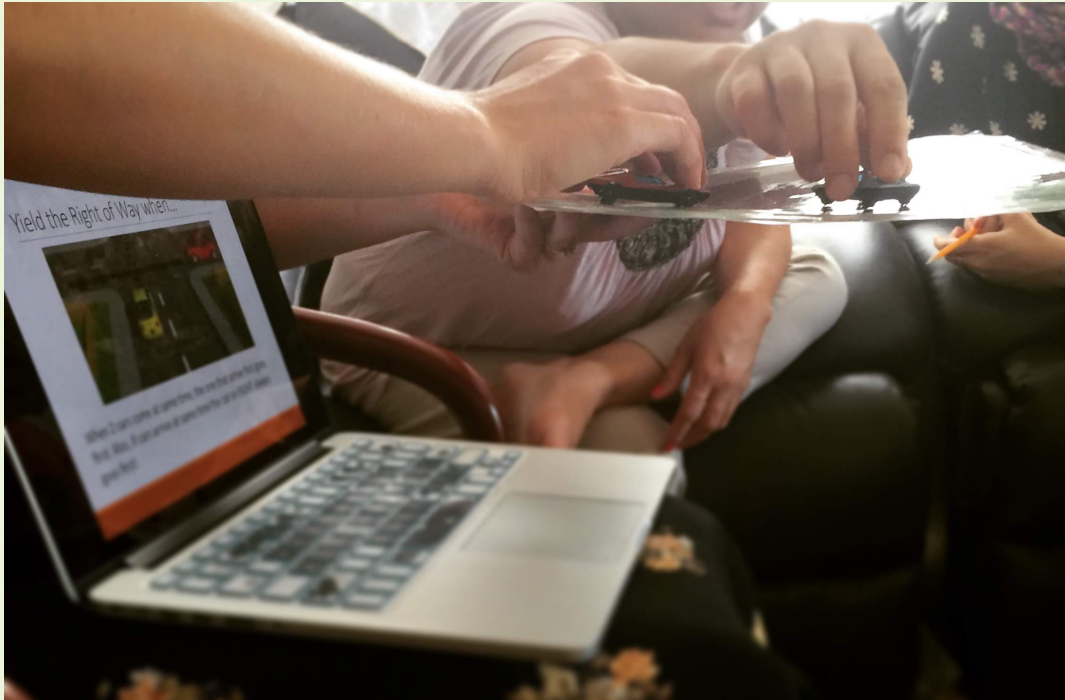


# WHAT ReEstablish Richmond DOES TO MAKE UP FOR THESE INEQUITIES (AND WHY IT'S NOT ENOUGH)

ReEstablish Richmond was founded in 2010 as an unaffiliated, local nonprofit to fill service gaps within resettled refugee communities, provide support to resettlement agencies, and empower refugee families to thrive after their transition to Richmond, Virginia. Many clients of ReEstablish Richmond are those who need extra support in navigating the systems here, and where ReEstablish Richmond's programs and services cannot meet a need, clients are referred to other resources in the community. By meeting newcomers where they are and connecting them to the tools needed to work toward their goals, ReEstablish Richmond has built trust within resettled communities. While navigating various public support systems alongside clients, ReEstablish Richmond staff and volunteers have seen the impact of these support systems up close, as experienced and expressed by newcomers themselves. For the past decade, ReEstablish Richmond has worked to identify and break down barriers where they exist. Along the path to transportation independence, the biggest, most significant barriers that newcomers face are directly related to lack of language access at the DMV.

## Language Access Barriers:

- 1 Studying the Virginia Driver's Manual**
- 2 Reviewing the Online Practice Questions**
- 3 Understanding the Knowledge Exam Translation**
- 4 Navigating the Computer-Based Exam Interface**
- 5 Taking the Exam on Paper**
- 6 Needing Oral Language Assistance to Access the Exam**
- 7 Failing the Test, Retesting, and Failing Again**
- 8 Completing the Road Skills Test**



ReEstablish Richmond offered the first learner's permit study course in 2013, in response to a request from women in the Afghan community.

## Language Access Barrier #1 Studying the Virginia Driver's Manual

ReEstablish Richmond's Transportation Independence program includes learner's permit study courses that are specifically geared to support English language learners' needs while teaching essential road safety information and preparing students to become safe, confident drivers. The first learner's permit study course was offered in 2013, in direct response to a request from women in the Afghan community. Since then, ReEstablish Richmond has provided over 45 courses in 5 languages to more than 600 refugees and immigrants representing 25 countries. Classes are taught in English using accessible, simplified vocabulary and sentence structure with interpretation in the primary languages of resettled client communities: Arabic, Dari, Nepali, Spanish, and Swahili. Bilingual newcomers are paid to teach or interpret the lessons so that terms and concepts are communicated clearly, and cultural nuances are addressed. Removing the additional barriers of transportation and childcare, a dedicated network of volunteers ensures that students are able to attend in-person classes. The curriculum draws directly from the Virginia Driver's Manual, incorporates visual aids to increase comprehension, and has been endorsed by a DMV-certified local driving school.

By receiving oral instruction, ReEstablish Richmond students have the opportunity to learn motor vehicle laws and safe driving practices through the mode of communication that they use every day. This eliminates an additional barrier for newcomers who have limited literacy skills in their primary language and may be unused to gathering or transferring information through written language. While speaking is a universal ability, acquired within the first two years of life, writing is a learned skill that develops with successive levels of education. Spoken language is familiar and constantly changing, from one generation to the next. Written language is sophisticated and enduring, associated with higher education as well as political and economic power.<sup>32</sup> For resettled newcomers who have limited educational backgrounds, this distinction means that

the spoken dialect of their particular region often functions as a separate language from the official, written form. Using a curriculum of simplified English that is then interpreted in the students' own dialect, ReEstablish Richmond ensures that the information contained in the Virginia Driver's Manual is accessible to students regardless of their educational background. ***For many refugee and immigrant newcomers in Richmond, ReEstablish Richmond's learner's permit study course offers their only opportunity to access road safety information, prepare for the learner's permit Knowledge Exam, and navigate DMV processes in a language that they can fully understand.***

## Translation is written.

yes → نعم (Arabic)  
 به (Dari)  
 हो (Nepali)  
 si (Spanish)  
 ndio (Swahili)

## Interpretation is spoken.



Even with these efforts to ensure that students understand the rules and regulations of safe driving, ReEstablish Richmond cannot guarantee clients that they will be able to understand the Exam questions as translated by the DMV. For newcomers of all educational backgrounds, being able to study from DMV-provided translations of the Virginia Driver's Manual would allow them to prepare for the level of language and specific terminology used on the Exam. Without DMV-translated study materials, ReEstablish Richmond's students rely upon unofficial translations of the Virginia Driver's Manual that have been sourced and shared by clients and community partners. Although these resources are clearly translated in Arabic, Dari, and Swahili so that newcomers can learn, review, and understand the rules and regulations of safe driving, Arabic and Dari students still struggle to pass the Exam as currently translated in these languages. The Exam is not offered in Swahili, so students must bring an interpreter with them to the DMV, an additional barrier for this community. The Exam is offered in Nepali, but students who primarily use this language have no access to study materials outside of class. For newcomers from other language backgrounds, ReEstablish Richmond expends considerable time and effort to identify bilingual volunteers in the wider community who may be willing to serve as a learner's permit tutor. For some client languages, no community resources exist.

ReEstablish Richmond regularly receives requests from community members across the Commonwealth seeking translated driving information in various Exam languages. These teachers, faith leaders, librarians, nonprofit agencies, and others are in contact with newcomers who need a driver's license but lack resources to prepare for the learner's permit Knowledge Exam in their primary language (including languages that are currently supported by DMV-provided Exam translations). ReEstablish Richmond has developed a robust Transportation Independence program to assist newcomers in overcoming the many layers of language barriers that exist along the path. However, without access to DMV-provided translations of the Driver's Manual, English language learners are unable to prepare for the Exam outside of class and cannot move forward in the driver's license process.



Community advocate Elham Khairi interprets the learner's permit study course in Arabic.

## Language Access Barrier #2 Reviewing the Online Practice Questions

After teaching the information and concepts presented in the Driver's Manual, ReEstablish Richmond reserves time in the learner's permit study course to discuss and review a random selection of the Online Practice Questions as presented in the interactive guide on the DMV website. These 272 review questions are intended to "reinforce the material and prepare users for the Driver Traffic Signs and General Knowledge tests".<sup>33</sup> The Online Practice Questions also mimic the format, if not the exact wording, of Exam questions and answer choices. ReEstablish Richmond teachers and interpreters work diligently to accurately explain the essential meaning of these questions and corresponding answer choices, thus allowing students to listen, ask clarifying questions, discuss, and review the information together. While this method of study ensures that students understand the information, it does not ensure that they will pass the Exam.

***Not only are English language learners denied access to critical DMV road safety information that is readily available to persons with English proficiency, without language access to the Online Practice Questions, newcomers are unable to familiarize themselves with the particular vocabulary, phrasing, and sentence structure that they will encounter on the Exam.*** This is particularly detrimental for newcomers who have limited or interrupted educational backgrounds and may not have experience with the multiple-choice testing format or common academic test-taking strategies. Some ReEstablish Richmond students may have a bilingual family member or friend who may be willing to undertake the time-consuming task of reading and interpreting aloud all of the questions and answer choices in order to help them review. Even with this generous assistance, newcomers are dependent on the accurate understanding and interpretation expertise of that person, and again – without access to DMV-translated questions, they are prevented from preparing to successfully convey their knowledge on the Exam. More than 70% of students in ReEstablish Richmond's learner's permit study course are women, many with limited or no educational background, limited or no work

experience outside the home, and sometimes limited or no experience in a car. The people who are most reliably available to help these women study the Online Practice Questions are their school-aged children. However, while children may rapidly learn conversational English at school, it is unreasonable to expect that they would have either the lived experience or the higher-level vocabulary in their primary languages to adequately explain the information, situations, and concepts contained in the Driver's Manual and Online Practice Questions. Without the opportunity to review DMV-translated questions, newcomers with limited English proficiency are prevented from using the interactive guide as a study tool for the Exam.



Hameeda interprets the learner's permit study course in Dari.

### Language Access Barrier #3 Understanding the Knowledge Exam Translation

Although the English version of the Exam is reportedly written at an 8th-grade reading level, in the experience of ReEstablish Richmond clients, DMV-translated Exams have been either generated by machine – translating words individually, in the order that they appear in English instead of conveying the full, accurate meaning of each sentence – or produced by highly educated individuals using terminology that is uncommon and unfamiliar to the colloquial language used by ordinary people. ***Many ReEstablish Richmond students who are confident in their understanding and successfully indicate their knowledge in class have repeatedly failed the DMV-translated Exam, expressing in frustration that “the vocabulary is too strong,” and “even though it is my language, I don’t understand the words.”*** In spite of attending ReEstablish Richmond’s learner’s permit study course, hearing and understanding the information in the Driver’s Manual, and reviewing some of the Online Practice Questions with the support of an interpreter during class, without access to a simple, clear translation of the learner’s permit test questions, the majority of students are unprepared to pass the Exam at the DMV.

## Language Access Barrier #4 Navigating the Computer-Based Interface

For English language learners, the exercise of preparing for the Exam requires considerable time, effort, and determination to overcome the barriers that block the path. Actually taking the Exam is a separate step. After the completion of the learner's permit study course, ReEstablish Richmond staff and volunteers accompany students to the DMV as an orientation to the learner's permit application process and what is often their first attempt at taking the Exam. ReEstablish Richmond provides interpreters at the DMV orientation to ensure that students are able to communicate clearly with DMV employees and understand the steps of the learner's permit application process.

Interpreters are not allowed in the testing area, however, and once seated at the computer, students are unable to communicate any questions they may have related to navigating the interface, turning up the volume on the audio feature, moving between questions, etc. As a result, most ReEstablish Richmond students are blocked from accessing the on-screen resources or from successfully navigating the computer interface at all. ReEstablish Richmond can only coach students beforehand that "somewhere" on the screen there is a button to push for audio access and "somewhere" on the screen there is a button to push in order to see/hear the questions in English (and/or to go back to their language) if it is helpful. ***Because no language-supported option exists to practice navigating the computer before taking the Exam itself, many students are penalized for indicating an incorrect answer when they are actually getting used to the digital interface of the Exam.*** This is especially critical during the first section (Traffic Signs) of the Exam which requires students to correctly answer 10 out of 10 questions in order to progress to the second section (General Knowledge) of the Exam. As a result, most ReEstablish Richmond students experience repeated failure, delayed progress, and – after the third failure – the financial burden of paying for a re-examination class at a DMV-certified local driving school.



Volunteer Joe Lattuada teaches the learner's permit study course while Antoinette M. interprets in Swahili.

## Language Access Barrier #5 Taking the Exam on Paper

Newcomers whose primary language is not supported by the DMV may take the learner's permit Knowledge Exam on paper, with the assistance of an interpreter. The DMV does not provide interpreters – the customer must bring a bilingual friend or community member with them. For an interpreted Exam, DMV customers must sit back-to-back with their interpreter, indicating their answers on a Scantron sheet. They are prohibited from asking questions or receiving any explanation outside the recitation of the questions and answer choices. Again, there is no tutorial or opportunity to practice this testing format prior to taking the Exam. For cohorts in these languages, ReEstablish Richmond introduces students to the use of Scantron sheets while reviewing practice questions during class. Even with this support, however, navigating the paper test can be disorienting for people whose primary language is written in a script other than the Roman alphabet, especially one that reads from right to left, as well as for newcomers with limited educational background.

Another difficulty for anyone taking the Exam on paper is that these tests are printed in black and white, although, according to page 6 of the Virginia Driver's Manual, "The color and shape of a traffic sign communicate important information about the sign's message".<sup>34</sup> Language learners rely heavily on visual cues to process information, and the colors of traffic signs and signals are essential to discerning their meaning. ***Without access to color copies of the Exam, persons with limited English proficiency whose language is not supported on the computer may inadvertently indicate answers that do not accurately reflect their knowledge of traffic signs.*** As mentioned above, this is especially critical to their success in passing the Exam as future drivers must correctly answer all 10 questions of the Driver Traffic Signs portion before attempting the General Knowledge questions.

## Language Access Barrier #6 Needing Oral Language Assistance to Access the Exam

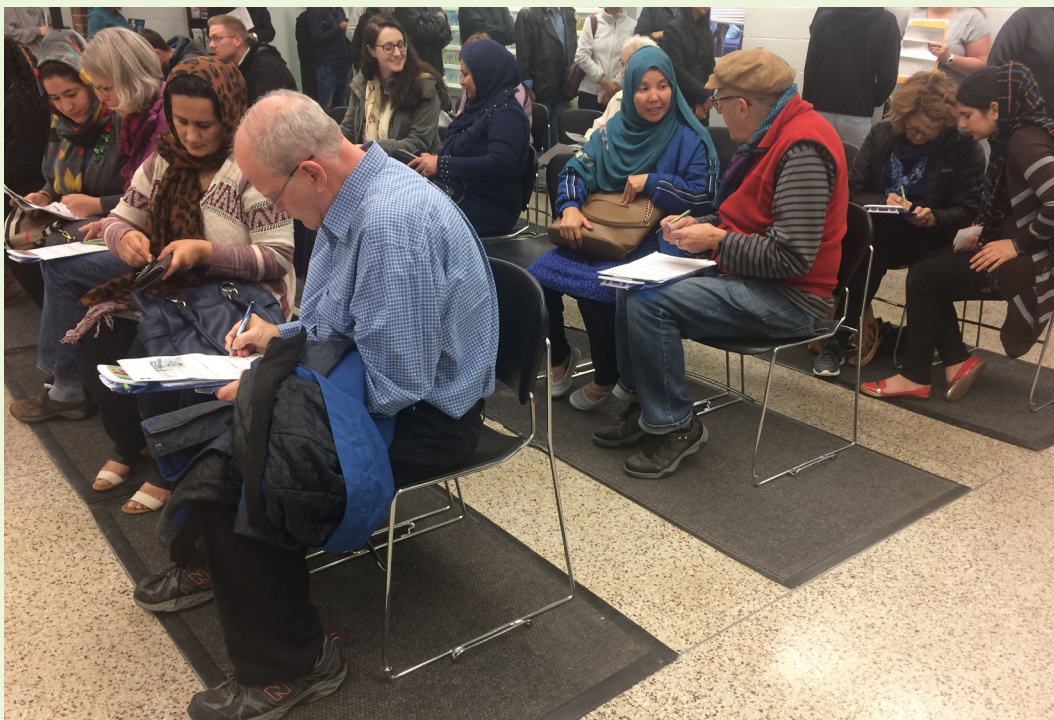
Some newcomers whose language is supported by the computer may need to take the test on paper, with someone else reading aloud the questions and answer choices, in order to successfully indicate their substantive knowledge on the Exam. Over the years, ReEstablish Richmond staff members have advocated at the DMV on behalf of students who demonstrated mastery of the knowledge in class (including some who were licensed drivers in their country of origin), have repeatedly failed the translated Exam due to limited literacy skills, digital literacy skills, and/or testing abilities, and wanted to take the test on paper with oral language assistance. In spite of ReEstablish Richmond's repeated requests that newcomers receive this accommodation in compliance with Title VI, Virginia DMV personnel have insisted that human oral language assistance is forbidden for those with limited English proficiency when Exam translations are available. As discussed earlier, this digital requirement policy does not apply to long-term residents who use English as a primary language and need oral support to access the Exam.

***Without the equitable application of oral language accommodations, newcomers with limited English proficiency whose language is supported on the computer are denied meaningful access to the Exam when their literacy skills, digital literacy skills, and/or testing abilities prevent them from indicating their knowledge in a digital format.*** It should be noted that most newcomers experience this particular roadblock as a direct outcome of the compounded effect of the preceding barriers in the driver's license process. When all of the previous language access barriers are removed, the majority of newcomers with limited English proficiency will have the meaningful access needed to move forward at their own pace. That said, this discriminatory barrier would still be significant for any remaining English language learners who require oral language assistance in order to access the DMV-translated Exam.

## Language Access Barrier #7 Failing the Exam, Retesting, and Failing Again

By the end of ReEstablish Richmond’s learner’s permit study course, students routinely answer a set of randomly selected Online Practice Questions with 95% accuracy. However, when these same students go to the DMV to take the Exam, 90% of them fail on their first try. Of those who fail the first time, a sizable percentage go on to fail the Exam two more times, which requires attending a re-examination class at a DMV-certified local driving school in order to return to the DMV and attempt the Exam again. Re-examination classes are offered only in English, can cost up to \$200, and must be paid for out of pocket by folks who primarily work low wage jobs and are under-resourced. ReEstablish Richmond has taken these outcomes seriously by continuing to review, enhance, and expand the learner’s permit study course curriculum. Over the past six years, however, as clients have continued to fail the Exam in large numbers, ReEstablish Richmond has identified that lack of language access at the DMV is the main contributor to students’ low passage rates. Across the languages that are supported by the DMV for the Exam, ReEstablish Richmond clients consistently report being unable to understand the questions and answer choices as translated. Some ReEstablish Richmond clients who have driving experience and a driver’s license from their country continue to fail the Exam due to lack of language access to study tools, the formality/quality of the translation, and/or barriers within the testing format.

***In spite of ReEstablish Richmond’s dedicated efforts, without DMV-translated study materials in the languages of the Exam, most newcomers are unable to prepare for the learner’s permit test outside of taking and retaking the Exam itself, so that each DMV test-taking experience essentially becomes an expensive attempt at practicing the questions.*** Even these test-taking “practice sessions” can be cut short, as a future driver is unable to advance to the General Knowledge section of the test if they answer one or more questions incorrectly on the Driver Traffic Signs section. Many members of resettled communities thus experience the repeated frustration of multiple Exam failures which may not correlate to their actual understanding of the information and which unnecessarily and unfairly extend the length of time that it takes for them to get a driver’s license.



ReEstablish Richmond volunteers help students complete their application forms in preparation to take the learner’s permit test.



## Language Access Barrier #8 Completing the Road Skills Test

When students pass the Exam and receive their learner's permit, ReEstablish Richmond refers them to reputable, DMV-certified local driving schools in order to ensure that newcomers can learn and practice safe driving skills. ReEstablish Richmond also raises funding to provide partial scholarships toward behind the wheel driving lessons for students who have completed the learner's permit study course. Driving school instructors allow interpreters (over age 18) in the car during lessons in order to promote clear communication between student and instructor and ensure that permit holders learn safe driving habits. This strategy enables newcomers with limited English proficiency to become competent, informed drivers who can keep themselves and others safe on the roads.

When English language learners take the road test at the DMV, however, they are not allowed to bring an interpreter inside the car. In the experience of ReEstablish Richmond, this policy is discriminatory toward drivers with limited English proficiency. Newcomers may have learned English driving vocabulary that is different from the particular terms used by the Examiner (for example: "turn signal" vs. "blinker" and "reverse" vs. "back up"), or they may not understand a particular phrase used by the Examiner (for example: "watch your speed" means to "slow down" and "take your second right" means to "turn right at the second intersection"). Also, similar to the learner's permit Exam that requires future drivers to pass all of the Traffic Signs questions before moving forward to the General Knowledge questions, standard DMV road test protocols include a pre-drive checklist in which the permit holder must demonstrate correct use of car instruments like the windshield wipers, headlights, and horn in response to verbal instructions. Only after passing this pre-drive portion of the road test is the driver allowed to begin the driving portion. Because the DMV does not allow interpreters inside the car during the Road Skills Test, learner's permit holders with limited English proficiency may have the practical driving skills to execute driving maneuvers perfectly but fail the road test before ever leaving the parking lot. ***Without the option of bringing an interpreter inside the car during the DMV Road Skills Test, many newcomers are prevented from completing this last requirement for a driver's license: demonstrating the practical driving skills they have worked hard to learn.***

### Statewide Barriers: Meeting the Needs of Future Drivers Throughout Virginia

ReEstablish Richmond's Transportation Independence program provides significant practical support to English language learners who live in the greater Richmond metropolitan area. However, the barriers and burdens created by the lack of language access at the DMV are experienced by refugee and immigrant newcomers across the Commonwealth. The work of one local nonprofit is insufficient to mitigate the impact of systemic inequities that exist in the processes of a state government entity. When language access barriers are removed, refugee and immigrant newcomers are empowered to manage their own progress toward transportation independence. By improving language access to road safety study materials as well as the testing process, the Virginia DMV has the opportunity to be in compliance with the legal requirement of providing meaningful access, advance equity in their services, and fulfill their mission to promote overall road safety.

## How Long Does It Take Newcomers to Pass the Learner's Permit Test?

*The answer to this question varies.* According to ReEstablish Richmond's client data, there is a strong correlation between the number of resources that the DMV provides in a student's primary language and the length of time it takes that student to pass the test after completing the learner's permit study course. It stands to reason that people who have access to DMV-provided resources in languages they understand experience fewer obstacles in the process of studying, learning, and reviewing the information and, as a result, succeed in passing the Exam more quickly than those who lack language access.

Among students of ReEstablish Richmond's learner's permit study course, newcomers with enough English proficiency to 1) take the Knowledge Exam in English have the distinct advantage of being able to 2) study the Virginia Driver's Manual and 3) review the Online Practice Questions before taking the Exam. As a result of language access to all three resources, 80% of these students pass the learner's permit test within three months of completing the course, 95% pass the Exam within six months, and the remaining 5% pass within 12 months.

Among newcomers who 1) take the Knowledge Exam in a DMV-provided translation of their language after being able to 2) study the Driver's Manual in Spanish (currently the only DMV-provided translation) but lack access to the Online Practice Questions, 40% pass the learner's permit test within six months of completing the course, 44% pass within 12 months, and 56% have no permit still (due to issues of quality/clarity in the Spanish translation).

For newcomers who 1) take the Exam in a DMV-provided translation of their language but lack access to both types of DMV-provided study resources, 29% pass the learner's permit test within six months of completing the course, 51% pass the Exam within 12 months, and 49% take a year or more.

For newcomers with zero resources in their language, however, only 8% passed the learner's permit test within six months of completing the course, and 31% passed the Exam within 12 months. The remaining 69% of students with zero access to DMV-provided language resources have no permit still.

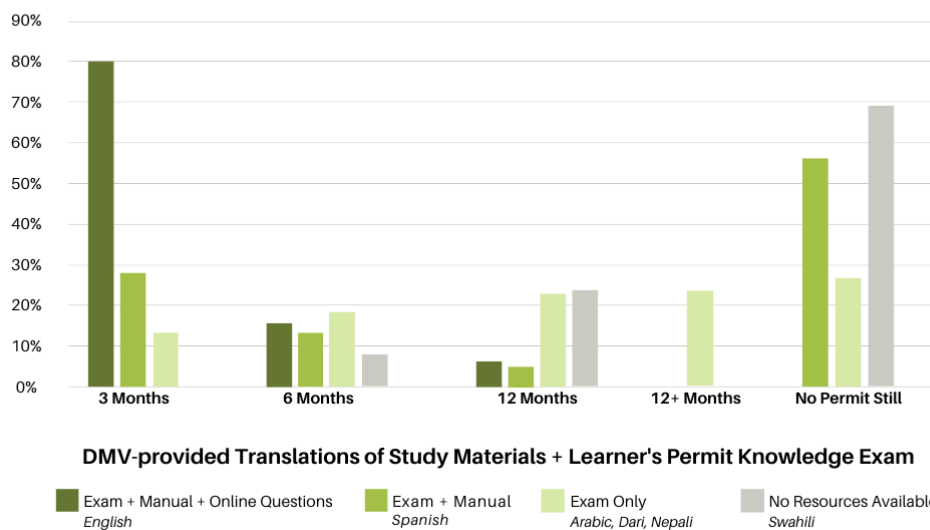
***Data show that, even when refugee and immigrant newcomers complete ReEstablish Richmond's learner's permit study course and have the requisite knowledge, without meaningful access to DMV-provided study materials and the Exam in a reliable translation of their primary language, it takes most English language learners a year or more to pass the learner's permit test.***

**Newcomers with Limited English Proficiency:  
Average Length of Time Between Completing  
ReEstablish Richmond's Learner's Permit Study Course and  
Passing the Knowledge Exam at the Virginia DMV**

LENGTH OF TIME TO GET LEARNER'S PERMIT	EXAM + MANUAL + ONLINE QUESTIONS	EXAM + MANUAL	EXAM ONLY	NO RESOURCES AVAILABLE
3 MONTHS	80%	28%	12%	0%
6 MONTHS	15%	12%	17%	8%
12 MONTHS	5%	4%	22%	23%
12+ MONTHS	0%	0%	23%	0%
NO PERMIT STILL	0%	56%	26%	69%
TOTAL	100%	100%	100%	100%

*Without meaningful access to DMV-provided study materials and the Exam in the primary languages of refugee and immigrant newcomers, it takes most English language learners a year or more to pass the learner's permit test after completing the study course.*

**Newcomers with Limited English Proficiency:  
Average Length of Time Between Completing  
ReEstablish Richmond's Learner's Permit Study Course and  
Passing the Knowledge Exam at the Virginia DMV**



## ONE CLIENT'S STORY

Fatima (name has been changed to protect her identity) is a 45-year-old woman from Afghanistan, a wife and mother of six. Because her husband's job as an engineer supported the efforts of the U.S. military in their country, the family was targeted by the Taliban. When the threats became unbearable, they applied for Special Immigrant Visas (SIV). After a rigorous screening process, their American visas were approved. Without hinting about their plans or saying good-bye to their extended family and friends to avoid putting them at risk as well, Fatima and her family fled the country. They arrived in Richmond during the summer of 2017. Fatima struggled to make sense of the new language and culture, but for the first time in years her family was safe and able to sleep through the night without fear, so she felt hopeful that they could adjust and create a strong future for themselves. Determined to embrace the opportunities and responsibilities of living here, she enrolled in ReEstablish Richmond's learner's permit study course in Dari. There was so much to learn!



During class, Fatima listened intently, but she had no way to review or study the information from home. In her Afghan village, it is customary for girls to attend school only until 3rd grade, so her experience of language is verbal, relational, and transactional – not written, academic, or formal. Fatima is the joyous center of her home, actively tending to the needs of her family, even though she does not read or write in her own language. Here in Richmond, her children were surrounded by English all day at school and were learning basic conversational and school-related vocabulary. They did their best to help their mother study the driver's manual and practice questions, but they often struggled to find the corresponding words in Dari. Fatima fully understood the concepts, just in simple terms.

After completing ReEstablish Richmond’s learner’s permit study course in Dari, Fatima accompanied her cohort to the DMV in order to take the learner’s permit Knowledge Exam. She came away frustrated at being unable to communicate the knowledge she had worked so hard to gain. Without being able to read in Dari, she couldn’t take the test on paper, and using the computer was a completely foreign experience. The DMV employee seemed helpful, saying words and pointing at the screen, making the motion of touching it to start the test, but the class interpreter was not allowed into the testing area to explain the features available there. Fatima remembered her teacher explaining that she could listen to a recorded voice reading the questions and answer choices. She searched the screen until she found a small telephone icon and timidly touched it, holding the nearby handset to her ear. She heard a voice speaking a strange, sophisticated form of Dari. The words had the sound of her language, but she did not know their meaning. The Exam questions and answer choices were worded very differently from the simple sentences of the class interpreter as well as her children who had helped her practice at home. In addition to using unfamiliar vocabulary, the structure of the questions was so formal that the test seemed to be in a different language altogether.

Fatima failed the Exam. Although she knew the meaning of each road sign and signal, she indicated wrong answers for several questions in the first section of the test. Fatima was confident about her understanding of all the information she had learned in class and studied at home, so she went back to the DMV – and failed again. She continued to study the online questions with her children for several more months before trying again. After a third failure, she was required to pay \$100 at a local driving school to attend a re-examination class. Her husband attended the class with her, interpreting the words of the teacher as well as the questions on the test at the end. Fatima passed the test easily, and after receiving the Driver’s Education certificate from the driving school, she returned to DMV to take the Exam another time – but failed yet again.

By this time, nine months had passed since Fatima had attended the learner’s permit study course. She enrolled again, enjoying the camaraderie of her fellow students and the chance to contribute to class discussions in a knowledgeable way. At home, she continued to review the online questions with the help of her son and daughter, but to no avail. With each successive attempt at the DMV, Fatima continued to fail the Exam.

In spite of the ongoing frustration, Fatima refused to give up. She continued the cycle of studying at home and taking – but failing – the Exam. The following year, she enrolled yet again in the learner’s permit study course – attending every class, patiently listening to the instruction, joining the discussions, and encouraging the other students for whom the information was brand new. In December 2019, this veteran student and repeat DMV customer joined her first-time classmates at the DMV to take the learner’s permit test. After more than a dozen attempts in two years, she finally passed the Knowledge Exam and received her learner’s permit.

Fourteen months later, Fatima is still working toward her driver’s license. Like so many other newcomers pursuing transportation independence, her progress has been further delayed by the impact of the COVID-19 pandemic.

# HOW TO GET A DRIVER'S LICENSE IN VIRGINIA

<p><b>Study the Virginia Driver's Manual</b></p> <ul style="list-style-type: none"><li>• Pdf and audio formats available in English only</li><li>• Hard copies available in English and Spanish only</li></ul>
<p><b>Review the interactive Online Practice Questions at <a href="http://www.dmvnow.com">www.dmvnow.com</a><sup>35</sup></b></p> <ul style="list-style-type: none"><li>• Available in English only</li></ul>
<p><b>Take the learner's permit Knowledge Exam at the DMV</b></p> <ul style="list-style-type: none"><li>• Prerequisite: Pass vision test</li><li>• Computer test – in color, answers must be indicated on touch screen, with audio support</li><li>• Paper test – in black/white only, answers must be indicated on a Scantron answer sheet</li><li>• Available in 26 languages, including English and American Sign Language (ASL)</li></ul> <p><b>Passing requires</b></p> <ul style="list-style-type: none"><li>• Traffic Signs = 10/10 correct</li><li>• General Knowledge = 24/30 correct</li></ul>
<p><b>Fail the learner's permit Knowledge Exam</b></p> <ul style="list-style-type: none"><li>• May retake 2 more times without penalty</li></ul> <p><b>Fail the learner's permit Knowledge Exam 3 times</b></p> <ul style="list-style-type: none"><li>• Must attend re-examination class at a DMV-certified local driving school to receive Driver's Education certificate</li><li>• Cost: up to \$200</li><li>• After presenting Virginia Driver Training Re-Examination Certificate (DTS-C) to DMV, may test again (unlimited) until passing</li></ul>
<p><b>Pass the learner's permit Knowledge Exam</b></p> <ul style="list-style-type: none"><li>• Receive LEARNER'S PERMIT</li><li>• Pay \$45 – includes learner's permit, Road Skills Test at DMV, and driver's license</li></ul>
<p><b>Learn and practice driving skills</b></p> <ul style="list-style-type: none"><li>• Learn and practice driving with a licensed driver for 60 days before eligible to take road test at DMV</li><li>• <i>Or</i>, pay up to \$500 to take behind the wheel driving lessons at a DMV-certified local driving school</li></ul>
<p><b>Take the Road Skills Test at DMV</b></p> <ul style="list-style-type: none"><li>• Make an appointment at DMV</li><li>• No additional cost</li><li>• In English</li><li>• Prerequisite: Pass pre-drive checklist</li><li>• After passing Road Skills Test, receive DRIVER'S LICENSE</li></ul> <p><i>Or</i></p> <p><b>Pay up to \$500 to take driving lessons + road test at a DMV-certified local driving school, adhering to Virginia Driver Training Completion Certificate (DTS-D) requirements</b></p> <ul style="list-style-type: none"><li>• Attend 8-hour learner's permit review class</li><li>• Pass written test at the end of the class</li><li>• Take behind the wheel driving lessons</li><li>• Take the road test with instructor</li><li>• After passing the road test with instructor, take Virginia Driver Training Completion Certificate to DMV and receive DRIVER'S LICENSE</li></ul>

# THE REALITIES OF NAVIGATING THE DRIVER'S LICENSE PROCESS AS A REFUGEE/IMMIGRANT NEWCOMER

<p>Long-Time Residents/Citizens or Newcomers with English Proficiency</p> <p><i>I use English as a primary language</i></p>	<p>Refugee and Immigrant Newcomers with Limited English Proficiency</p> <p><i>I am an English language learner</i></p>
<p><b>Read and study the Virginia Driver's Manual</b></p>	<p>If I am <b><i>literate</i></b> in my language, and I <b><i>can</i></b> find an existing, unofficial translation of the Virginia Driver's Manual:  <b>Study the information as translated.</b></p> <ul style="list-style-type: none"> <li>Clarity and accuracy of information conveyed is limited by the accuracy and accessibility of the unofficial translation</li> </ul> <p>If I am <b><i>literate</i></b> in my language, and I <b><i>cannot</i></b> find an existing, unofficial translation of the Virginia Driver's Manual:  <b>Ask a bilingual and literate family member, friend, or community member to translate the entire contents of the Virginia Driver's Manual for me.</b></p> <ul style="list-style-type: none"> <li>Clarity and accuracy of information conveyed is limited by the literacy level and life experience of this other person</li> <li>Access/review is dependent on the availability and willingness of this other person to invest considerable time and effort</li> <li>Significant and unreasonable burden is placed on other newcomers</li> </ul> <p>If I have had little/interrupted/no education and have <b><i>limited literacy skills</i></b> in my language, but I <b><i>can</i></b> find an existing, unofficial translation of the Virginia Driver's Manual:  <b>Ask a bilingual and literate family member, friend, or community member to read aloud for me the entire contents of the Virginia Driver's Manual.</b></p> <ul style="list-style-type: none"> <li>Clarity and accuracy of information conveyed is limited by the literacy level and life experience of this other person</li> <li>Access/review is dependent on the availability and willingness of this other person to invest considerable time and effort</li> <li>Significant and unreasonable burden is placed on other newcomers</li> </ul> <p>If I have had little/interrupted/no education and have <b><i>limited literacy skills</i></b> in my language, and I <b><i>cannot</i></b> find an existing, unofficial translation of the Virginia Driver's Manual:  <b>Ask a literate family member, friend, or community member to read and interpret aloud for me the entire contents of the Virginia Driver's Manual.</b></p> <ul style="list-style-type: none"> <li>Clarity and accuracy of information conveyed is limited by the accuracy and accessibility of the unofficial translation</li> <li>Access/review is dependent on the availability and willingness of this other person to invest considerable time and effort</li> <li>Significant and unreasonable burden is placed on other newcomers</li> </ul>

<p><b>Review Online Practice Questions at <a href="http://www.dmvnow.com">www.dmvnow.com</a></b><sup>36</sup></p>	<p>If I am <b>literate</b> in my language:  <b>Ask a bilingual and literate family member, friend, or community member to create a written translation of all of the questions and answer choices.</b></p> <ul style="list-style-type: none"> <li>• Clarity and accuracy of information conveyed is limited by the literacy level and life experience of this other person</li> <li>• Access is dependent on the availability and willingness of this other person to invest considerable time and effort</li> <li>• Significant and unreasonable burden is placed on other newcomers</li> </ul> <p>If I have had little/interrupted/no education and have <b>no or limited literacy skills</b> in my language:  <b>Ask a bilingual and literate family member, friend, or community member to read and interpret aloud for me all of the Online Practice Questions and answer choices.</b></p> <ul style="list-style-type: none"> <li>• Clarity and accuracy of information conveyed is limited by the literacy level and life experience of this other person</li> <li>• Access/review is dependent on the availability and willingness of this other person to invest considerable time and effort</li> <li>• Significant and unreasonable burden is placed on other newcomers</li> </ul>
<p><b>Take the learner’s permit Knowledge Exam at the DMV</b></p> <p>Prerequisite: Pass vision test</p>	<p>If my primary language <b>is</b> accommodated by DMV testing, and I am <b>familiar</b> with navigating a computer:  <b>Take learner’s permit Knowledge Exam on the computer (in color, with audio support).</b></p> <ul style="list-style-type: none"> <li>• The official DMV translation of the questions and answer choices uses a formal, academic version of my language</li> <li>• If I completed high school or higher education, I <b>may</b> be able to access/understand these questions</li> <li>• If I have had little/interrupted/no education, I <b>cannot</b> access/understand these questions. Incorrect answers may be indicated inadvertently, resulting in a false failure</li> </ul> <p>If my primary language <b>is</b> accommodated by DMV testing, but I have had little/interrupted/no education and have no or <b>limited literacy skills</b> in my language and/or I am <b>unfamiliar</b> with navigating a computer:  <b>I am not allowed the accommodation of using an interpreter to access the paper test, and I have no opportunity to practice using the computer interface before testing.</b></p> <ul style="list-style-type: none"> <li>• <b>In addition to the barriers above</b>, I am unsure how to accurately indicate my actual knowledge/understanding of the information. Incorrect answers may be selected inadvertently, resulting in a false failure</li> <li>• I am also unsure how to access the audio support that is available on the computer screen</li> </ul>



	<p>If my primary language is <b>not</b> accommodated by DMV testing:  <b>Ask a bilingual and literate family member, friend, or community member to accompany me to the DMV in order to read and interpret for me all of the questions and answer choices.</b></p> <ul style="list-style-type: none"> <li>• Paper test is black/white only</li> <li>• <b>In addition to the barriers above,</b> I must indicate my answers on a Scantron sheet. No opportunity to practice using this format before testing. Incorrect answers may be indicated inadvertently, resulting in a false failure</li> <li>• Significant and unreasonable burden is placed on other newcomers</li> </ul>
<p><b>Fail the learner's permit Knowledge Exam</b></p> <p><b>Review Online Practice Questions</b></p> <p><b>Test again, up to 2 more times</b></p>	<p><b>Ask the same person who has already spent countless hours to teach and review with me, to review all of the information with me again.</b></p> <p><b>Return to DMV, facing all the same barriers as before.</b></p> <ul style="list-style-type: none"> <li>• Testing continues to be my only way to study road safety information <b>and</b> access the formal, academic wording of official DMV translated questions and answer choices</li> <li>• For computer testing, I have no opportunity to practice the computer interface before testing. Incorrect answers may be indicated inadvertently, resulting in a false failure</li> <li>• For paper testing, I have no opportunity to practice the Scantron sheet format before testing. Incorrect answers may be indicated inadvertently, resulting in a false failure</li> <li>• If my primary language is <b>not</b> accommodated by DMV testing: I must ask a bilingual and literate family member, friend, or community member to accompany me to the DMV each time in order to read and interpret for me all of the questions and answer choices on the test</li> </ul>
<p><b>Fail the learner's permit Knowledge Exam 3 times</b></p> <p><b>Attend re-examination class at a DMV-certified local driving school</b></p> <p><b>Cost: up to \$200</b></p> <p><b>Present driver's education certificate to DMV</b></p> <p><b>Test again, unlimited</b></p>	<p><b>Pay up to \$200 to attend re-examination class at a DMV-certified local driving school.</b></p> <ul style="list-style-type: none"> <li>• Unreasonable financial burden is placed on me as an English language learner when failed test results may not reflect my actual knowledge/understanding</li> </ul> <p>If my primary language is <b>not</b> accommodated by the driving school:  <b>Ask a bilingual and literate family member, friend, or community member to take a day off work, accompany me to the driving school, and interpret the entire content of the class for me.</b></p> <ul style="list-style-type: none"> <li>• Significant burden is placed on other newcomers</li> </ul> <p><b>Return to the DMV repeatedly, facing all the same barriers as before.</b></p>
<p style="text-align: center;"><b>Pass Driver Traffic Signs and General Knowledge Exam:          Receive LEARNER'S PERMIT</b></p> <p style="text-align: center;"><b>Cost at DMV: \$45 – includes learner's permit, Road Skills Test at the DMV, and driver's license          Potential added expense if failed 3 times: \$200 – re-examination class at a DMV-certified driving school</b></p>	

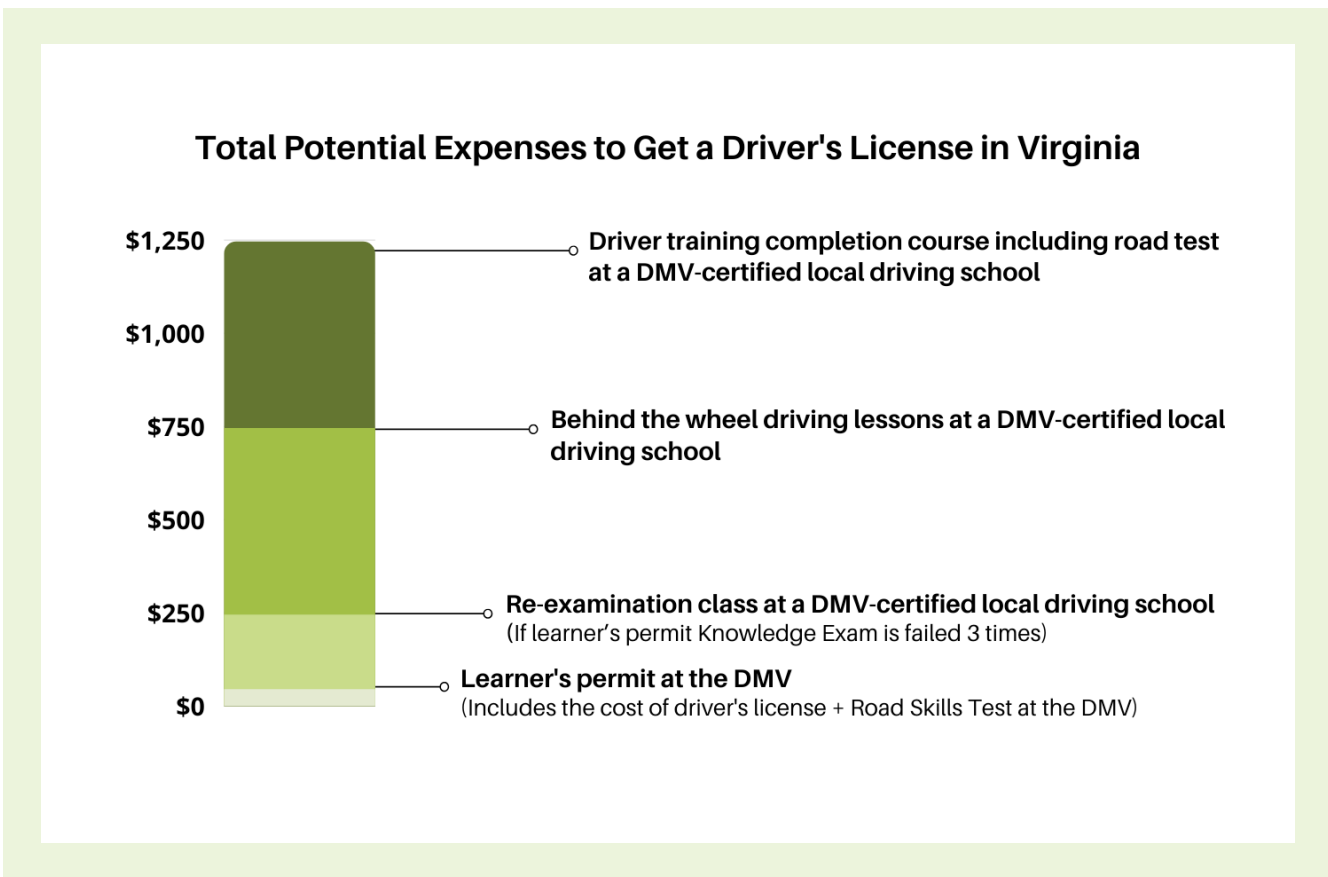
<p><b>Take behind the wheel driving lessons</b></p> <p><b>Cost: up to \$500</b></p> <p><b>And/Or:</b></p> <p><b>Practice driving with a licensed driver for 60 days</b></p>	<p>If I <b>do</b> have driving experience in my country, and I <b>can</b> find a community member who will let me use their car to practice driving according to Virginia regulations:  <b>Practice driving the community member's car with them in the vehicle until I am confident for the road test.</b></p> <p>If I <b>do</b> have driving experience in my country, but I <b>cannot</b> find a community member who will let me use their car to practice driving according to Virginia regulations:  <b>Pay up to \$500 to take behind the wheel driving lessons at a DMV-certified local driving school.</b></p> <ul style="list-style-type: none"> <li>• If needed and allowed by the driving school, a bilingual community member over age 18 may sit in the back seat to interpret between the instructor and me during my driving lessons, promoting clear communication and road safety</li> </ul> <p>If I <b>do not</b> have driving experience in my country, but I <b>can</b> find a community member who is willing to use their car to teach me <b>and</b> let me use their car to practice driving:  <b>Practice driving the community member's car with them in the vehicle until I am confident for the road test.</b></p> <p>If I <b>do not</b> have driving experience in my country, and I <b>cannot</b> find a community member who is willing to use their car to teach me or let me use their car to practice driving:  <b>Pay up to \$500 to take behind the wheel driving lessons at a DMV-certified local driving school.</b></p> <ul style="list-style-type: none"> <li>• If needed and allowed by the driving school, a bilingual community member over age 18 may sit in the back seat to interpret between the instructor and me during my driving lessons, promoting clear communication and road safety</li> <li>• After these lessons, I still need to find someone willing to let me use their car to practice driving until I am confident for the road test</li> </ul>
<p><b>Take the Road Skills Test at the DMV</b></p> <p>Prerequisite: Pass pre-drive checklist</p>	<p><b>Make an appointment at the DMV and pass the pre-drive checklist.</b></p> <ul style="list-style-type: none"> <li>• No opportunity to bring a bilingual community member over age 18 to interpret between the DMV tester and me during the pre-drive checklist in order to promote clear communication and accurate indication of my knowledge</li> </ul> <p><b>Take the Road Skills Test with DMV examiner.</b></p> <ul style="list-style-type: none"> <li>• No opportunity to bring a bilingual community member over age 18 to interpret between the DMV tester and me during the driving skills test in order to promote clear communication, accurate indication of my driving skills, and road safety</li> </ul>

<p><b>Or:</b></p> <p><b>Take the road test at a DMV-certified local driving school, adhering to Virginia Driver Training Completion Certificate (DTS-D) requirements</b></p> <p><b>Cost: up to \$500</b></p> <p><b>After passing the road test with an instructor, take Virginia Driver Training Completion Certificate to the DMV and receive driver's license</b></p>	<p><b>Pay up to \$500 to fulfill DTS-D requirements: Attend a driver education class at a DMV-certified local driving school (in English); pass the written test (in English); take behind the wheel driving lessons; and take Road Skills Test with instructor.</b></p> <ul style="list-style-type: none"> <li>• Unreasonable financial burden is placed on communities with low incomes</li> <li>• Make an appointment at DMV to submit Virginia Driver Training Completion Certificate</li> </ul> <p><b>If my primary language is <i>not</i> accommodated by the driving school: In addition to the unreasonable financial burden, I must:</b></p> <ul style="list-style-type: none"> <li>• Ask a bilingual and literate family member, friend, or community member to take a day off work, accompany me to the driving school, and interpret the entire content of the class for me</li> <li>• Ask a bilingual family member, friend, or community member to accompany me in the car to interpret the instructor's directions during all of my driving lessons, including the road test</li> </ul>
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**Pass Road Skills Test: Receive DRIVER'S LICENSE**

No additional cost to take the Road Skills Test at the DMV

Potential added expense to receive instruction support at a DMV-certified local driving school: **\$1,000 — behind the wheel lessons + road test**



# SUGGESTED CHANGES TO DMV LANGUAGE RESOURCES AND LEARNER'S PERMIT/ROAD SKILLS TESTING

ReEstablish Richmond asks for the following changes to be implemented by the Virginia DMV in order to improve language access and remove the inequitable barriers discussed in the body of this report. Endorsed by the Legal Aid Justice Center, these recommendations are based on ReEstablish Richmond's student pass rate data for the Exam, thorough consideration and discussion of current barriers faced by future drivers who are refugee and immigrant newcomers, and consistent observations by ReEstablish Richmond staff and volunteers who have accompanied students to the DMV at the completion of the learner's permit study course.

## **1** *Conduct quality assurance audit of all current text and audio translations of the Exam and Driver's Manual*

According to anecdotes of recent Spanish-speaking students of ReEstablish Richmond's learner's permit study course, the Spanish translation of the Driver's Manual does not reflect conventional or conversational standard Spanish, words are written in a confusing order, and the meaning is hard to grasp. Students have also reported that the Spanish text and audio translations of the Exam need to be revised. The audio recording says different information than the text, and there is inconsistency in the wording between the English and Spanish versions of the Exam. All current translations of the Exam in other languages also need to be revised in order to ensure that the language level is in keeping with the English version of the test and that the meaning of the original English is conveyed rather than word by word translation which omits relevant environmental context and cultural nuances. ***Due to noted inconsistencies in the Spanish version as well as the inaccessibility of other language translations for ordinary speakers of those languages, ReEstablish Richmond urges that the DMV begin to address language access issues by auditing all current text and audio translations of the Exam and Driver's Manual for clarity, quality, simplicity, and consistency.***

## **2** *Translate Online Practice Questions into all languages that are available for the Exam*

The interactive guide with Online Practice Questions for the Virginia DMV is provided in English only. Newcomers with limited English proficiency experience a significant barrier to their understanding of road safety when they cannot access this online guide in their primary language/s. The online guide is also an invaluable tool to become familiar with the testing format and understand the types of questions on the Exam. Additionally, the online guide's practice quiz questions provide feedback on incorrect answers that deepens the understanding of traffic laws ahead of the Exam. Without this resource, English language learners experience the Exam format in their own language/s for the first time while taking the actual Exam which, in the experience of ReEstablish Richmond, contributes to a higher likelihood of test failure. ***In order to provide equitable, meaningful access for future drivers taking the Exam in any additional languages accommodated by the Virginia DMV for the Knowledge Exam, ReEstablish Richmond urges that the full range of Online Practice Questions be provided in all Exam languages.***

### **3** *Translate the Virginia Driver's Manual into all languages that are available for the Exam*

As with the online guide, the Driver's Manual provides fundamental information that prepares future drivers for the Exam and, ultimately, to become safe drivers. When the Driver's Manual is unavailable in the primary language/s of future drivers, only those refugee and immigrant newcomers who are within reach of organizations like ReEstablish Richmond are able to access that knowledge. Providing the Driver's Manual in clear, simple, accurate language translations ensures that newcomers are able to fully access print and online (pdf and audio) materials ahead of the Exam and receive a thorough explanation of Virginia's driving laws in a language they can understand. With this level of accessibility, future drivers will also have a more thorough understanding of Virginia driver laws. ***For every language that is accommodated by the Virginia DMV for the Knowledge Exam, ReEstablish Richmond urges that the Driver's Manual also be provided in translations that are both accurate and easy to understand.***

### **4** *Add practice questions and an optional tutorial to the Exam interface at DMV*

Although the Exam interface makes certain allowances for limited computer proficiency, including a touchscreen and a screen reader, future drivers of any language background who have zero or limited computer proficiency have no chance to practice using the Exam interface prior to taking the Exam. This negatively affects test-takers who have the requisite knowledge to pass the Exam but cannot fully demonstrate it because of difficulty using the computer terminal on Exam day. Incorporating some practice questions and/or an optional pre-test tutorial in the Exam interface (as a skippable pop-up) should help Virginia residents who speak any language, but particularly newcomers who may be from regions with limited or no access to electronics, become familiar with the interface before their digital literacy level negatively affects their final Exam score. In addition, if computers could be available with the practice interface at all times at DMV branches, future drivers could come to the DMV outside of Exam times to become familiar with the Exam format. ***In order to ensure that Exam results reflect the answers intended, ReEstablish Richmond urges the Virginia DMV to provide practical, equitable ways for future drivers of all languages to practice navigating the Exam interface ahead of taking the Exam itself.***

## **5 Add Swahili, Kinyarwanda, Burmese, Tigrinya, and Somali, as well as a simplified version of Modern Standard Arabic and Juba Arabic to the list of available Exam languages and study materials**

Based on recent trends in refugee populations worldwide, ReEstablish Richmond urges some language additions to accommodate specific growing populations. After 2017, the demographics of the refugee population arriving in Virginia shifted toward countries not included in the previous administration's Muslim travel ban. Refugees from the Democratic Republic of Congo account for 21% of refugee arrivals to Virginia in the past five years,<sup>37</sup> and yet the primary languages of Congolese refugees among ReEstablish Richmond clients, Swahili and Kinyarwanda, are not addressed by the DMV. Refugees from various ethnic groups in Myanmar who have escaped current conflicts share a common language in Burmese, the state language. According to the Pew Research Center, since 2002, most refugees resettled in the U.S. have come from Burma,<sup>38</sup> and yet the Burmese language is not addressed by the Virginia DMV. Similarly, the languages of other significant refugee populations not addressed by the DMV include Tigrinya, spoken by Ethiopian and Eritrean refugees who have fled the humanitarian crisis in the Tigray region, and Somali, spoken by refugees who have fled civil war and political instability in Somalia. Currently, an interpreter must be present for all Exams in Swahili, Kinyarwanda, Burmese, Tigrinya, Somali, and others which forces an unfair burden on previously resettled community members to accompany newcomers to the DMV each time they take the test. Also, because the DMV can accommodate only one interpreted test at a time, this causes increased wait times at the DMV.

Additionally, ReEstablish Richmond clients report that the current Arabic translation of the Exam is presented in a formal, academic version of the Levantine dialect. While generally understood by people with strong educational backgrounds from countries along the eastern Mediterranean, this version of the language is less understood by people with disrupted or limited educational backgrounds, including refugee communities from this particular region where most youth leave school before 8th grade.<sup>39</sup> Levantine Arabic is also inaccessible to refugees from other regions, including Sudan as well as South Sudan, even those with strong educational backgrounds. The most widely used form of Arabic is Al Fusha, or Modern Standard Arabic (MSA), and a simplified version of MSA would accommodate newcomers from Iraq, Syria, and Sudan. In order to accommodate refugees from South Sudan, however, the distinct dialect of Juba Arabic should be added.<sup>40</sup> According to the UN Refugee Agency, the conflict in South Sudan has driven 4.3 million people from their homes, affecting people from all points along the educational spectrum.<sup>41</sup> Adding a simplified version of Modern Standard Arabic as well as Juba Arabic would provide language access to these distinct Arabic-speaking populations. These additions would be a similar sentiment to the distinction between Chinese/Mandarin and Chinese/Mandarin (Traditional) as well as the inclusion of Haitian Creole in the current list of Exam languages.

***ReEstablish Richmond urges the Virginia DMV to add Swahili, Kinyarwanda, Burmese, Tigrinya, and Somali, as well as a simplified version of Modern Standard Arabic and Juba Arabic to the DMV language roster in order to prioritize languages that reflect trends in refugee populations, remove the burden of interpretation from resettled communities, and ensure that DMV services and driver's licenses are equally accessible to those whose spoken dialect is different from the formal language of academics, business, and politics.***


## 6 Provide an optional resource on how to use Scantrons and ensure paper copies of the Exam are available in color for all languages, including English language learners who require interpreters to be present during the Exam

Future drivers who primarily speak languages not accommodated by the DMV are allowed to take the Exam with an interpreter, given a printed version of the Exam, and provided a Scantron sheet to record their answers. **Similar to the recommended optional interface tutorial for computer-based Exams suggested above, ReEstablish Richmond urges the DMV to add a resource to explain and demonstrate how to use Scantron answer sheets.** This would provide essential information for future drivers with limited or no experience with this test-taking format. In other words, future drivers who are unfamiliar with the specific Scantron sheets used by the DMV would be better prepared to accurately note their answers on the Scantron sheets.

**ReEstablish Richmond also urges that all printed copies of the Exam be provided in full color, and black-and-white copies should be avoided.** Color copies of the test will enable future drivers to see the relevant colors as they have been instructed in their classes, in the DMV's own materials, and also in the way these signs are experienced from behind the wheel, when choosing their Exam answer (such as red, for "Stop", yellow for "Caution", and green, for "Go"). This accommodation is critical for people with limited English proficiency who cannot yet read signs in English.



### What is the difference?

Traffic on this street **always** moves **only** in the direction of the arrow.



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Traffic is **temporarily** being rerouted. Follow the signs until you are back on the normal route.



Source: ReEstablish Richmond

## **7** *Allow paper testing and/or interpreters to provide oral language accommodation in the Exam as an option, regardless of availability of language translation*

In ReEstablish Richmond’s observations, the written version of an Exam translation is often too formal, written in a particular dialect, or cannot be understood from the literacy level of the future driver. This issue cannot easily be remedied by adding an Exam version for every dialect and reading level, so ReEstablish Richmond urges the Virginia DMV to allow future drivers the option of bringing an interpreter for the Exam, who would then interpret from the English version. While having the written/computerized versions of the Exam (current and requested) is the best default, adding this flexibility ensures that linguistic nuances are better addressed for edge scenarios, including and similar to accommodations currently provided for native English speakers with various learning abilities who need the test read aloud to them in order to successfully complete the Exam. ***In order to ensure that accommodations are provided equitably, ReEstablish Richmond urges that in-person auditory support for the Exam be available to all future drivers regardless of the availability of the translated Exam.***

## **8** *Allow interpreters to be present during the Road Skills Test and accompany drivers inside their vehicles*

Future drivers who have passed the Exam should also be allowed to take the Road Skills Test with an interpreter in the car. DMV offices in Idaho, Indiana, Maryland, Massachusetts, and Wyoming<sup>42</sup> allow for interpreters to accompany drivers inside the vehicle during the Road Skills Test in order to ensure proper understanding of the Examiner’s instructions. In order to ensure the authenticity and integrity of the interpretation, the interpreter should be held to the same standard as they are for the paper version of the Knowledge Exam, where interpreting is currently allowed. ***ReEstablish Richmond urges that the DMV allow for language interpretation inside the vehicle during road testing so that drivers are evaluated according to their driving skills, not their level of English proficiency.***



# CONCLUSION

Refugee and immigrant newcomers are motivated to move toward self-sufficiency and ready to contribute to their new communities. For anyone “starting from zero,” earning a driver’s license is the key to economic survival, creating the potential for a path out of poverty. Transportation independence also smooths the process of rebuilding their lives on their own terms, aids community integration, and contributes to overall well-being after the trauma of displacement. The barriers and burdens that newcomers experience due to lack of language access at the DMV prevent them from managing their own progress toward self-sufficiency. Without access to DMV-translated study materials, English language learners are unable to learn the rules of safe driving in preparation for the learner’s permit Knowledge Exam. Without equitable language accommodations throughout the DMV testing process, members of refugee and immigrant communities struggle to indicate their knowledge and move forward. Without a driver’s license, many newcomers are stuck, unable to pursue their employment and/or education goals. The resulting barriers and burdens are disproportionately high and costly for resettled communities.

These roadblocks are not limited to newcomers living in one metropolitan area. The experiences of ReEstablish Richmond clients outlined in this report are representative of the everyday realities faced by thousands of newcomers throughout Virginia. ReEstablish Richmond is regularly consulted by resettlement agencies, social service organizations, nonprofits, faith communities, public libraries, and concerned citizens on behalf of English language learners in their communities who are struggling to overcome the language barriers that exist at the DMV. While the suggested changes in this report may seem very specific, they are significant within the context of resettled communities throughout the Commonwealth. Systemic problems require systemic solutions. Until the DMV resolves these inequities of language access, the path to transportation independence will continue to be unfairly and unnecessarily difficult for newcomers in their first years of adjusting to life here in Virginia.

In November 2019, Governor Ralph Northam wrote a letter in which he stated, “Virginia’s lights are on and our doors are open, and we welcome new Virginians to make their homes here.”<sup>43</sup> The DMV of Virginia is in a position to further this commitment and advance equity by removing language barriers for residents with limited English proficiency. With meaningful access to the resources needed to study and review the Virginia Driver’s Manual, successfully navigate the Exam and DMV processes, learn and practice driving skills, and earn a driver’s license, new Virginians can confidently move from surviving to thriving.

# ADDENDUM: THE IMPACT OF COVID-19 AND THE IMPLEMENTATION OF DRIVER PRIVILEGE CARDS

## Compounded Barriers and Burdens: The Impact of COVID-19

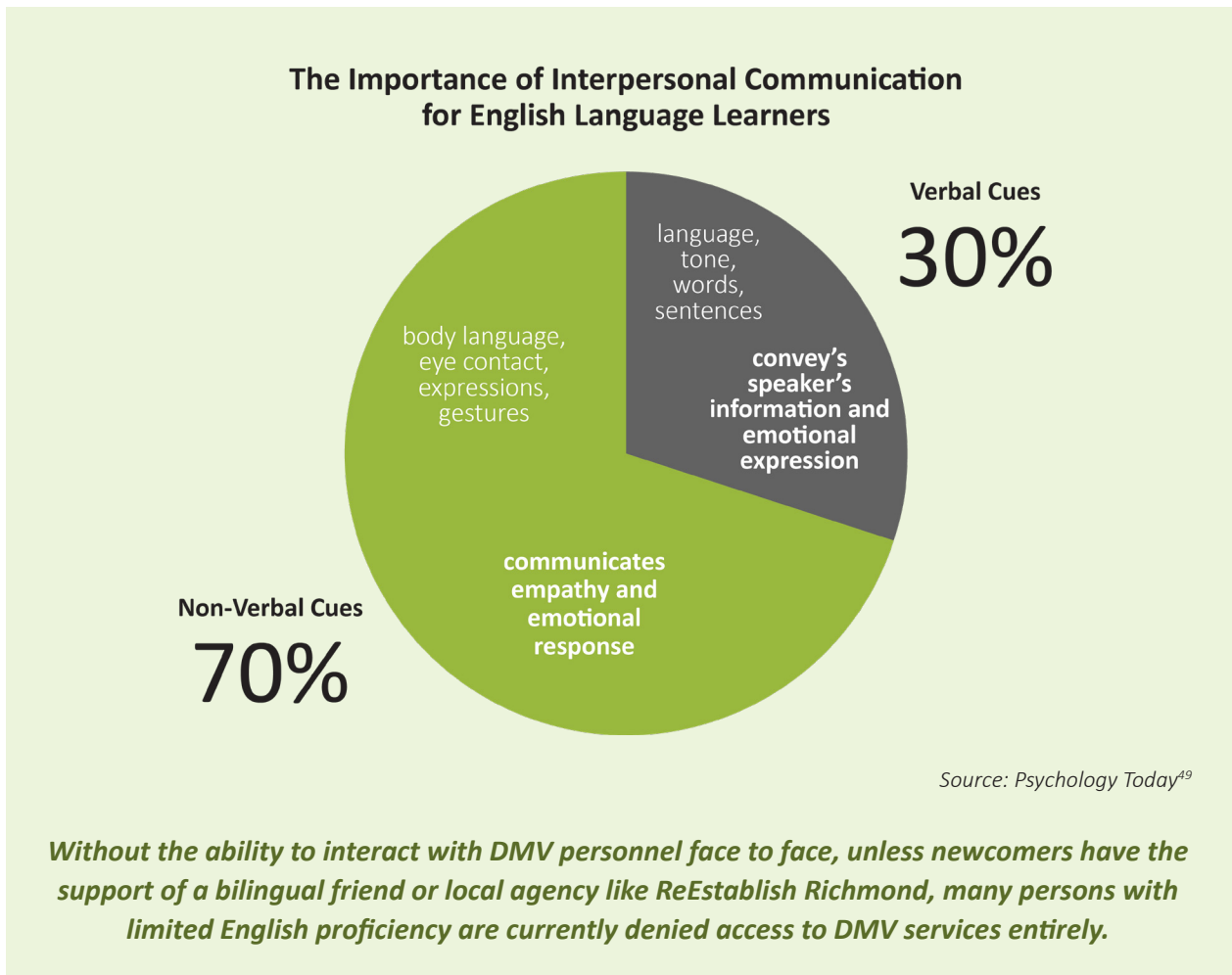
COVID-19 has magnified the existing obstacles along the road to transportation independence, further solidifying the disparity between most long-term residents and newcomers. Since March 2020, most working Americans have experienced some level of adjustment to the way they perform their jobs. Unlike those who can carry on working from home, however, newcomers with limited English proficiency are most commonly employed in roles that must be done on-site. According to The Commonwealth Institute, “Preliminary data is showing that the pandemic is not only a public health issue — it is laying bare some of the deep inequities we have as a commonwealth. Front-line workers have always been essential and will continue to be long after the pandemic, and it is important to recognize who they are in Virginia.”<sup>44</sup> Living at or below the poverty line while working full-time in factories, meatpacking plants, grocery stores, and hospital housekeeping, many members of resettled communities perform jobs that COVID-19 has revealed to be essential while the workers themselves are treated as expendable.<sup>45</sup> The unavoidable loss of income due to disrupted childcare, reduced shifts, or unexpected layoffs means that people working low-wage jobs, including the noncitizen residents of refugee and immigrant communities, have disproportionately experienced the economic impact of the pandemic.<sup>46</sup> Newcomers with limited English proficiency are also unlikely to have the literacy skills needed to apply for online financial assistance programs that could provide some relief.

Intensifying the negative impact of this crisis, newcomers to the country do not yet have wide social support networks on which they can rely in times of emergency. Before COVID-19, those without a driver’s license had to figure out short-term transportation solutions, getting themselves to and from work by paying to join a carpool/rideshare or using a subsidized van service. Since March 2020, however, many of these community supports have disappeared as everyone has experienced significant childcare issues due to school closures and online learning, resulting in the need to reconfigure their routines and focus on the immediate needs of their own families. As a direct consequence of this widespread public shift, many newcomers who are dependent on others for transportation have been left to fend for themselves. Without a driver’s license, the ability to get to work or find a new job is drastically impeded. Now, more than ever, transportation independence is essential to economic survival.

***While navigating the DMV system before the pandemic was unduly difficult for newcomers with limited English proficiency, the process of getting a driver’s license has now become exponentially longer, more challenging, and more expensive – compounding the barriers and burdens for this vulnerable population.***

As previously noted, economic self-sufficiency is tightly tied to reliable access to transportation. Although the pandemic has created challenges for all DMV customers, under this new reality, the stakes are disproportionately higher for populations with limited English proficiency who are economically insecure. Each individual step in the driver’s license process is now significantly harder and takes significantly longer. Passing the Knowledge Exam – the first, critical step of the process that already takes most members of resettled communities a year or more – is now nearly unachievable, and – as outlined in the body of this report – the long, uneven, and rough road to transportation independence continues all the way until a person passes the Road Skills Test, able to safely and legally drive themselves where they need to go. Due to COVID-19 shutdowns and the implementation of an online appointment process as part of safe-distancing regulations, access to DMV services has been restricted in ways that newcomers in particular experience as complete roadblocks.

Pre-COVID, the DMV allowed walk-in customers to stand in line, speak to a customer service representative, ask their questions, and apply for services. Since May 2020, however, all DMV customers must either conduct transactions online (select services only, mostly related to renewal/replacement) or navigate the website to make an in-person appointment. As first-time customer services, both the Knowledge Exam and Driving Skills Test require an in-person appointment. With DMV access now limited to digital engagement only, English language learners have effectively been cut off from communicating with a human customer service representative prior to showing up for an appointment. This restriction is devastating for newcomer communities, as language learners rely upon oral communication, facial expressions, and gestures to effectively give and receive information when proficiency and/or confidence is lacking.



As stated earlier, in normal times, the majority of ReEstablish Richmond's clients are women. Since July 2020, however, the organization has received a sharp increase in self-referrals by men who were drivers in their countries and whose families depend on their income. Many of these clients have higher levels of spoken English and would otherwise have gone to the DMV in person and navigated the driver's license process independently. In addition to the obstacle of the DMV website itself, as the pandemic has continued and a backlog of DMV customers are in need of services, appointments have gone from limited availability, to rare, to simply unavailable. ReEstablish Richmond's caseload of clients in need of DMV navigation support has increased dramatically as a result of these compounded barriers.

According to the DMV website, appointments are posted up to 90 days in advance.<sup>47</sup> However, the number of time slots available for services at each DMV customer service center is far short of public demand, and across the state, appointments are snapped up quickly, as soon as they are posted. Newcomers who work shift jobs do not have the luxury of being on the DMV website for hours a day every day, refreshing the page every few minutes in hopes of catching a recent cancellation, as one DMV employee recommended to ReEstablish Richmond staff. Nor is a mechanism provided for customers to notify the DMV of a system error when the appointment date on their day-ahead reminder email shows as one week earlier than it was on the screenshot of the original appointment confirmation, although the time and location are the same, as recently happened to a ReEstablish Richmond client. It is unclear which appointment this customer should attend. Both appointments require the customer to take time off work and arrange for the presence of an interpreter who may also need to adjust their work schedule. Making a wrong guess could result in the customer losing both options and being forced to wait another 90 days.

An additional barrier and point of confusion for newcomers is that the only option listed on the DMV appointment screen specifies that the learner's permit Knowledge Exam must be taken on the computer. This information is misleading for customers whose language is not accommodated on the computer and who need to take the test on paper, with an interpreter. Because of these barriers and points of stress and confusion, the online appointment system does not provide meaningful access to DMV services for Virginia residents from newcomer communities.

***The requirement of making an appointment on the DMV website in order to access driver's license services is a sizable roadblock for refugee and immigrant newcomers with limited English and/or digital literacy skills, and the resulting burden is brutally unfair. For those already struggling through the process for a year or more, the goal of getting a driver's license is delayed indefinitely.***

It stands to reason that if navigating the DMV website is a barrier, one should call the phone number to speak to a customer service representative. However, the automated voice recording states that the DMV is experiencing a high call volume and advises customers to visit the DMV website, ending the call without offering the caller the option to wait on hold for a DMV customer service representative. Between August and November 2020, the director of ReEstablish Richmond's Transportation Independence program devoted several hours each week to calling the DMV phone number on behalf of newcomer clients with questions related to appointments for the Knowledge Exam and Road Skills Test. After consistently calling the number – several times each weekday and at various times throughout the day for 16 weeks – only twice did the call result in an alternate recording that allowed the option to wait and speak with a person. On those two isolated occasions, after holding for 75 minutes and 35 minutes, respectively, a customer service representative finally came on the line. In the experience of ReEstablish Richmond staff, trying to speak to a DMV representative on the phone is an unrealistic expectation for anyone, regardless of English proficiency level.

In addition to the numerous barriers and burdens above, trying to schedule an appointment for the Road Skills Test at the DMV has become next to impossible. Before COVID-19, road test appointments were available at all 73 DMV customer service centers in Virginia, but appointments for this final phase of the driver's license process are currently available at only 33 locations, further disenfranchising newcomer communities. Since October 2020, Driving Skills Test appointments have been entirely unavailable across the state of Virginia, requiring learner's permit holders to pay up to \$500 to take the driving test at a local driving school if they want to get a driver's license in a timely manner. Taking the Driving Skills Test at the DMV is "free" because learner's permit holders pay for the road test and driver's license at the time of passing the learner's permit Knowledge Exam. By not offering road skills testing at all DMV customer service centers, the DMV is placing additional, unreasonable financial burdens on communities that work in primarily low-wage jobs and are experiencing disproportionate financial loss due to COVID-19.

## Compounded Barriers and Burdens: The Implementation of Driver Privilege Cards and Permits

January 1, 2021 brought the implementation of Driver Privilege Cards (DPC) for Virginia residents who may not have the legal documentation needed for a driver's license but have paid Virginia income taxes in the previous year and whose car is currently insured.<sup>48</sup> Current estimates indicate that nearly 300,000 individuals are now eligible for driver's license services in Virginia. While applauding this legislation as a much-needed improvement in civil rights for immigrants, ReEstablish Richmond is concerned that the DMV is unprepared to support a dramatic increase in customers with limited English proficiency. As described in the body of this report, even before COVID-19, the DMV was not providing meaningful access for English language learners to study for and take the learner's permit Knowledge Exam, resulting in preventable, repeated visits to the DMV to retake the Exam. Now, while customers are experiencing major delays in scheduling DMV appointments due to COVID-19, the demand for these appointments has intensified, further multiplying all of the issues outlined in the addendum and the body of this report, denying access to DMV services, and compounding the negative impact on all newcomers with limited English proficiency, including those applying for Driver Privilege Cards. ***The potential for serving up to 300,000 in-person DMV customers emphasizes the urgent need for full language access – including reliable, clear, and easily comprehensible translations – of all study materials, the Exam, and the testing process.***

In addition to the urgent issues of language access already addressed, newcomer communities face significant barriers at the DMV regarding the recognition of valid documentation. In ReEstablish Richmond's experience, refugee and immigrant newcomers who possess legal residency documents and are eligible for REAL ID driver's licenses experience barriers in having their various immigration documents understood and accepted. Over the years of accompanying clients to the DMV, ReEstablish Richmond has witnessed many instances of inconsistent processing of documents due to lack of understanding the distinctions of legal presence documents, legal protections allotted to various immigration statuses, and refugee travel document expiration dates. When not accompanied by ReEstablish Richmond staff, many refugee clients have been turned away from the DMV even when they presented all the correct, valid paperwork required. ReEstablish Richmond is concerned that non-citizen Virginia residents will continue to experience barriers related to the understanding and acceptance of valid documentation. For example, ReEstablish Richmond staff have witnessed DMV personnel refusing services to eligible clients whose full given name on their passport does not appear exactly the same on their Social Security card or utility bill, having been abbreviated in the acclimation process due to American confusion, misunderstanding, and/or ignoring the cultural practice of double surnames that is common in Central and South American countries. This barrier is relevant to the majority of people who are eligible for Driver Privilege Cards.

As well as navigating additional categories of immigration status as part of the legal provisions of this new type of driver's license, DMV personnel must also process documentation related to an individual's tax filing status. In the first month of Driver Privilege Card availability, eligible applicants experienced barriers when DMV personnel mistakenly declared electronically filed tax forms as invalid. Virginia residents who file an individual tax return electronically, as recommended for faster service, receive their 760 form electronically. In conversation with the Virginia Department of Taxation, ReEstablish Richmond has verified that, when printed, this form is labeled 760 CG, indicating that it has been computer generated. Both 760 and 760 CG forms are valid Virginia tax returns and should be accepted by the DMV for Driver Privilege Card applications. In conjunction with improving language access, getting clear about the range and provisions of valid U.S. immigration documentation as well as distinctions of valid Virginia tax documentation will improve DMV services, reduce frustration on behalf of DMV personnel as well as customers, and avoid discrimination at the DMV while empowering hundreds of thousands of Virginia residents to become safe, licensed drivers.

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