

Am I liable for an accident caused by my friend when he was driving my car with my permission?

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Yes, in Massachusetts at least. When you lend your car to a friend, you take on risk. As you can imagine, the losses can be significant. Take the factual situation described in *In re Gentile*, where a judgment was entered against car owners for millions for an accident caused by their grandson while he was driving their car with their apparent consent. *Gentile v. DeGiacomo (In re Vittorio and Lydia Gentile)* B.A.P. Docket No. 12-071 (decided May 20, 2013). (Even before judgment, the plaintiff in the case obtained a pre-trial attachment on the Gentile's real estate.) After judgment, the Gentiles filed for bankruptcy, but to date, that effort has not stopped the trustee from getting approval to sell their investment property. The story continues on at this time, but it may end that the car owners here lose a significant amount of money from the damages physically caused by their grandson while using their car. The bottom line is that, as the car owner, you may incur significant liability for the damages caused by another person driving your car.

The moral of the story is to realize that you are taking on risk when you lend your car out to a friend or family member and to consider the same before handing over the keys.

In the event that you think talking to a lawyer about a legal situation you face, with respect to liability or otherwise, feel free to give this office a call.

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