

Recently I was asked if someone were to let their friend drive their car, one that has no insurance coverage, and the driver had an accident, then who would have to pay the damages. I had to do a bit of a double take on the question of course since I would never advise anyone driving an uninsured car in the first place. But on reflection, I suppose it is a question that bears at least some consideration and an answer.

Now I'm not an attorney so I don't want to even pretend to answer a legal question but let me start by giving you my opinions and thoughts on this unusual question. My first thought is that you should never, ever, go one day with an uninsured vehicle on the roads in North Carolina. Now, having said that, I also recognize that there are up to 15% of the cars on our NC highways every day that have no insurance in force. This can happen inadvertently when people forget to pay their car insurance bill or the payment gets lost in the mail or the check that they use to pay their insurance bill bounces. And of course there are also a number of drivers out there that simply choose to be uninsured.

With those thoughts out of the way, what will probably happen if you loan your car to a friend and your friend has an accident that is his fault. Who will pay for the damages? I'm sure that different circumstances may generate different results but in general both the person driving the car and the person who owns the car can be held liable for the damages. Can you demand that your friend pay for the damages and leave you out of the matter? Of course you can but whether or not you succeed will probably depend on if your friend knew the car was uninsured when he borrowed it, as well as the nature of what caused the accident and the degree to which your car's condition had an impact on the accident happening in the first place.

Your friend may have some protection that derives from his own personal auto insurance policy, assuming he has one in place on his own cars. In that case he has protection for himself, but not you. If he relies on his insurance company to step in and pay the first dollar damages, then it is very likely that his insurance company will turn around and sue you for the damages that they paid for on his behalf.

Now, if you are uninsured and loaning out your vehicle to others, you must understand that you are increasing your risks by adding another driver and his or her skill to your list of uninsured liabilities. The way that I answered this question when asked in the first place is that if you are taking the time to worry about this before you loan out your car, then you should take the time to buy an insurance policy for your car because the law says you must and the risks to your assets are too great to ignore.

Letting A Friend Drive Your Uninsured Car?

Tuesday, 13 March 2012 06:01

If you find yourself without insurance on your car, please don't drive it until you are insured. If you would like help with your auto insurance policy, or if you just have questions about car insurance in North Carolina, please call us, toll free, at 877-687-7557 or visit us on the web at www.ClinardInsurance.com

.