

When Is a Vehicle Owner Liable for an Unsafe Family Driver in Georgia?

Owning the Car Isn't Enough by Itself, but Two Georgia Rules Can Make the Owner Answer for a Family Member's Crash

When a family member causes a [car accident](#) in someone else's vehicle, the owner isn't automatically responsible just because the car is in their name. Georgia law can still reach the owner through two rules: the family purpose doctrine and negligent entrustment.

At [Gary Martin Hays & Associates](#), our Georgia car accident lawyers look closely at who owned the car, who controlled it, and what the owner knew about the driver. Those details can decide whether a second insurance policy is available to the person who was hurt.

At a Glance

- **Ownership Alone Isn't Enough** – Georgia doesn't make an owner liable simply because the vehicle is titled in their name.
- **The Family Purpose Doctrine** – An owner can be liable when a household family member drives a car the owner provides for family use, with permission, while the owner keeps authority and control over it.
- **Negligent Entrustment** – An owner can be liable for lending a vehicle to someone the owner actually knows is incompetent or habitually reckless.
- **Permission Matters** – Both rules generally turn on whether the driver had the owner's permission at the time of the crash.
- **Signing a Teen's License Isn't Enough** – A parent doesn't become liable just by signing a minor's license application, though that parent can ask the state to revoke the license.

Why Owning the Car Doesn't *Automatically* Make Someone Liable

Georgia doesn't have a general statute that makes every owner responsible for anyone who drives their car. An owner's liability has to come from something more, such as a family agency relationship or the owner's own careless decision to hand over the keys.

Insurance is a separate question. Coverage generally follows the vehicle, so the owner's policy often comes into play even when the owner isn't personally at fault, which is why [accidents involving borrowed cars](#) can involve more than one insurer.

Commercial rental companies are a different story. A federal law known as the Graves Amendment gives them broad protection from owner-based liability in [rental car accidents](#), but family-owned vehicles don't get that shield.

How Georgia's Family Purpose Doctrine Works

The family purpose doctrine treats a family member driving a household car as the owner's agent in certain situations. When it applies, the owner can be held liable for the driver's negligence as if the owner had caused the crash.

The Court of Appeals of Georgia laid out the requirements in [Yim v. Carr](#). The owner has to have given permission to drive, the driver has to be a family member, the car has to have been used for a family purpose, and the owner has to have had the right to exercise authority and control over the vehicle.

That last element often decides the case. In *Yim*, a 28-year-old woman co-owned her car with her mother, and her parents' names were on the insurance policy and the loan.

The court still found no family purpose liability, because she paid the expenses, kept the only keys, and didn't need her parents' permission to drive. The deciding question was agency, not ownership.

The doctrine isn't limited to teenagers. It can reach any household family member when the elements fit, including a spouse, an adult child still living at home, or an aging parent whose driving has become unsafe with age.

When Negligent Entrustment Makes the Owner Liable

Negligent entrustment focuses on the owner's own conduct. Georgia courts describe it as liability that arises when an owner lends a vehicle to another person with actual knowledge that the driver is incompetent or habitually reckless, as the Court of Appeals repeated in [Bassett v. Winfield Farm, Inc.](#) in 2023.

Unlike the family purpose doctrine, negligent entrustment doesn't require a family relationship. It can apply to a friend, a roommate, or a coworker who borrows the car, as long as the owner gave permission and knew the driver was a danger.

Evidence that can show what an owner knew includes:

- **Prior Crashes and Tickets** – A history of wrecks, speeding tickets, or reckless driving citations the owner was aware of.
- **Alcohol or Drug Problems** – Known DUI arrests or drinking habits, which matter in [drunk driving crashes](#).
- **License Problems** – A suspended, revoked, or never-issued license that the owner knew about.
- **Medical or Vision Issues** – A condition the owner knew could make driving unsafe, such as seizures or failing eyesight.
- **Known Phone Habits** – Repeated texting or scrolling behind the wheel, which is especially common among [teen drivers](#).

Here's how the two rules compare:

Question	Family Purpose Doctrine	Negligent Entrustment
Who the driver can be?	A family member living in the owner's household	Anyone the owner lends the car to, family or not
What makes the owner liable?	An agency relationship, based on permission, family use, and the owner's authority and control	The owner's own negligence in handing over the keys
Does the owner have to know the driver was unsafe?	No, the owner answers for the driver's negligence through the agency relationship	Yes, the owner must have actual knowledge the driver was incompetent or habitually reckless
What can defeat the claim?	A lack of authority and control, as in <i>Yim</i> , or use that wasn't for a family purpose	No permission at the time of the crash, as in <i>Bassett</i> , or no proof of what the owner knew

What About Teen Drivers and the Parents Who Signed for Their License?

Teen drivers are where these rules come up most. According to [NHTSA's teen driving data](#), 2,320 people were killed in crashes involving a teen driver ages 15 to 18 in 2024, and speeding was a factor for 33% of the teen passenger vehicle drivers involved in fatal crashes that year.

Some states make a parent who signs a minor's license application liable for the teen's driving. Georgia's statute on [minors' license applications](#) doesn't impose that liability, but it does let the parent who signed ask the Department of Driver Services to revoke the license during the child's minority.

Georgia's separate parental liability statute, [O.C.G.A. § 51-2-3](#), is narrow. It covers only a minor's willful or malicious acts, up to \$10,000 plus court costs, and it expressly doesn't limit claims under the family purpose doctrine.

Household rules can cut both ways. In *Bassett*, a 14-year-old took her mother's Jeep without asking, in violation of a rule that she needed permission first, and the court held that her past use of the car and the accessible keys didn't prove permission for that trip.

Clear rules and supervision of teen drivers protect families, but they can also change the legal picture after a crash.

Take the case of a 17-year-old in Gwinnett County who drives his mother's SUV to school every day with her standing permission. He has two speeding tickets and a prior fender-bender she knows about, and one afternoon he rear-ends a stopped car while texting.

On those facts, the injured driver could pursue a family purpose claim against the mother, since her son lives with her and uses the car she provides with her permission. Her knowledge of his tickets and earlier crash could also support a negligent entrustment claim.

If he had taken the SUV at night against a clear rule, both claims might fail, leaving the teen's own coverage as the main source.

What Evidence Shows Who Controlled the Car?

Owner liability cases are won or lost on ordinary household facts. The records that usually matter most include:

- **Title and Registration** – Whose name is on the title, and whether the car was bought for one family member's use.
- **Who Paid for What** – Who made the car payments and covered gas, repairs, and insurance premiums.
- **The Insurance Declarations Page** – Which drivers the family listed on the policy, and whether any driver was excluded.
- **Keys and House Rules** – Who kept the keys, whether the driver needed to ask before using the car, and texts or messages that show permission.
- **The Driver's History** – Motor vehicle records, prior claims, and anything else showing what the owner knew before the crash.

Families don't always volunteer these details, and the insurer defending the owner will frame them in the most favorable light. Gathering them early, through written questions and depositions if a lawsuit is filed, keeps the story from being rewritten later.

How Insurance Fits Into an Owner Liability Claim

Georgia requires liability coverage of at least \$25,000 per person and \$50,000 per incident for bodily injury, plus \$25,000 for property damage, according to Georgia's [Office of the Commissioner of Insurance and Safety Fire](#). Many household policies cover family members and permissive drivers, but the details depend on the policy language.

Minimum limits rarely cover a serious injury. Establishing owner liability can matter because it may open the owner's policy, and if the available coverage still falls short, your own uninsured and underinsured motorist coverage may help close the gap. Knowing [what your injury case may be worth](#) helps show how much coverage you actually need to find.

Sometimes the Driver Isn't the Only One Who Should Answer for the Crash

Family-car cases often turn on details that aren't in the police report, such as who paid for the car, who held the keys, what house rules existed, and what the owner knew about the driver's history. Those facts usually have to be gathered before the insurers lock in their positions.

Our team can sort out every policy and every responsible party connected to the vehicle. [Get in touch with us](#) to learn whether the car's owner can be part of your recovery. Your consultation is free, and you won't owe a fee unless we win.