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Who's responsible for an accident during a test drive?

A test drive can be an accident waiting to happen. After all, the buyer isn't all that familiar with the car and its features, which means he or she will be fiddling with a bunch of knobs while driving. Additionally, the driver may be more focused on the car and how it's performing than on the road.

So what happens if a test driver hits another car? Is the

driver the only one responsible? Or can the dealership be held accountable too?

The answer can vary. One consideration is whether the driver was accompanied by the salesperson or someone else from the dealership. In most states, if the driver was alone he or she is fully responsible. Of course, it may be a different story if the dealership knew or should have known that it was unreasonably risky to let that particular customer take the car out for a spin.

On the other hand, if a salesperson was present the dealer can be held accountable, assuming that the salesperson had the right to direct the driver on where and how to drive the car and could have taken control at any time.

However, some states have concluded that it's unrealistic to think a passenger can control a vehicle more than the operator.

Because the law differs from state to state and can also vary depending on the situation, if you've been injured by someone who's taken a car on a test drive, make sure you ask your attorney how the law works where you live.

