

HOUSE RESEARCH

Bill Summary

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Background

This bill amends a longstanding law specifying that a driver of a motor vehicle is deemed to be the agent of the owner in case of an accident. The effect of this existing law is to make the owner legally liable for the accident. This is a type of what is called “vicarious liability,” in which the owner’s liability is secondary to the driver’s liability, which is primary. Making the owner liable makes the owner’s auto insurance coverage available. In 2005, the legislature moved this section from chapter 170 of statutes into chapter 169. This created uncertainty about what definition of “motor vehicle” applied to this section, because chapter 169 has its own definition of motor vehicle, which differs from the one that had applied to this section when it was in chapter 170, which was the definition in the auto insurance chapter (65B). The definition in chapter 169 is different, mainly by not including trailers when pulled by a motor vehicle. This bill specifies that the definition of motor vehicle that is in the auto insurance chapter still applies to this section.

Section

- 1 Driver deemed agent of owner.** Specifies that the definition of “motor vehicle” for purposes of this existing law is the definition used in the auto insurance chapter of Minnesota Statutes. The effect is to include as a motor vehicle a trailer when the trailer is connected to or being pulled by a motor vehicle.

Effective Date: Makes the section effective the day following final enactment and apply to lawsuits started or pending on or after that date.