

What is Required to File a Negligent Entrustment Claim?

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Negligent entrustment of a vehicle is **when someone lends his or her car to an individual who is incompetent or unable to operate the vehicle safely and the borrower causes an accident**. The owner of the vehicle can then be held responsible for both the drunk driver behind the wheel and others who may be injured or killed as a result. An experienced [California personal injury attorney](#) can answer your legal questions including, what is required to file a negligent entrustment claim?

If you have been in a [vehicle accident where the driver at fault](#) was not the owner of the vehicle, you may have legal grounds to file a negligent entrustment claim. **Johnson Attorneys Group will review your case to determine if you can file a negligent entrustment claim as a result of your accident**. We will fight for you to make sure you get quality medical care during recovery and receive full compensation for lost earnings, medical & therapy expenses, damages, loss of monetary support and funeral expenses. Call Johnson Attorneys Group today for a free consultation at 1.800.208.3538.



Who is Held Responsible for a Negligent Entrustment Claim?

Negligent entrustment is a legal theory that can encompass both the offending driver and the **owner of the vehicle who negligently loans the use of their vehicle while knowing that it may be dangerous or hazardous to the driver and others**. In the case of negligent entrustment of a motor vehicle to an individual who is intoxicated, both the drunk driver and the car owner are legally liable for any damages, injuries, and fatalities that may result.

Establishing Liability Under Negligent Entrustment

To determine liability under the theory of negligent entrustment of a motor vehicle, a qualified, experienced personal injury lawyer will apply the general principles of negligence. To prevail in a negligent entrustment claim your attorney must show that the vehicle owner either already knew or should have known that the individual who borrowed their vehicle was incompetent or prone to recklessness.

Theories to establish liability with a negligent entrustment of a motor vehicle claim:

Actual knowledge – A vehicle owner is liable when he or she knows that an individual borrowing their vehicle is impaired or incompetent to drive safely. Examples of a vehicle owner’s actual knowledge:

- Intoxication or impairment from substance abuse.
- Has a history of committing traffic violations.
- Has been involved in several auto accidents.
- Affected by a condition known to impair safe driving, like:
 1. Eyesight Problems
 2. Seizures
 3. Dementia
 4. Sleep Disorders

Constructive knowledge – The vehicle owner will still be liable even if a driver’s incompetence is not readily apparent but the owner or the community, in general, know of specific instances of incompetence.

Examples of constructive knowledge regarding an individual who has been entrusted with a vehicle from the owner:

- Has a prior poor driving record.
- Tends to drive recklessly.
- Current or history of substance abuse.
- Current or recovering alcoholic.
- Does not possess a valid driver’s license.

Contact a California Personal Injury Lawyer at Johnson Attorneys Group for a Free Case Evaluation

Do not hesitate to contact one of our auto accident injury lawyers if you or someone you love was injured in a car accident as a result of a vehicle owner lending their car to an impaired driver. Johnson Attorneys Group will review your case for free, and we will not charge you legal fees unless we win or successfully settle your case. Call us 1-800-208-3538 to see what we can do to help.