

HOUSE No. 2466

By Mr. Murphy of Brockton, petition of Paul Maurice Murphy and another for legislation to provide that negligence of an operator of a motor vehicle shall not be imputed to the owner. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Six.

AN ACT PROVIDING THAT NEGLIGENCE OF AN OPERATOR OF A MOTOR VEHICLE SHALL NOT BE IMPUTED TO THE OWNER.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Chapter 231 of the General Laws is hereby amended by in-
- 2 serting after section 85D the following section: —
- 3 *Section 85E.* In all actions to recover damages for injuries
- 4 to the person or to property or for the death of a person aris-
- 5 ing out of an accident or collision in which a motor vehicle is
- 6 involved and where the owner of a motor vehicle is riding in
- 7 it as a passenger, it shall be prima facie evidence that the
- 8 owner shall have relinquished his right of control of and to
- 9 said vehicle to the operator and unless it shall be proven that
- 10 the owner passenger had actual control of said vehicle, the
- 11 negligence of the operator shall not be imputed to the owner
- 12 passenger.

