

## **PARENTAL RESPONSIBILITY LAWS IN ALL 50 STATES**

Almost every state has some sort of parental responsibility law that holds parents or legal guardians responsible for property damage, personal injury, theft, shoplifting, and/or vandalism resulting from intentional or willful acts of their un-emancipated children. Such statutory liability may have certain conditions and limits attached to it, and virtually every such statute limits such parental liability to a certain dollar limit. However, such parental responsibility statutes do not abrogate or affect common law liability parents might otherwise have for failure to prevent children with dangerous propensities from committing foreseeable acts and damages. Parents are not automatically liable at common law for the acts of their children. Parental responsibility laws are one vehicle by which parents are held accountable for at least a minimal amount of damage caused by their children as a result of intentional acts or vandalism.

Most parental liability statutes specify specific ages or age ranges applicable to the statute. The age of majority in most of the United States is 18-years-old, but there are a few exceptions, such as American Samoa and Puerto Rico which still use 14-years-old as the age of majority. However, the age of majority is often different from the age below which parents are responsible for damage to person or property caused by their children. Hawaii enacted such legislation in 1846, more than a century before it became a state, and its parental responsibility law today remains one of the most broadly applied, with no monetary limits and liability imposed for both negligent and intentional torts by unemancipated minors.

### **Insurance Coverage for Parents' Vicarious Liability**

The important issue of whether a parent's homeowner's policy will provide liability indemnity coverage for the intentional acts of their minor children varies from state to state and can depend greatly on the language of the individual policy. It often depends on whether the courts interpret the term "intentional" from the perspective of all insureds or only the named insured. For example, New Jersey has held, in a case of first impression, that a homeowner's policy covers the parents' vicarious liability for their child's vandalism, because allowing the parents to insure against this liability will not subvert the goal of deterring delinquent behavior through parent supervision. *Prop. Cas. Co. of MCA v. Conway*, 687 A.2d 729, 732 (N.J. 1997). While this issue is beyond the scope of this chart, it is an important issue to consider in cases such as these.

Decisions from other jurisdictions support the conclusion that a homeowner's policy covers the vicarious liability of parents for the intentional acts of the parents' delinquent children. In *Arenson v. National Auto. and Cas. Ins. Co.*, 286 P.2d 816 (Cal. 1955), a minor son started a fire which damaged school property. The court looked at the definition of an "insured." In holding that the father was entitled to coverage, the court noted that he had not participated in the son's act. Relying on *Arenson*, a Texas Court of Civil Appeals ruled that a homeowner's insurance covered a named insured when his son, an added insured, damaged property of another. *Walker v. Lumbermens Mut. Cas. Co.*, 491 S.W.2d 696 (Tex. App. 1973). The court held that the policy covered the father's vicarious statutory liability for the damage caused by his son. Similarly, in *Unigard Mut. Ins. Co. v. Argonaut Ins. Co.*, 579 P.2d 1015 (Wash. App. 1978), the court held that the policy's exclusion for intentional acts did not exclude the parents from coverage for their eleven-year-old son who started a fire. Although both the boy and parents were "insureds," the policy provision between the insurer and the parents was separable from that between the insurer and the boy. Therefore, the parents were entitled to coverage for liability arising out of alleged

negligent supervision of their son. *See also, White v. LeGendre*, 359 So.2d 652 (La. App.1978) (holding mother covered under homeowner’s policy for vicarious statutory liability arising from son’s assault and battery on a minor child). A badly divided Ohio Supreme Court reached the contrary conclusion that a homeowner’s policy did *not* cover a father’s statutory liability for damage inflicted by his son on the property of another. *Randolf v. Grange Mut. Cas. Co.*, 385 N.E.2d 1305 (Ohio 1979). The court reasoned that although the liability may have been unexpected or accidental, the damage was not. Therefore, the damage did not constitute an “accident” or “occurrence” within the meaning of the policy. The Ohio court focused on the expected nature of the damage as distinguished from the unexpected nature of the liability.

The following is a summary of the laws in all 50 states with regard to the vicarious liability of parents for the acts of their un-emancipated children.

STATE	AUTHORITY	DOLLAR LIMIT ON PARENTS’ LIABILITY	APPLICABLE AGE	ADDITIONAL INFORMATION
ALABAMA	<u>Ala. Stat. § 6-5-380 (1975):</u> Real or Person Property	\$1,000	Minor (Under 18)	Parents or guardians liable when child causes intentional, willful, or malicious destruction to real or personal property.
ALASKA	<u>Alaska Stat. § 09.65.255:</u> Real or Personal Property <u>Alaska Stat. § 28.15.071:</u> Liability for Minor’s Driving	\$15,000 \$25,000 (If Insurance)	Minor (Under 18)	<u>§ 09.65.255:</u> Liability imposed on parent for child’s willful or malicious damage to real or personal property. <u>§ 28.15.071:</u> Parents, guardian, or responsible adult who signed for minor to receive drivers’ license will be liable for negligence or willful misconduct of minor while driving a motor vehicle.
ARIZONA	<u>A.R.S. § 12-661:</u> Willful Misconduct <u>A.R.S. § 28-3160:</u> Liability for Minor’s Driving	\$10,000	Minor (Under 18)	<u>§ 12-661:</u> Parents liable for child’s willful or malicious damage to person or property, including theft or shoplifting. <u>§ 28-3160:</u> If minor is guilty of negligence or willful misconduct while driving a motor vehicle, liability will be imputed to the person who signed the minor’s application for a drivers’ license.
ARKANSAS	<u>A.C.A. § 9-25-102:</u> Willful Misconduct <u>A.C.A. § 27-16-702:</u> Liability for Minor’s Driving	\$5,000	Minor (Under 18)	<u>§ 9-25-102:</u> Liability imposed on parents when child maliciously or willfully destroys property of a person, village, school district, religious or charitable organization, municipal corporation, or association. <u>§ 27-16-702:</u> Parent or guardian who signs application for drivers’ license will be liable with the minor for any damages caused by the negligence or willful misconduct operation of motor vehicle.

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CALIFORNIA	<p><u>Cal. Civ. Code § 1714.1:</u> Willful Misconduct</p> <p><u>Cal. Civ. Code § 1714.3:</u> Discharge of Firearms (If parent allows minor to have the firearm or allows it to be accessible).</p> <p><u>Cal. Veh. Code § 17707:</u> Liability for Minor's Driving</p> <p><u>Cal. Veh. Code § 17708:</u> Parents Civil Liability for Driving</p>	<p><u>§ 1714.1: Property:</u> \$25,000</p> <p><u>§ 1714.1: Medical, Dental, Hospital Costs:</u> \$25,000</p> <p><u>§ 38772: Vandalism:</u> \$25,000 (Including Atty's Fees) (Damage limitations will be adjusted every two years by the Judicial Council to reflect cost of living in California according to California Consumer Price Index. An insurer is not liable for more than \$10,000 for conduct imputed to parent).</p> <p><u>§ 1714.3:</u> \$30,000 for injury to or death of one person as result of any one occurrence, and \$60,000 for injury to or death of all persons as result of any one such occurrence.</p> <p><u>Driving Limits:</u> \$15,000 per person for bodily injuries, \$30,000 max per occurrence for bodily injuries, and \$5,000 max for property damage.</p>	Minor (Under 18)	<p><u>§ 1714.1:</u> Parents jointly and severally liable for willful misconduct causing injury, death or property damage. Liability generally imposed on parent when child has acted with "willful" misconduct; negligence of child is sufficient to impose liability on parents when child harms person or property while operating motor vehicle with parent's permission. Government Code § 38772 provides that cities and counties can make child and parent liable for cost of abatement of nuisance due to graffiti. Education Code § 48904 makes parents liable for injury or death caused by willful act of child to any fellow pupil or school employee. Penal Code § 490.5 covers shoplifting.</p> <p><u>§ 1714.3:</u> Parents liable if permitted child to have firearm or left it someplace accessible.</p> <p><u>§ 17707:</u> Person verifying minor's license application liable for driving of minor.</p> <p><u>§ 17708:</u> Parents jointly and severally liable for negligent driving of child.</p>
COLORADO	<p><u>C.R.S. § 13-21-107:</u> Property Damage/Personal Injury</p> <p><u>C.R.S. § 13-21-107.5:</u> Shoplifting</p> <p><u>C.R.S. § 42-2-108:</u> Liability for Minor's Driving</p>	<p><u>§ 13-21-107:</u> \$3,500</p> <p><u>§ 13-21-107.5:</u> \$250</p>	Unemancipated Minor (Under 18)	<p><u>§ 13-21-107 and § 13-21.107.5:</u> Liability imposed on parents for child's shoplifting or willful/malicious property damage or personal injury.</p> <p><u>§ 42-2-108:</u> If minor is guilty of negligence or wilful misconduct while driving a motor vehicle, liability will be imputed to the person who signed the affidavit of liability associated with the minor's application for a drivers' license.</p>
CONNECTICUT	<p><u>C.G.S.A. § 52-572:</u> Willful Misconduct</p>	\$5,000	Minor (Under 18)	<p>Liability imposed on parents when child's actions are willful or malicious; negligence of child is sufficient to impose liability on parents when child harms person or property while operating motor vehicle without permission of vehicle's owner.</p>

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DELAWARE	<u>21 Del. C. §§ 6104-6105:</u> Liability for Minor's Driving <u>10 Del. C. § 3922:</u> Vandalism	<u>§§ 6104-6105:</u> No Limits <u>§ 3922:</u> \$5,000	Minor (Under 18)	<u>§ 6104:</u> Parents, guardians or employer who signed license application liable for damages caused by minor driver. <u>§ 6105:</u> Owner of vehicle liable for damages caused by minor given permission to operate vehicle. <u>§ 3922:</u> Parents liable for intentional or reckless damage to real or personal property.
DISTRICT OF COLUMBIA	No Applicable Statutes	-----	-----	-----
FLORIDA	<u>F.S.A. § 322.09:</u> Liability for Minor's Driving <u>F.S.A. § 741.24:</u> Vandalism	<u>§ 322.09:</u> Unlimited <u>§ 741.24:</u> Actual Damages/No Limits	Minor (Under 18)	<u>§ 322.09:</u> Person verifying driver's license jointly and severally liable. <u>§ 741.24:</u> Parents liable for willful destruction or theft of property.
GEORGIA	<u>O.C.G.A. § 51-2-3:</u> Willful Misconduct Every person liable for torts committed by his wife or child by his command or in the prosecution and within the scope of his business, whether negligent or intentional. O.C.G.A. § 51-2-2.	\$10,000 Plus Costs	Minor (Under 18)	Parents liable for medical expenses or property damage caused by willful or malicious act of child.
HAWAII	<u>Haw. Rev. Stat. § 286-112:</u> Liability for Minor's Driving <u>Haw. Rev. Stat. § 577-3:</u> Tortious Acts <u>Haw. Rev. Stat. § 577-3.5:</u> Graffiti	Unlimited	<u>§ 286-112:</u> Minor (Under 18) <u>§ 577-3:</u> Unmarried Minor Child <u>§ 577-3.5:</u> Minor Child	<u>§ 286.112:</u> Joint and several liability is imposed on the person verifying driver's license. <u>§ 577-3:</u> Joint and several liability is imposed on parent for child's tortious acts. <u>§ 577-3.5:</u> Parents liable for graffiti damage and obligation to clean damage up.
IDAHO	<u>Idaho Code § 6-210:</u> Willful Misconduct <u>Smith v. Sharp, 375 P.2d 184 (Idaho 1962):</u> Liability for Minor's Driving	\$2,500	Minor (Under 18)	<u>§ 6-210:</u> Parents liable for willful economic loss (property damage, theft, medical expenses, lost wages) caused by child. <u>Smith v. Sharp, 375 P.2d 184 (Idaho 1962):</u> Joint and several liability will be imposed on the person signing the application for minor's driver's license.

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ILLINOIS	<p><u>740 I.L.C.S. § 115/3:</u> Property Damage/Personal Injury</p> <p><u>720 I.L.C.S. § 5/21-1.2:</u> Criminal Statute - Felony Institutional Vandalism</p> <p><u>720 I.L.C.S. § 5/16-25, § 5/16-27:</u> Retail Theft</p>	<p><u>§ 115/3:</u> \$20,000 Plus Atty's Fees (115/5)</p> <p><u>§ 5/21-1.2:</u> \$20,000 Plus Atty's Fees (115/5)</p> <p><u>§ 5/16-25, § 5/16-27:</u> \$20,000 actual damages for first act or occurrence of a wilful or malicious act; \$30,000 if a pattern or practice of wilful or malicious acts by a minor exists; also can recover taxable court costs and atty's fees.</p>	<p><u>§ 115/3:</u> Unemancipated Minor (Under 18)</p> <p><u>§ 5/21-1.2:</u> Unemancipated Minor (Under 18)</p> <p><u>§ 5/16-25, §5/16-27:</u> Above age of 11, but not 19.</p>	<p><u>§ 115/3:</u> Parents liable for wilful or malicious property damage or personal injury.</p> <p><u>§ 5/21-1.2:</u> Parents liable for child's damage to church, mosque, synagogue, cemetery, etc.</p> <p><u>§ 5/16-25, § 5/16-27:</u> Parents civilly liable for retail theft by child.</p>
INDIANA	<p><u>I.C. § 34-31-4-1:</u> Property Damage/Personal Injury</p> <p><u>I.C. § 9-24-9-4:</u> Auto Liability</p>	<p><u>§ 34-31-4-1:</u> \$5,000</p> <p><u>§ 9-24-9-4:</u> Unlimited</p>	<p><u>§ 34-31-4-1:</u> Child Living W/Parent</p> <p><u>§ 9-24-9-4:</u> Minor (Under 18)</p>	<p><u>§ 34-31-4-1:</u> Parents liable for harm / damage to person /property intentionally, knowingly or recklessly caused by child.</p> <p><u>§ 9-24-9-4:</u> Person verifying driver's license jointly and severally liable.</p>
IOWA	<p><u>I.C.A. § 613.16:</u> Property Damage/Personal Injury</p>	<p>\$2,000 for one act; \$5,000 for two or more acts to same claimant</p>	<p>Minor (Under 18)</p>	<p>Liability imposed on parents for any unlawful act of minor that causes injury to person or property.</p>
KANSAS	<p><u>K.S.A. § 38-120:</u> Willful Misconduct</p> <p><u>K.S.A. § 8-222:</u> Liability for Minor's Driving</p>	<p>\$5,000, Plus Court Costs; Unlimited if Parental Neglect</p>	<p>Minor (Under 18)</p>	<p><u>§ 38-120:</u> Liability imposed on parents for willful or malicious damage to person or property.</p> <p><u>§ 8-222:</u> If a vehicle owner permits a minor under the age of 16 to drive the vehicle, will be jointly and severally liable for any damages resulting from that minor's negligence.</p>
KENTUCKY	<p><u>K.R.S. § 405.025:</u> Vandalism</p> <p><u>K.R.S. § 186.590(1):</u> Auto Liability</p> <p><u>K.R.S. § 186.590(3):</u> Owner Entrusting Vehicle to Minor</p>	<p><u>§ 405.025:</u> \$2,500.00 max judgment against named parent in suit; \$10,000.00 limit of parental liability</p> <p><u>§ 186.590(1):</u> Unlimited</p> <p><u>§ 186.590(3):</u> Unlimited</p>	<p><u>§ 405.025:</u> Unemancipated Minor (Under 18)</p> <p><u>§ 186.590:</u> Minor (Under 18)</p> <p><u>§ 186.590:</u> Minor (Under 18)</p>	<p><u>§ 405.025:</u> Parents liable for willful marking/defacing of property if joined as defendant.</p> <p><u>§ 186.590(1):</u> Person liable for signing minor's driver's license application.</p> <p><u>§ 186.590(3):</u> Vehicle owner liable for entrusting vehicle to minor.</p>

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LOUISIANA	<u>L.S.A.-C. C. Art. 2318:</u> Property Damage/Personal Injury <u>L.S.A.-C. C. Art. 32:417:</u> Liability for Minor's Driving	Unlimited	Minor (Under 18) Residing With Parents	<u>Art. 2318:</u> Parents are liable for damage caused by their child. <u>Art. 32:417:</u> If a vehicle owner permits a minor under the age of 16 to drive the vehicle, will be jointly and severally liable for any damages resulting from that minor's negligence.
MAINE	<u>14 M.R.S.A. § 304:</u> Willful Misconduct <u>29-A M.R.S.A. § 1651:</u> Liability for Minor's Driving	\$800	Minor Between 7 and 17	<u>§ 304:</u> Parents liable for willful/malicious damage to person or property. <u>§ 1651:</u> Any owner who allows a minor to operate their vehicle will be jointly and severally liable for any damage resulting from minor's negligence.
MARYLAND	<u>Md. Code § 11-604:</u> Willful Misconduct <u>Md. Code § 16-107:</u> Liability for Minor's Driving	\$10,000	Minor (Under 18)	<u>§ 11-604:</u> Parents liable for restitution for minor's criminal acts. <u>§ 16-107:</u> Drivers' license application must be cosigned by parent or guardian, who will then be liable for negligent operation by minor.
MASSACHUSETTS	<u>M.G.L.A. 231 § 85G:</u> Willful Misconduct	\$5,000	Minor Between 7 and 18	Liability imposed on parents for minor's willful act that causes injury to person or damage to property.
MICHIGAN	<u>M.C.L.A. § 600.2913:</u> Willful Misconduct	\$2,500	Unemancipated Minor (Under 18)	Liability imposed on parents when child willfully or maliciously causes injury to person or damage to property.
MINNESOTA	<u>M.S.A. § 540.18:</u> Property Damage <u>M.S.A. § 611A.79:</u> Bias Offense	<u>§ 540.18:</u> \$1,000 <u>§ 611A.79:</u> \$5,000	<u>§ 540.18:</u> Minor (Under 18) <u>§ 611A.79:</u> Same	<u>§ 540.18:</u> Liability imposed on parents when child willfully or maliciously causes injury to person or damage to property. <u>§ 611A.79:</u> Liability imposed on parents when child commits bias offenses (race, color, religion, etc.). Parents are not liable if reasonable efforts are made to exercise control over minor's behavior.
MISSISSIPPI	<u>M.C.A. § 93-13-2:</u> Property Damage <u>M.C.A. § 97-15-1:</u> Vandalism <u>M.C.A. § 63-1-25:</u> Operating Vehicle	<u>§ 93-13-2:</u> \$5,000 Plus Court Costs <u>§ 97-15-1:</u> \$200 <u>§ 63-1-25:</u> Unlimited	<u>§ 93-13-2:</u> Between 10 and 18 <u>§ 97-15-1:</u> Minor (Under 21) <u>§ 63-1-25:</u> Minor (Under 17)	<u>§ 93-13-2:</u> Liability imposed on parents when child maliciously or willfully damages property. <u>§ 97-15-1:</u> Liability imposed on parents when child willfully defaces or damages sign, device, signal, bridge, underpass, or overpass. <u>§ 63-1-25:</u> Liability imposed on parents who signs child's driver's application and child negligently or willfully engages in misconduct.

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MISSOURI	<p><u>Mo. Rev. Stat. § 537.045:</u> Property Damage/Personal Injury</p> <p><u>Mo. Rev. Stat. § 302.250:</u> Liability for Minor's Driving</p>	\$2,000	Minor (Under 18)	<p><u>§ 537.045:</u> Liability imposed on parents when child purposefully marks or defaces property, or purposefully causes personal injury to another.</p> <p><u>§ 302.250:</u> Parent will be held liable when they knowingly allow a minor under 16 years of age to use their motor vehicle.</p>
MONTANA	<p><u>Mont. Code Ann. § 40-6-237:</u> Willful Misconduct</p> <p><u>Mont. Code Ann. § 61-5-108:</u> Liability for Minor's Driving</p>	\$2,500	Minor (Under 18)	<p><u>§ 40-6-237:</u> Liability imposed on parents when child willfully or maliciously damages property (does not apply to damages done to businesses).</p> <p><u>§ 61-5-108:</u> A minor's application for a drivers' license must be signed by parent or adult willing to assume liability for result of minor's negligence, unless a policy of insurance is in place to provide coverage for said minor.</p>
NEBRASKA	<p><u>Neb. Rev. Stat. § 43-801:</u> Willful Misconduct</p>	\$1,000	Minor (Under 19)	Liability imposed on parents when child willfully or intentionally causes injury to person or damage to property.
NEVADA	<p><u>N.R.S. § 41.470:</u> Personal Injury / Property Damage</p> <p><u>N.R.S. § 41.472:</u> Firearms</p> <p><u>N.R.S. §§ 483.300, 486.101:</u> Auto Liability</p>	<p><u>§ 41.470:</u> \$10,000</p> <p><u>§ 41.472:</u> Unlimited</p> <p><u>§§ 483.300, 486.101:</u> Unlimited</p>	<p><u>§ 41.470:</u> Minor (Under 18)</p> <p><u>§ 41.472:</u> Minor (Under 18)</p> <p><u>§§ 483.300 and 486.101:</u> Minor (Under 18)</p>	<p><u>§ 41.470:</u> Joint and several liability imposed on parents when a child willfully causes injury to person or damage to property.</p> <p><u>§ 41.472:</u> Liability imposed on parents for a child's negligent or willful misuse of a firearm, if child has been adjudicated delinquent or convicted of criminal offense, parent knows of child's propensity to commit violent acts, and parent knows that child intends to use firearm, or permits child to use firearm.</p> <p><u>§§ 483.300, 486.101:</u> Joint and several liability imposed on parents who signs a child's driver's application and child willfully or negligently causes injury or property damage while operating motor vehicle, or motorcycle.</p>
NEW HAMPSHIRE	<p><u>N.H. Rev. Stat. Ann. § 507:8-e:</u> Property Damage</p>	Unlimited	Minor (Under 18)	Liability imposed on parents when a child vandalizes real or personal property and the parents fail or neglect to supervise child, or to control the conduct of child.

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NEW JERSEY	<u>N.J.S.A. § 2A:53A-16:</u> Damage to Certain Transportation Infrastructure <u>N.J.S.A. § 18A:37-3:</u> Damage to School Property	<u>§ 2A:53A-16:</u> \$5,000, Plus Costs <u>§ 18A:37-3:</u> Unlimited	Minor (Under 18)	<u>§ 2A:53A-16:</u> Liability imposed on parents when a child willfully or maliciously causes damage to railroad, public utility, street railway, traction railway. <u>§ 18A:37-3:</u> Liability imposed on parents when a child damages school property.
NEW MEXICO	<u>N.M.S.A. § 32A-2-27 (1978):</u> Personal Injury/Property Damage <u>N.M.S.A. § 66-5-11 (1978):</u> Auto Liability	<u>§ 32A-2-27:</u> \$4,000, Plus Costs and Reasonable Atty's Fees <u>§ 66-5-11:</u> Unlimited	<u>§ 32A-2-27:</u> Minor (Under 18) <u>§ 66-5-11:</u> Minor (Under 18)	<u>§ 32A-2-27:</u> Liability imposed on parents when a child willfully or maliciously injures person, or willfully or maliciously destroys property. <u>§ 66-5-11:</u> Liability imposed on parents when a child commits willful or negligent acts in operation of motor vehicle and parent signed child's application for license or permit.
NEW YORK	<u>N.Y. Gen. Oblig. Law § 3-112(1):</u> Willful Misconduct	\$5,000	Child Between 10 and 18	Liability imposed on parents when child willfully, maliciously, or unlawfully destroys property; liability imposed on parent when child, with intent to deprive an owner and/or custodian of property, or to appropriate the same to himself or herself or to a third person, knowingly enters or remains in a building and wrongfully takes, obtains or withholds property from the building in which the personal property is owned or maintained; liability imposed on parent when child falsely reports an incident or places a false bomb.
NORTH CAROLINA	<u>N.C.G.S.A. § 1-538.1:</u> Willful Misconduct	\$2,000	Minor (Under 18)	Liability imposed on parents when child willfully or maliciously injures person or property.
NORTH DAKOTA	<u>N.D.C.C. § 32-03-39:</u> Property Damage <u>N.D.C.C. § 39-06-09:</u> Auto Liability	<u>§ 32-03-39:</u> \$1,000, Plus Costs <u>§ 39-06-09:</u> Unlimited	Minor (Under 18)	<u>§ 32-03-39:</u> Liability imposed on parents when child willfully or maliciously destroys property. <u>§ 39-06-09:</u> Joint and several liability imposed on parents when child commits negligent acts in operation of motor vehicle, such as negligent acts that harm people or property, and parent signed child's application for license or permit.



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OHIO	<p><u>Ohio Rev. Code Ann. § 2307.70:</u> Various Conduct</p> <p><u>Ohio Rev. Code Ann. § 3109.09:</u> Property Damage</p> <p><u>Ohio Rev. Code Ann. § 3109.10:</u> Personal Injury</p> <p><u>Ohio Rev. Code Ann. § 4507.07:</u> Auto Liability</p>	<p><u>§ 2307.07:</u> \$15,000 Plus Costs, Reasonable Expenses, Reasonable Atty's Fees</p> <p><u>§§ 3109.09 , 3109.10:</u> \$10,000, Plus Costs</p> <p><u>§ 4507.07:</u> Unlimited</p>	Minor (Under 18)	<p><u>§ 2307.07:</u> Joint and several liability imposed on parents for a child's acts of vandalism, desecration, or ethnic intimidation.</p> <p><u>§ 3109.09:</u> Liability imposed on parents when a child willfully causes damage to property.</p> <p><u>§ 3109.10:</u> Liability imposed on parents when a child willfully and maliciously assaults a person with a force likely to produce great bodily harm.</p> <p><u>§ 4507.07:</u> Joint and several liability imposed on parents who signed a child's application for license or permit and the child commits negligent or willful acts in operation of motor vehicle and such acts cause injury to another person or damage to property.</p>
OKLAHOMA	<p><u>Okla. Stat. Ann. Tit. 23, § 10:</u> Willful Misconduct</p> <p><u>Okla. Stat. Ann. Tit. 47, § 6-107:</u> Liability for Minor's Driving</p>	\$2,500	Minor (Under18)	<p><u>§ 10:</u> Limited to criminal or delinquent acts of child. <i>Westlake Presbyterian Church v. Cornforth</i>, 940 P.2d 1208 (Okla. 1996); Also applies to non-custodial parent. <i>In re J.L.M.</i>, 109 P.3d 336 (Okla. 2005).</p> <p><u>§ 6-107:</u> Any negligence by a minor while driving a motor vehicle will be imputed to the parent/adult who signed their drivers' license application.</p>
OREGON	<u>O.R.S. § 30.765:</u> Willful Misconduct	\$7,500	Minor (Under 18)	Liability imposed on parents when child commits intentional or reckless tort.
PENNSYLVANIA	<p><u>23 Pa. Code §§ 5502, 5505:</u> Personal Injury</p> <p><u><i>Kelly v. Seachrist</i>, 18 Pa. D. &amp; C.4<sup>th</sup> 514 (Com. Pl. 1993):</u> Liability for Minor's Driving</p>	\$1,000 limit per person injured by child's acts; \$2,500 limit per incident, regardless of number of injured persons.	Minor (Under 18)	<p><u>§§ 5502, 5505:</u> Liability imposed on parents when child is found liable or adjudged guilty of tortious act that causes injury to another person.</p> <p><u><i>Kelly v. Seachrist</i>, 18 Pa. D. &amp; C.4<sup>th</sup> 514 (Com. Pl. 1993):</u> If a minor is found to be operating a vehicle in a negligent manner on the highway without a driver's license, and in an unlicensed vehicle, a court could conclude that the minor committed a willful tortious act, and 23 Pa. Code §§ 5502 would apply.</p>

STATE	AUTHORITY	DOLLAR LIMIT ON PARENTS' LIABILITY	APPLICABLE AGE	ADDITIONAL INFORMATION
RHODE ISLAND	<u>R.I.G.L. 1956 § 9-1-3:</u> Willful Misconduct  <u>R.I.G.L. § 31-10-15:</u> Liability for Minor's Driving	\$1,500	Minor (Under 18)	<u>§ 9-1-3:</u> Joint and several liability imposed on parents when child willfully or maliciously causes damages to property or injury to another person.  <u>§ 31-10-15:</u> Any negligence by a minor while driving a motor vehicle will be imputed to the parent/adult who signed their drivers' license application, and they will be jointly and severally liable.
SOUTH CAROLINA	<u>S.C. Code Ann § 63-5-60:</u> Willful Misconduct  <u>S.C. Code Ann § 56-1-110:</u> Liability for Minor's Driving	\$5,000	Minor (Under 18)	<u>§ 63-5-60:</u> Liability is imposed on parents when child causes malicious or willful personal injury, theft, or destruction to or damages of property.  <u>§ 56-1-110:</u> Adult or guardian signing minor's drivers' license application will be jointly and severally liable for the motor vehicle negligence of the minor, unless there is a policy of insurance in place which provides required coverage.
SOUTH DAKOTA	<u>S.D.C.L. § 25-5-15:</u> Willful Misconduct	\$2,500 of Actual Damages, Plus Costs	Minor (Under 18)	Liability imposed on parents when child willfully or maliciously causes damage, except when child's conduct occurred through the operation of a motor vehicle.
TENNESSEE	<u>T.C.A §§ 37-10-101, 37-10-103:</u> Willful Misconduct  <u>T.C.A. § 55-50-312:</u> Liability for Minor's Driving	\$10,000 Unless Propensity to Commit Injurious Acts	Minor (Under 18)	<u>§ 37-10-101:</u> Liability imposed on parents when child willfully or maliciously injures person or property.  <u>§ 37-10-103:</u> Cap on damages does not apply when parents know, or should know, of child's propensity to commit injurious acts.  <u>§ 55-50-312:</u> Adult or guardian signing minor's drivers' license application will be jointly and severally liable for the motor vehicle negligence of the minor, and must also file proof of financial responsibility on behalf of minor.
TEXAS	<u>V.T.C.A. Family Code §§ 41.001 and 41.002:</u> Willful Misconduct	If child's conduct is willful or malicious, then \$25,000 cap applies. Successful plaintiff also entitled to costs and reasonable atty's fees.	Minor Under 18, But at Least 10	Liability imposed on parents for a child's negligent, willful, or malicious acts that cause property damage. However, child's acts must be reasonably attributable to parent's negligence in exercising parental duties.

STATE	AUTHORITY	DOLLAR LIMIT ON PARENTS' LIABILITY	APPLICABLE AGE	ADDITIONAL INFORMATION
UTAH	<p><u>U.C.A. 1953 § 78(A)-6-1113:</u> Property Damage and Interruption; Discharge of Object; Theft</p> <p><u>U.C.A. 1953 §§ 53-3-211, 53-3-212:</u> Auto Liability</p>	<p><u>§ 78(A)-6-1113:</u> \$2,000</p> <p><u>§ 53-3-211:</u> Unlimited</p>	Minor (Under 18)	<p><u>§ 78(A)-6-1113:</u> Liability imposed on parents if child intentionally damages or steals property, if child recklessly or willfully shoots an object at a vehicle, airplane, boat or train, or if child intentionally or unlawfully tampers with property of another and recklessly endangers human life or recklessly causes substantial interruption or impairment of a public utility service.</p> <p><u>§ 53-3-211:</u> Joint and several liability imposed on parents who signed child's application for driver's license or permit and child negligently injures person or damages property while operating motor vehicle.</p> <p><u>§ 53-3-212:</u> Joint and several liability imposed on parents who allow child to operate motor vehicle and child negligently injures person or damages property while operating motor vehicle.</p>
VERMONT	<u>Vt. Stat. Ann. Tit. 15, § 901:</u> Willful Misconduct	\$5,000	Unemancipated Minor (Under 18)	Liability imposed on parents when child willfully or maliciously injures person or property.
VIRGINIA	<p><u>Va. Stat. § 8.01-43:</u> Damage to Public Property</p> <p><u>Va. Stat. § 8.01-44:</u> Damage to Private Property</p> <p><u>Va. Code Ann. § 8.01-64:</u> Liability for Minor's Driving</p>	\$2,500	Minor (Under 18)	<p><u>§§ 8.01-43, 8.01-44:</u> Liability imposed on parents when child willfully or maliciously damages or destroys public (§8.01-43) or private (§8.01-44) property.</p> <p><u>§ 8.01-64:</u> If a parent or adult allows a minor under the age of 16 to drive a vehicle, they will be jointly and severally liable for damages resulting from that minor's negligence.</p>
WASHINGTON	<u>R.C.W.A. § 4.24.190:</u> Willful Misconduct	\$5,000	Minor (Under 18)	Liability imposed on parents when child willfully or maliciously injures person or defaces or destroys property.
WEST VIRGINIA	<u>W. Va. Code § 55-7A-2:</u> Willful Misconduct	\$5,000, limited to actual damages, court costs, and interest from date of judgment.	Minor (Under 18)	Liability imposed on parents when child willfully or maliciously injures person, destroys property, sets fire to forest or wooded area of another, or willfully takes property of another.

STATE	AUTHORITY	DOLLAR LIMIT ON PARENTS' LIABILITY	APPLICABLE AGE	ADDITIONAL INFORMATION
WISCONSIN	<p><u>Wis. Stat. § 895.035:</u> Property Damage, Theft, and Other Tortious Conduct</p> <p><u>Wis. Stat. § 343.15:</u> Auto Liability</p>	<p><u>§ 895.035:</u> \$5,000, plus court costs (prop damage); \$20,000, plus court costs, disbursements and reasonable atty's fees (school prop).</p> <p>Max recovery for retail theft is set in § 943.51 and is as follows: Retail Value (unless returned unused and undamaged), plus actual damages, plus exemplary damages (not to exceed two times retail value plus actual damages, or \$300 per violation).</p> <p><u>§ 343.15:</u> Unlimited</p>	<p><u>§ 895.035:</u> Minor (Under 18)</p> <p><u>§ 343.15:</u> Minor (Under 18)</p>	<p><u>§ 895.035:</u> Liability imposed on parents for child's damages to property, including school property, child's violation of ordinance prohibiting graffiti, the value of unrecovered property that was stolen by child; and for willful, wanton, or malicious act of child.</p> <p><u>§ 343.15:</u> Joint and several liability is imposed on the parents who signs the child's license application for the child's negligent or willful misconduct in operating a motor vehicle.</p>
WYOMING	<p><u>Wyo. Stat. § 14-2-203:</u> Willful Misconduct</p>	<p>\$2,000, Plus Costs</p>	<p>Minor Under 17, But Over 10</p>	<p>Liability imposed on parents if child willfully damages or destroys property.</p>

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