

Rule 411. Liability Insurance

Evidence that a person was or was not insured against liability is not admissible upon the issue whether the person acted negligently or otherwise wrongfully. This rule does not require the exclusion of evidence of insurance against liability when offered for another purpose, such as proof of agency, ownership, or control, or bias or prejudice of a witness.

(Amended effective January 1, 1990.)

Committee Comment - 1977

The rule is in agreement with the approach currently followed in Minnesota that evidence as to whether a person is or is not insured against liability is inadmissible upon the issue of negligence or wrongful conduct. See Olson v. Prayfrock, 254 Minn. 42, 44, 94 N.W.2d 540, 542 (1958). Such evidence may be admissible to prove other issues, such as bias of a witness. See Scholte v. Brabec, 177 Minn. 13, 16, 224 N.W. 259, 260 (1929). The rule is obviously not intended to apply to those cases in which liability turns on whether or not a person was insured. See Minnesota Statutes 1974, section 65B.67.