

GUEST COLUMN

Five tips to help you buy a car after a divorce

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If you're splitting up with your spouse, you may need to buy a new or used car. Be careful.

A formerly one-car family may need a second vehicle so the separated spouses can go about their own lives. Or maybe the family already has two cars: a big one with room for the kids and their stuff, and a second smaller one with no room for car seats and overnight gear.

In these cases, the most important considerations for a successful purchase are optics and safety. Here are five tips that will make buying a car after a separation less likely to cause problems in divorce court:

1. No high performance sports cars, and no luxury brands

Jokes and cartoons often show newly separated husbands with a broad smile and a fist pump, saying: "Now I can buy my Porsche! Or maybe a Maserati!"

This is probably a bad idea, unless it's clear to everyone – including your spouse's lawyer – that you've got a lot of money and you will make a generous settlement.

If you come to court "crying poor," pleading that you don't have enough money to pay what you consider excessive child and spousal support demands, a judge will probably take a negative view of the impracticality and extravagance of a high-performance car and rule against you. And if you buy a respectable, practical, five-year old Mercedes, BMW or Lexus for the price of a new Accord or Camry, the courts may ignore the reality of used-car prices and think of the luxury brands not as great value, but as irresponsible.

The courts are very aware that the money spent on a car cannot be spent on child or spousal support. They think if you can afford a Porsche or an Audi, you can afford more for your children.

2. Lifestyle changes with divorce

During the marriage, a couple may have had a luxurious lifestyle, driving to the country club or the grocery store in a \$70,000 sedan or a \$100,000 SUV.

But now the two incomes need to support two households, and it may mean that the \$100,000 Range Rover must be sold, replaced perhaps by two new Jeeps. Or, more likely, it's one Camry traded in for two used Corollas.

3. Paperwork and insurance

Driving records and demographics affect insurance rates. Many married couples register the family car in the name of the spouse with the lowest insurance rate. This needs to end.

Teenagers or drivers in their early 20s may have to be covered on both the mother's and the father's insurance.

And if the father borrows the mother's car, which has the child seats, to take the kids out for dinner on his mid-week visit, what's the insurance situation?

4. Your car-related credit is up in the air

Some of the decisions about what kind of car you have are out of your control because of changes to your credit.

It's common for husbands and wives to co-sign car loans, so you need to think back – what did we do? Do you have responsibility for monthly payments for a car you no longer drive?

5. Safety first, last and always

You may end up paying more for a car than you intended because you need to anticipate your spouse's lawyer raising the spectre of tragedy because you did not buy a safe enough automobile to carry your children.

Can the air bags be turned off if children are in the front seat? (See this section of the [Transport Canada website](#) and search for "airbag deactivation.") If it's a long drive to pick up or return children, is four-wheel drive and a big SUV necessary to keep them safe? Impala or Cruze? Is a big, more expensive, car safer than a smaller one?

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