

If Someone Takes a Ride, Does He Have to Chip in For Gas and Tolls?

Rav Yosef Greenwald, Rav of K'hal Dexter Park

Question: If someone offers someone else a ride, and they don't make up anything beforehand, is the passenger obligated to chip in towards the expenses of the trip?

Answer: There is a rule of "*zeh neheneh v'zeh lo chaseir*." If one person derives benefit from someone else, but the other person has no loss, the first person is not liable to pay.

Regarding the gas and tolls, it would seem that this is a case of *zeh neheneh v'zeh lo chaseir*. The driver would have had to pay the same amount with or without a passenger. Even though the passenger is having a benefit from the ride, he isn't costing the driver anything; therefore, it would seem that he cannot be charged.

However, the Nesivos Hamishpat says that *zeh neheneh v'zeh lo chaseir* is only *patur* after the fact. If one person derived benefit from someone else who lost nothing, the second person cannot demand to be paid retroactively. Going forward, however, he can ask for payment. This would mean that if two people are traveling together, they are both equally responsible to pay for the gas and tolls, and those expenses should be split 50-50.

It would seem that wear and tear of the car, on the other hand, is not part of the traveling itself and is not an expense that the passenger is liable for.