

13-1616. Accident alone not negligence.

The mere happening of an accident is not evidence that any person was negligent. Neither the fact that damages are claimed due to the accident nor the fact that this lawsuit was filed is evidence of any negligence on the part of any person.

USE NOTES

This is a proper instruction in a tort case and covers the three factors that frequently influence a jury. The basic instruction can be modified and used in other cases.