### IDJI 2.47 - Imputed negligence – adult signing minor’s license application

INSTRUCTION NO. \_\_\_\_\_

The adult who has signed the application of a minor for a driver’s license is liable with the minor for damages caused by the negligent act or omission of the minor in driving a motor vehicle.

Comment:

This instruction may be used if appropriate in cases involving imputed negligence under Idaho Code Section 49-310. See, also, Smith v. Sharp, 85 Idaho 17, 375 P.2d 184 (1962). If the signing adult has been relieved of liability by the provision of liability insurance as provided in Idaho Code Section 49-310(3), this instruction should not be sued.

By statute, the standard for liability may be other than “negligence”. See, e.g., Idaho Code Section 49-2415 (intentional act, intoxication, or gross negligence). The committee is of the opinion that such is consistent with the terms “any negligence or willful misconduct” in Idaho Code Section 49-310(2), and the appropriate term should be inserted in such case.