### IDJI 2.41.2 – Imputation of negligence to passenger – issue of fact on agency

INSTRUCTION NO. \_\_\_\_

 If you find that the driver was the [agent] [employee] [partner] [joint venturer] of the passenger, and further find that the driver was acting within the course and scope of that [agency] [employment] [partnership] [joint venture] at the time of the occurrence which is the subject of this suit, then the negligence of the driver, if any, is imputed to the passenger. In all other events, the negligence of the driver is not charged against the passenger.