

5.34 PROPERTY DAMAGE IN MOTOR VEHICLE ACCIDENTS
(Approved 10/2009; Revised 01/2019)

A. Photographic Evidence

A number of photographs of one or more of the vehicles involved in the accident have been introduced into evidence. These photographs show the damage or depict the condition of the vehicles after the impact. As judges of the facts, you may attribute such weight to the photographs as you deem appropriate taking into consideration all of the other evidence in this case.

In some accidents resulting in extensive vehicle damage, the occupants may suffer minor injuries or no injuries at all. In other accidents where there is no or little apparent vehicle damage, the occupants may suffer serious injuries. In reaching your decision in this matter, you are to give the photographs whatever weight you deem appropriate. They are but one factor to be considered, along with all other evidence, in determining whether the plaintiff sustained injuries as a result of the accident.¹

B. Lack of Photographic Evidence

In this case, you have heard testimony regarding the damage to the motor vehicle(s) involved in the accident. The testimony discussed the damage or explained the condition of the vehicle(s) after the impact. (*Where applicable: You*

¹ See *Brenman v. Demello*, 191 N.J. 18 (2006).

also heard testimony about the lack of damage to the vehicle(s) from the impact.)

As judges of the facts, you may attribute such weight to the testimony about the damage (*or lack of damage*) to the motor vehicles as you deem appropriate taking into consideration all of the other evidence in this case.

In some accidents resulting in extensive vehicle damage, the occupants may suffer minor injuries or no injuries at all. In other accidents where there is no or little apparent vehicle damage, the occupants may suffer serious injuries. In reaching your decision in this matter, you are to give the testimony as to the vehicle damage whatever weight you deem appropriate. The testimony is but one factor to be considered, along with all other evidence, in determining whether the plaintiff sustained injuries as a result of the accident.²

² *Abdurraheem v. Koch*, 456 N.J. Super. 496 (Law Div. 2018).