

# ***Presenting Motor Vehicle Damages in a Civil Suit***

In a civil action in any court, whether in contract or tort, to recover for damages to a motor vehicle evidence as to such damages may be presented by an itemized estimate or appraisal sworn to by a person who also makes oath:

1. that she/he is a motor vehicle repairman, estimator or appraiser qualified to determine the amount of such damage or diminution in value;
2. the approximate length of time that she/he has engaged in such work; and
3. the trade name and address of her/his business and employer.

## **Important**

Such estimate shall not be admitted unless by consent of the adverse party or his counsel, or if the damages are in excess of \$1,000, a true copy of an affidavit is mailed or delivered to the adverse party or his counsel not less than 7 days prior to the date fixed for trial. If the damages to the motor vehicle are of \$1,000 or less, the copy may be presented at the time of trial.

For more information see Virginia Code § [8.01-416](#) Affidavit re damages to motor vehicle.

## **Form**

See the [Affidavit of Damages to Motor Vehicle](#).