

****Title:**** Rebutan et al. vs. Daganta Spouses and Viloría: A Study on Negligence and Right of Way in Traffic Accidents

****Facts:****

On May 3, 1999, a tragic vehicular accident occurred in Barangay Mabanglit, Zambales, involving a Kia Ceres driven by Jaime Lomotos, with Cecilio Rebutan, Sr. as the passenger, and an Isuzu-powered passenger jeepney driven by Willie Viloría. The collision resulted in severe injuries to Rebutan, Sr., who later succumbed to his injuries, and Lomotos. The heirs of Rebutan, Sr. initiated a complaint for damages on February 15, 2000, against Viloría and the jeepney's owners, spouses Edmundo and Marvelyn P. Daganta, claiming compensation for the loss of life and other damages.

The respondents contested the allegations, blaming the Kia's driver for the accident and filing counterclaims for damages and a third-party complaint against Lomotos, which was later dismissed.

The RTC found Viloría and the Daganta spouses jointly liable, attributing negligence to Viloría as the jeepney's driver. This judgment was reversed by the Court of Appeals, which dismissed the complaint, finding instead that Lomotos did not yield the right of way according to the pertinent traffic rules.

The petitioners then elevated the matter to the Supreme Court, challenging the appellate court's findings and insisting on Viloría's negligence.

****Issues:****

1. Whether Viloría was negligent at the time of the collision despite having the right of way according to the Court of Appeals.
2. The proper interpretation and application of Section 42(a) and (b) of Republic Act No. 4136 with regards to the right of way and the duty of care required from drivers at intersections.
3. Whether the contributory negligence of a vehicle's driver can affect the passengers' or their heirs' right to claim damages.

****Court's Decision:****

The Supreme Court granted the petition, overturning the CA's ruling and reinstating the RTC decision. It held that both Lomotos and Viloría were negligent—Lomotos for speeding and Viloría for not exercising due caution when making the left turn, despite the approaching Kia Ceres. The Court clarified that Viloría, contrary to the CA's interpretation,

did not automatically have the right of way while making a left turn and had a duty to yield to vehicles coming from the opposite direction. Furthermore, it stated that the negligence of a vehicle's driver does not bar passengers or their heirs from claiming damages, establishing that the drivers' concurrent negligence makes them jointly liable.

****Doctrine:****

1. The right of way at intersections, as prescribed by Section 42 of RA 4136, does not absolve drivers from the duty of care towards vehicles from the opposite direction. Drivers making a left turn must yield to oncoming traffic.
2. Even if a vehicle has the statutory right of way, the driver must still drive with due regard for the safety of others and refrain from arbitrary exercises of such right.
3. The negligence of a driver does not preclude passengers or their heirs from claiming damages arising from a vehicular accident.

****Class Notes:****

- ****Right of Way:**** Under RA 4136, drivers approaching an intersection must yield the right of way to vehicles on the right but also must observe caution and prudent speed, especially when making a left turn.
- ****Negligence:**** The failure to observe for the safety of those affected by one's actions or inactions, particularly in obeying or disregarding traffic laws.
- ****Contributory Negligence:**** While contributory negligence of a driver can affect the liability for damages, it does not automatically bar recovery for passengers or their heirs who were not responsible for controlling the vehicle.
- ****Joint Tortfeasors:**** When two parties concurrently exhibit negligence leading to an incident, they can be considered jointly liable for resulting damages.

****Historical Background:****

The *Rebultan vs. Daganta* case emphasizes the importance of cautious driving and adherence to traffic laws in the Philippines. It clarifies the legal interpretation of the right of way at intersections and highlights the responsibilities of drivers to prevent accidents, reflecting the evolving jurisprudence on vehicular negligence and compensation for damages.