

### Title:

Primicias v. Municipality of Urdaneta: A Challenge to the Validity of Ordinance No. 3, Series of 1964

### Facts:

On February 8, 1965, Juan Augusto B. Primicias was stopped by the Municipal Police of Urdaneta, Pangasinan, for allegedly violating Municipal Ordinance No. 3, Series of 1964, by overtaking a truck near a school zone. His driver's license was confiscated, and he was issued a temporary permit. Subsequently, a criminal complaint was lodged against him in the Municipal Court of Urdaneta under the contested ordinance. Challenging the ordinance's validity, Primicias filed a lawsuit in the Court of First Instance of Lingayen, Pangasinan, seeking to annul Ordinance No. 3, Series of 1964, and requested a preliminary injunction against its enforcement by the Municipality of Urdaneta, along with other defendants. The trial court ruled in favor of Primicias, declaring the ordinance null and void, and issued a permanent injunction against its enforcement. The defendants, including the Municipality of Urdaneta, appealed to the Supreme Court.

### Issues:

1. Whether Municipal Ordinance No. 3, Series of 1964, is null and void.
2. If the ordinance conflicts with Section 35 par. b(4) of Republic Act 4136, the Land Transportation and Traffic Code.
3. Whether the ordinance's terms are clear and definite.
4. If the issuance of an ex-parte writ of preliminary injunction against criminal proceedings was appropriate.

### Court's Decision:

The Supreme Court affirmed the decision of the lower court, upholding that Ordinance No. 3, Series of 1964, is null and void due to the following justifications:

1. The ordinance contravened Republic Act No. 4136, which superseded Act No. 3992 and provided comprehensive regulation on traffic and speed limits, rendering the ordinance in conflict with the said Act.
2. It failed to adhere to mandatory requirements of classification of streets and highways as laid down in Section 38 of RA 4136, and did not secure the necessary approval from the Land Transportation Commissioner.
3. The ordinance lacked clarity and definiteness, particularly failing to differentiate between types of vehicles which could lead to enforcement issues due to its vagueness.
4. The issuance of a writ of preliminary injunction was deemed appropriate given that the

ordinance was invalid, preventing the unreasonable enforcement of a void legislative action and safeguarding constitutional rights.

**### Doctrine:**

- Municipal ordinances must conform to and not contravene statutes. An ordinance in conflict with a law is void.
- Clarity and definiteness are essential requisites for the validity of an ordinance, especially when it pertains to regulatory actions that affect the public.

**### Class Notes:**

Key elements underscored in this case include:

- The hierarchy of laws: municipal ordinances cannot contravene national laws.
- The importance of clear and definitive terms in legislative drafting to avoid ambiguity and ensure enforceability.
- Statutes conferring powers to local bodies are considered mandatory, implying duties rather than conferring privileges.
- Legal statutes or provisions cited: Republic Act No. 4136 (Land Transportation and Traffic Code), Section 35 par. b(4), Section 38, Section 62.

**### Historical Background:**

This case reflects the legal challenges regarding local government powers versus national laws in the context of traffic regulation in the Philippines. By invalidating Urdaneta's Municipal Ordinance No. 3, Series of 1964, the Supreme Court underscores the primacy of national legislation (RA 4136) over local ordinances in regulating traffic and transport, highlighting the necessity of adherence to statutory requirements for the enactment of valid local laws and regulations.