

****Case Title:****

****Spouses Buenaventura Jayme and Rosario Jayme vs. Rodrigo Apostol, Fidel Lozano, Ernesto Simbulan, Mayor Fernando Q. Miguel, Municipality of Koronadal, and The First Integrated Bonding and Insurance Company, Inc.****

****Facts:****

1. ****Accident Date and Parties Involved:****

- On February 5, 1989, Mayor Fernando Miguel of Koronadal was on board an Isuzu pick-up truck driven by Fidel Lozano, an employee of the Municipality of Koronadal.
- The pick-up truck was registered under Rodrigo Apostol but was in possession of Ernesto Simbulan at the time. Lozano borrowed the truck from Simbulan to take Mayor Miguel to Buayan Airport in General Santos City.

2. ****Accident Details:****

- While crossing the National Highway in Poblacion, Polomolok, South Cotabato, Marvin C. Jayme, a minor, was struck by the pick-up truck, sending him fifty (50) meters due to the collision's impact, indicating Lozano was driving at high speed.
- Marvin sustained severe injuries and was hospitalized but died six days later.

3. ****Filing of Complaint:****

- Marvin's parents, Spouses Buenaventura and Rosario Jayme, filed a complaint for damages against Lozano, Miguel, Apostol, Simbulan, the Municipality of Koronadal, and The First Integrated Bonding and Insurance Company, Inc.
- They argued Lozano's negligent and reckless driving was the cause of Marvin's death and claimed damages against all respondents.

4. ****Responses:****

- Apostol and Simbulan denied responsibility, stating Lozano took the truck without their consent.
- Mayor Miguel and Lozano claimed Marvin's sudden crossing made it unavoidable. Mayor Miguel denied being present in the vehicle at the time of the accident.
- The Municipality of Koronadal and the insurance company denied liability. The insurance company argued that the claim had expired.

5. ****RTC Decision (January 25, 1999):****

- Dismissed claims against the Municipality of Koronadal, Simbulan, and the insurance company.

- Ordered Lozano, Apostol, and Mayor Miguel to jointly and severally pay the Jaymes actual, moral, and exemplary damages, attorney's fees, and litigation expenses totaling P316,101.40.

6. **Appeal to the CA:**

- Mayor Miguel appealed, contending he was not Lozano's employer, hence not liable.
- The CA reversed the RTC's decision regarding Mayor Miguel, holding that the Municipality of Koronadal was Lozano's employer.

7. **CA Decision (October 22, 2003):**

- Concluded Mayor Miguel wasn't Lozano's employer and thus couldn't be held liable for the accident.

Issues:

1. **Whether Mayor Fernando Miguel can be held liable for the death of Marvin Jayme as Lozano's employer under the principle of vicarious liability.**
2. **Whether the CA's findings of fact were contrary to those of the RTC and contradicted by the evidence on record.**
3. **Whether the doctrine of vicarious liability/imputed liability could be applied to Mayor Miguel, thereby holding him responsible for Lozano's negligent actions.**

Court's Decision:

1. **On Mayor Miguel's Employer Status:**

- Article 2180 of the Civil Code does not apply to Mayor Miguel as he was not Lozano's employer. The Municipality of Koronadal was the true employer.
- The CA correctly applied the four-fold test, establishing the Municipality as Lozano's employer and maintaining it even when Lozano was assigned to Mayor Miguel.

2. **On Control and Supervision:**

- Mayor Miguel, being a mere passenger, regardless of instructions he might have given to Lozano, doesn't establish employer-employee control.
- Jurisprudence (Belen v. Belen, Soliman Jr. v. Tuazon, Handley v. Lombardi etc.) was used to support this finding, reinforcing the notion that mere supervision does not result in vicarious liability.

3. **On Municipality's Immunity:**

- As per 'Municipality of San Fernando, La Union v. Firme,' municipal corporations performing governmental functions are immune from suit.

4. **On Registered Owner Liability (Rodrigo Apostol):**

- Affirmation that registered vehicle owners are liable for damages resulting from their vehicle's operation.

Doctrine:

1. **Vicarious Liability/Imputed Liability Principles:**

- An employer-employee relationship must be established to hold one vicariously liable for another's actions under Article 2180.
- The rule of registered vehicle owner liability for damages.

2. **Immunity of Municipal Corporations:**

- Municipalities are generally immune from suit for torts committed in the performance of governmental functions.

Class Notes:

1. **Vicarious Liability Test:**

- Determine employer-employee relationship via power of selection, payment of wages, right of control over work methods, and right of suspension/dismissal.
- Reference: Civil Code Article 2180.

2. **Immunity of Municipalities:**

- Municipal functions vs. proprietary functions.
- Reference: 'Municipality of San Fernando, La Union v. Firme.'

3. **Registered Owner Liability:**

- Rule on the liabilities of registered vehicle owners.

Historical Background:

- The case highlights the complexities of assigning liability in vehicular accidents involving government officials and vehicles.
- It reaffirms established legal principles about vicarious liability and the limited immunity of municipalities in the Philippine legal context.