



Republic of the Philippines

City of Pagadian

Sangguniang Panlungsod

(12th City Council)

## CITY ORDINANCE NO. 2018-400

*Sponsor: Committee on Public Utilities, Transportation, Communication & Franchising*

### **"AN ORDINANCE PROVIDING FOR THE ROAD NETWORK AND TRANSPORTATION MANAGEMENT CODE OF PAGADIAN CITY"**

Be it ordained by the Sangguniang Panlungsod (12th City Council) of Pagadian City that:

#### **BOOK I. — GENERAL PROVISIONS**

##### **CHAPTER 1 — TITLE AND SCOPE**

###### **Article 1 — Title and Objective**

Section 1. TITLE. — This code shall be known as the "Road Network and Transportation Management Code of Pagadian City."

Section 2. OBJECTIVE. — This code is enacted to establish procedures and mechanism in safeguarding and protecting lives and properties through efficient and effective road and transportation management.

Section 3. SCOPE AND APPLICATION. — This Ordinance provides for the traffic rules and regulations in the thoroughfares of the City, whether national or local in classification; pedestrian rules and regulations; vehicle stops and public transport terminals; the use of sidewalks and alleys; road use by all motor vehicles including motorized tricycles and pedicabs, bicycles, animal or horse-drawn rigs, pushcarts and other forms of conveyances, whether public or private; day-parking zones, night-parking zones and pay parking zones; and in general, such other rules and regulations hereinafter promulgated in furtherance of an optimum utilization of the road network in the City of Pagadian.

Section 4. DECLARATION OF POLICY. — It is hereby declared the policy of the City of Pagadian that:

- a) the basic principle of this Code is to give public mass transport systems priority over commercial or industrial cargo vehicles, and privately owned vehicles on road use, the hierarchy of priority of road use is as follows:
  - i) Mass transport vehicles include buses, vans and jeepneys, tricycles, and other forms of public mass transport vehicles excluding farm machineries used as mass transport and motorcycles as a means of public transportation.
  - ii) Food delivery vehicles include fish cars, meat van, vegetable trucks, fruit trucks, cargo trucks carrying milled or unmilled rice or corn, and other cargo vehicles loaded with perishable food stuffs.
  - iii) Delivery/cargo trucks carrying construction and hardware materials, dry goods, electric and electronic items and such other items used in commerce.
  - iv) Privately owned vehicles and motorcycles including military transport vehicles not on emergency run.

- b) the flow of people and goods through the road network shall be as efficient, safe, unhampered and orderly as possible for the economic and social vitality and viability of the city;
- c) urban road space is a scarce commodity the competing use of which must be allocated for the greatest good and the greatest number through judicious, fair, participatory and informed traffic management system;
- d) traffic problems and issues must be resolved in a rational manner, guided by facts and shaped through consultation, collaboration, and coordination with the surrounding Municipalities in the Province of Zamboanga del Sur as well as national agencies like the Department of Public Works and Highways and the Department of Transportation and Communications;
- e) the public has the right to be informed a priori, and to participate in the formulation, of any measures that may affect their community and traveling habits.

## **Article 2 — Definitions**

**Section 5. DEFINITION OF TERMS.** — The following terms, words and phrases s used in this Code shall mean:

- 1) Abandoned vehicle – any vehicle unattended for more than twenty-four (24) hours on a city street.
- 2) Authorized maintenance vehicle – any vehicle of the City Government used in street lighting, traffic signal, highway construction and highway repair and maintenance works.
- 3) Authorized tow vehicle – vehicle specially designed for towing, other than trucks and farm or road tractors, as designated and authorized as such by the City.
- 4) Acceleration lane – a speed change lane used for increasing speed and merging with fast moving vehicles.
- 5) Bicycle – any two-wheeled vehicle propelled solely by human power.
- 6) Bicycle path or lane – a way established for the exclusive use of bicycle, including tricycles propelled by human power, but excluding pushcarts and animal drawn vehicles.
- 7) Built-up area – a type of street normally characterized by relatively low speeds, wide ranges of traffic volumes, narrower lanes, frequent intersections and driveways, significant pedestrian traffic, and prevalence of businesses and houses.
- 8) Cargo or Delivery Truck – shall include all types of trucks including delivery vans and other light vehicles used for the delivery of merchandise and similar items.
- 9) Center – in relation to a thoroughfare, it means the line or a series of lines, marks or other indications at the middle thereof or, in the absence of any such line, line marks, or other indications, the middle of the main traveled portion of the thoroughfare.
- 10) Channelized intersection – an intersection provided with islands meant to guide and limit movements of vehicles.

- 11) Clearway – a length of carriageway generally defined by signs, along which vehicles may not stop or be left standing at times of the day as provided on the signs.
- 12) Colorum Vehicle – a privately owned vehicle or motorcycle soliciting passengers from the public and used as a public conveyance vehicle without the covering franchise or permit to operate as such.
- 13) Conductor or Helper – refers to a person who assist the driver of a public utility vehicle in collecting fare from passengers and/or carrying cargoes of passengers.
- 14) Deceleration lane – a speed change lane used for decreasing speed, preparatory to stopping or exiting a fast lane.
- 15) Dispatcher – refers to a person who solicits passengers and/or facilitates the orderly loading and unloading of passengers and their cargoes.
- 16) Divided road – a highway or road with separated carriageways for traffic traveling in opposite directions.
- 17) Driver – Any person operating or having control of the directional and motive power of a vehicle.
- 18) Emergency vehicle – means a motor vehicle:
  - a) conveying members of the police force on urgent police duty;
  - b) of a fire brigade traveling to or on duty at any place in consequence of a fire or an alarm of fire;
  - c) being an ambulance or any other vehicle, answering an urgent call or conveying to a hospital any injured or a sick person urgently;
  - d) being used to obtain or convey blood or other supplies, drugs or equipment for a person urgently requiring treatment which may or may not carry a siren, bell or repeater horn for use as a warning instrument; or
  - e) duly authorized as an emergency vehicle or purposes of this Code by the appropriate authority;
  - f) privately-owned vehicles operated as an emergency vehicle carrying a patient bound for a hospital using hazard lights and/or repeated blowing of horn.
- 19) Footway – that portion of the road set aside for pedestrian use only.
- 20) Franchise – the legal document issued and approved by an appropriate body (Land Transportation Franchising and Regulatory Board, Motorized Tricycles Regulatory Board) authorizing the operation of the vehicle in a particular territorial area or jurisdiction;
- 21) High beam – means a beam of light projected from vehicle headlights such that the main bright portion of the beam thereof rises above the horizontal plane passing through the lamp centers parallel to the road level upon which the vehicle stands.
- 22) Highway – refers to the following portions of the national road and all such other national roads that shall be established hereafter within the jurisdiction of the city:
  - a) from the city boundary in Barangay Buenavista to Tawagan Bridge (J.P Rizal Avenue);
  - b) from the airport road junction in Tiguma to the airport;

- c) F.S. Pajares Avenue from J.P. Rizal Avenue junction towards the Pagadian City wharf.
- 23) Horn – refers to any and all devices used for signaling by sound.
- 24) Intersection – the place at which two or more roads cross.
- 25) Lane Hogging – shall refer to the act of occupying more than one lane of a road for a length of time not called by traffic conditions.
- 26) Laned Street – means a thoroughfare divided into two or more marked lanes for vehicular traffic.
- 27) Low beam – shall refer to the beam of light projected from vehicle headlights such that none of the main bright portion of the beams thereof rises above a horizontal plane passing through the lamp centers parallel to the road level upon which the vehicle stands.
- 28) Marked crosswalk – a portion of a thoroughfare between two parallel lines marked across the thoroughfare, intended for use of pedestrian.
- 29) Merging – the converging of separate streams of traffic into a single stream.
- 30) Minor – includes any person below eighteen (18) years old or those over but are unable to fully take of themselves for abuse, neglect, exploitation or discrimination because of physical or mental disability or condition.
- 31) Motorcycle – refers to any two-wheeled engine-driven vehicle not used for public transportation.
- 32) Motor vehicle – any conveyance designed to be self-propelled, and includes any vehicle designed to be propelled by electric power obtained from overhead wires but not operated upon rails.
- 33) No Parking Area – means a portion of a thoroughfare between two consecutive "No Parking" signs and with arrows pointing generally towards each other or other appropriate signs.
- 34) One-Way Street – means a thoroughfare on which vehicles are permitted to travel in one direction only, as indicated by appropriate signs or signals.
- 35) Overtake – to pass or attempt to pass a slower-moving vehicle traveling in the same direction.
- 36) Parallel Parking – the mode of parking by which the vehicle is parked parallel to or aligned with the direction of the road.
- 37) Parked Vehicle – a vehicle is deemed to be parked if it is:
  - a) unattended by a driver; or
  - b) stationary for a period of at least one (1) minute and not picking up or setting down persons or goods; or
  - c) the engine is switched off.
- 38) Parking Area – means a portion of the thoroughfare where parking is permitted as indicated by appropriate notices or parking signs.
- 39) Pedestrian – any person on foot, in a perambulator or in a wheeled chair—motorized or not.
- 40) Perishable Goods – shall mean food items with limited shelf life if not refrigerated. This shall include meat, poultry, fish and dairy products.
- 41) Public Place – any place where the public have access.

- 42) Public Utility Vehicle – shall refer to any and all types of vehicles operated for public transportation: buses, jeeps, taxi, motorized tricycles and pedicabs.
- 43) Reckless Driving – the act by which a person while driving a motor vehicle fails to take due care and careful regard to persons and properties thus resulting in death or injury to persons or damage to properties and other vehicles.
- 44) Road – the entire surface of any street open to traffic; sometimes called street or highway, constituting the whole area of the land surface designed or used for the passage of vehicles, whether motorized or not, exclusive of sidewalks and shoulders forming part of the right-of-way.
- 45) Roads and Traffic Management Office – refers to the department or office of the City Government designated and authorized to perform traffic engineering, planning, education, and/or enforcement activities.
- 46) Road Marking – any traffic control device laid out or painted on the surface of the road or carriageway used to regulate traffic or to warn or guide road users, used either alone or in conjunction with other signs or signals to emphasize or clarify their meaning.
- 47) Roundabout – an intersection where all traffic travels in one direction around a central or circular island.
- 48) Rural Barangays – are those local government units comprising the City of Pagadian not included in the listing of barangays classified as urban under existing City Ordinances and its updates;
- 49) Separation Line – a line marked on the pavement of a thoroughfare to separate traffic traveling in opposite direction.
- 50) Slow Moving Vehicle – refers to trisikad, push-cart and animal-drawn carriage, whether for hire or for private use.
- 51) Standing – a vehicle is said to be standing if it is stationary for the time needed to pick up or set down persons or to load or unload goods.
- 52) Stop line – a line marked across the thoroughfare near a traffic control signal, stop sign, children's crossing or intersection.
- 53) Thoroughfare – means that portion of a road improved, designed or used for vehicular travel exclusive of the shoulder and footway.
- 54) Through Street – shall refer to a road on which the movement of traffic is given preferential passage or right of way over vehicles entering or crossing at intersections.
- 55) Tinted Glass – shall refer to the shade and/or color of the windshield and the side or back glass windows of a vehicle which as a result limits or hampers the view to the interior of the vehicle. Tints shall be in the form of smoked glass, one-way glass and such other similar types of laminating films or coats.
- 56) Traffic Control Signal – means any device using a word or words, a symbol or symbols, a colored light or lights or any combination thereof, operated mechanically, electrically, manually or otherwise by means of which traffic may be controlled or regulated.
- 57) Traffic Island – a defined area within the roadway, usually at an intersection and set off above ground level, from which traffic is intended to be excluded and which is used for control of vehicular movements and as pedestrian refuge.

- 58) Trailer – a vehicle not otherwise self-propelled, usually attached to the rear of a motor vehicle.
- 59) Tricycle – refers to a motor vehicle composed of a motorcycle fitted to a single-wheeled sidecar or motorcycle with two wheeled cab or any three-wheeled passenger conveyance.
- 60) Trisikad – also known and referred to as pedicab, refers to a human propelled bicycle with sidecar used in ferrying or transporting passengers, goods, things or cargoes for a fee.
- 61) Two-way thoroughfare – means any thoroughfare where traffic is permitted in opposite directions.
- 62) U-turn – means a movement which causes a vehicle facing or traveling in one direction to face or travel in the opposite, or substantially the opposite direction.
- 63) Vehicle- means any conveyance or device propelled or drawn by a fuel-fed or electric-driven engine or any other means; and includes the bicycle and, where the context permits, includes an animal driven or ridden, but does not include a train.
- 64) Waiting – means a vehicle permitted to remain stationary with the motor running.
- 65) Wheel Clamp – Also known as tire lock means a device or any similar equipment that will be used to immobilize illegally parked vehicles that have been issued official parking violation notices
- 66) Yellow Box – the portion of the intersection marked with yellow lines that should be kept clear of vehicles at all times.

## **CHAPTER 2 — GENERAL DRIVING RULES**

### **Article 1 — Traffic Courtesy and Discipline**

**Section 6. KEEPING AS FAR RIGHT AS PRACTICABLE.** – Unless otherwise provided for in this Code, a driver shall keep his vehicle so close as practicable to the right boundary of the thoroughfare except where there are two or more lanes marked on the thoroughfare which are available exclusively for traffic in the direction he is traveling.

**Section 7. DEFENSIVE DRIVING.** – Every driver shall operate a motor vehicle on any road with reasonable caution considering the width, traffic, grades, crossing, curvatures, visibility and other conditions of the road and the conditions of the atmosphere and weather, the safety of properties and the right of other persons and to prevent unreasonable damage to the road.

**Section 8. USE OF SEATBELTS.** – A driver of any motor vehicle, as well as passengers occupying the front seats and other specified locations, must wear a seat belt as provided for under Republic Act No. 8750 and the implementing rules and regulations issued by LTO.

**Section 9. USE OF HORNS, ETC.** – No person shall use or cause to be used the horn or any other warning instrument on a vehicle, except when necessary as a traffic warning or as indication that the driver of the vehicle intends to overtake another vehicle.

**Section 10. TURNING, REVERSING, PARKING AND STOPPING. —**

a) Right Turns. – A driver who is about to make a right turn at an intersection shall drive the vehicle in such a manner that when it reaches the intersection it shall be to the right of any vehicle abreast of his vehicle and traveling in the same direction or at the rightmost lane of the thoroughfare or, if a lane is so provided, the vehicle has to be in a marked lane allocated exclusively to right-turning vehicles.

Right turns may be performed anytime; provided, the road intersection being entered into is clear of incoming traffic.

b) Left Turns. – Left turns may only be permitted in streets where such vehicle maneuver is allowed. Such that a driver who is about to make a left turn at an intersection shall:

- 1) Where he is traveling on a two way thoroughfare, approach and enter the intersection so that his vehicle is to the center of the thoroughfare; or
- 2) Where he is traveling on a one-way thoroughfare, approaches and enters the intersection so that his vehicle is parallel to and as near as practicable to the left boundary or leftmost lane, of the thoroughfare or, if a lane is so provided, the vehicle has to be in a marked lane allocated exclusively to left-turning vehicles.
- 3) In the case of a bicyclist who is about to make or is making a left turn at an intersection, shall maneuver his vehicle in a manner such that he shall approach the intersection parallel to and as near as practicable to the right boundary of the thoroughfare.
  - i) He shall enter the intersection and proceeds in a straight line until his bicycle is as near as practicable to the prolongation of the right boundary of the thoroughfare he is about to enter; and
  - ii) He must turn his bicycle to the left and after giving way to vehicles on his left and right before proceeding to leave the intersection in accordance with the provisions of this Section.

c) U-Turns. – U-turn maneuvers may only be allowed in designated road sections/intersections. A driver shall cause his vehicle to make a U-turn when the road being entered into is open and there is no probability of colliding with another vehicle or interfering with the free movement of traffic;

d) Use of Turn and Stop Signals:

- 1) A driver shall not turn right or left or diverges right or left or stop or suddenly decrease speed or make a U-Turn without giving a signal as prescribed in this Section.
- 2) A driver who is about to turn right or left, diverge right or left, stop, suddenly decrease speed or make U-turn shall signal his intent of doing so for such time as is necessary to give reasonable warning to drivers approaching from behind.
- 3) For purposes of and without limiting the generality of the preceding instructions, a signal shall be deemed to give reasonable warning if given continuously:
  - i) while a vehicle is traveling 30 meters immediately before it commences to turn and during any period when it is stationary before it comes to turn;
  - ii) while a vehicle is traveling 30 meters immediately before it commences to diverge right or left; or

- iii) while the brakes of the vehicle are applied before it stops or while it is slowing down;
- 4) Any signal required by this Section shall be given
  - i) in the case of a signal of intention to stop or reduce speed suddenly, by means to stop lamp or red lamps; or
  - ii) in the case of a signal of intention to turn right or left, diverge right or left to make U-turn, by means of a flashing orange lamp signaling device.

**Section 11. OVERTAKING.** – Overtaking may be done but with strict adherence to the established speed limits prescribed in this code:

- a) When overtaking a moving vehicle, a driver shall pass to the left of that vehicle and shall not drive in front of it until his vehicle is safely clear; Provided, That, where a thoroughfare has two or more marked lanes, vehicles traveling in one of those lanes may overtake and pass to the right of a vehicle traveling in another of those lanes, if traffic conditions permit him to do so with safety;
- b) A driver overtaking a vehicle making or apparently about to make a left turn shall pass to the right of it;
- c) When overtaking a vehicle on a two-way thoroughfare:
  - 1) If the thoroughfare is not divided into three lanes, a driver shall not drive to the left of the center of the thoroughfare, unless the left side of the thoroughfare is free of oncoming traffic far enough ahead to permit the overtaking movement to be completed in safety.
  - 2) If the thoroughfare is divided into three lanes, a driver shall not drive in the center lane unless that lane is free of oncoming traffic far enough ahead to permit the safe execution of the overtaking movement.

**Section 12. GIVING WAY TO OVERTAKING VEHICLES.** – Except where overtaking on the right is permitted, the driver of a vehicle being overtaken shall not increase the speed of his vehicle until it has been completely passed by the overtaking vehicle, and shall yield in favor of the overtaking vehicle upon the driver of the overtaking vehicle sounding and/or signaling a warning instrument.

**Section 13. GIVING WAY AT INTERSECTIONS.** – a) A driver approaching or passing through an intersection shall exercise special care and, where appropriate, drive at a reduced speed.

- b) A driver approaching an intersection from one thoroughfare shall give way to any vehicle which has entered the intersection except that where two vehicles have entered at the same time the driver which as the other vehicle on his right shall give way.

**Section 14. GIVING WAY DURING TURNS.** – a) A driver who intends to turn, is turning or has turned to the left at an intersection, shall give way to any vehicle which has entered or is approaching the intersection from the opposite direction.

- b) A driver turning to the right or left at an intersection shall give way to all pedestrians.
- c) A driver making a U Turn shall give way to all other vehicles and to all pedestrians

Section 15. MOVEMENTS TO OR FROM PARKED AREAS. – a) When driving towards or getting out from a parked area, a driver shall give way to all other vehicles using the street.

b) A driver shall not move in reverse out of a parking area or cross the center of a thoroughfare, unless traffic conditions permit him to do so.

Section 16. OPENING DOORS AND ALIGHTING FROM VEHICLES. – A person shall not open or leave open a door of a vehicle or alight from a vehicle unto a thoroughfare, so as to cause danger to other person using the road or so as to impede the passage of traffic.

Section 17. APPROACH OF EMERGENCY VEHICLES. – A driver shall give way and make reasonable effort to give a clear and uninterrupted passage to every emergency vehicle sounding a siren, bell or repeater horn, or using other signals to indicate an emergency.

Section 18. ENTERING OR LEAVING A ROAD. –

a) A driver entering a road from land abutting shall:

- 1) except when proceeding pursuant to an instruction of a traffic control signal, a traffic policeman, a traffic aide or other duly authorized traffic enforcer, give way to all vehicles traveling in either direction along the road;
- 2) give way to all pedestrians on the road.

b) A driver leaving a road to enter land abutting, shall give way to all vehicles traveling in the opposite direction and to all pedestrians on the road.

Section 19. OPERATION OF SIGNALING DEVICES. – a) A driver shall not permit a signaling device on his vehicle to remain in operation after the completion of the turn or divergence in respect of which the device was put into operation.

b) Such signaling devices must comply with the specifications for that device prescribed by the Land Transportation Office (LTO).

Section 20. PASSING VEHICLE. – A driver passing a vehicle traveling in the opposite direction shall keep to his right relative to that vehicle.

Section 21. DRIVERS NOT TO OBSTRUCT TRAFFIC. – A person shall not, without proper cause, drive a vehicle abnormally slow or in such other manner as to obstruct, hinder, or prevent the free passage of any person or vehicle. In a thoroughfare with two or more lanes in the same direction, lane hugging or occupancy of more than one lane for a length of time not called by traffic conditions shall be considered as an obstruction.

Section 22. OBSTRUCTING ROADS. – a) A person shall not, without the written permission of the traffic management authority, drive or leave standing any vehicle on a road for the purpose of:

- 1) soliciting employment or business from the vehicle;
- 2) displaying an advertisement on the vehicle; or
- 3) offering goods for sale from the vehicle.

b) A person shall not stand or place himself on a thoroughfare for the purpose of:

- 1) soliciting contributions;
- 2) display any advertisement; or

- 3) offering goods for sale.
- c) A person in vehicle shall not buy or offer to buy an article from any person standing or placed on a thoroughfare.
- d) A person shall not bar, impede or divert the flow or direction of traffic from any road, street or highway, unless authorized in writing or except when the closure of a road or any part thereof to traffic or the diversion of traffic is dictated by reasons of emergency to protect the public from any calamity, fire or other public danger.
- e) The prohibition contained herein shall also apply to the use of sidewalks by vendors, repair shops or any establishments.

**Section 23. DRIVING IN LANES ON THOROUGHFARE.** – a) A driver shall drive his vehicle as nearly as practicable entirely within single marked lane or a single line of traffic and shall not move literally from such lane or line of traffic until he can do so safely.

- b) A driver traveling along a marked lane any boundary of which is a single unbroken line shall not permit any part of his vehicle to cross that line, except when safety demands otherwise.

**Section 24. DRIVING THROUGH ROUNDABOUTS OR ROTUNDAS.** – A driver passing through a traffic roundabout shall drive to the right of the central traffic island.

**Section 25. KEEPING RIGHT OF DOUBLE YELLOW LINES.** – Where a thoroughfare is marked with a double yellow longitudinal line comprising of yellow continuous lines; or a yellow continuous line on the right of a white broken line; a driver shall not permit any portion of his vehicle to travel on or over or to the left of the double yellow longitudinal line.

**Section 26. METHOD OF PARKING VEHICLES.** – Any driver who parks or leaves a vehicle waiting on a thoroughfare where parking is allowed shall:

- a) park the vehicle as near as practicable to the right boundary of the thoroughfare, in the case of a road on which vehicles are permitted to travel in both directions;
- b) in the case of a road on which vehicles are permitted to travel in one direction only, park the vehicle as near as practicable to left boundary of the road and parallel to the boundary of the thoroughfare so that not less than 3 meters of the width of the thoroughfare between the vehicle and the far boundary of the thoroughfare is available for the movement of other vehicles;
- c) park entirely within the confines of a single bay where parking bays are marked on the thoroughfare;

It shall be the responsibility of the driver to ensure that the vehicle shall be situated only within the designated area. Any violation to specified provision shall be deemed an infraction and shall be accordingly penalized.

**Section 27. PARKING RESTRICTIONS.** – Any driver shall not be allowed to:

- a) leave a vehicle waiting in a "No Stopping Area" for any purpose;
- b) leave a vehicle waiting in a Parking Area contrary to any limitation in respect of days, period of the day, classes of vehicles indicated by the inscription on the sign or signs associated with the area. However, under this rule, a person

may park a vehicle in a "No Parking Area" or leave a vehicle waiting in a "No Waiting Area or "No Stopping Area" under the following conditions:

- 1) during any time that the restriction is suspended by reason of the inscription on the sign or signs associated with the area; or
- 2) if the inscription on the sign or signs associated with the area exempts his vehicle from the restriction imposed within the area.

**Section 28. USE OF ON-STREET PARKING SPACES TO SOLICIT OR WAIT FOR PASSENGERS.** – Public utility vehicles and motorized tricycles for hire shall not be allowed at anytime to park their units within any of the designated parking spaces for purposes of soliciting and/or waiting for passengers.

**Section 29. DRIVING OR PARKING IN SIDEWALKS.** – Motor vehicles are prohibited from being driven in or parked on any part the sidewalk.

**Section 30. DRIVING IN RESERVED LANES.** – In order to encourage efficiency in the use of road space, specific lanes of a major thoroughfare may be reserved for certain types of vehicles such as public utility buses, jeepneys and other high occupancy vehicles. Vehicles not otherwise mentioned in the signs posted therein are prohibited, at times and days indicated, from being driven in those reserved lanes.

**Section 31. DRIVING OVER A YELLOW BOX.** – A portion of an intersection marked with a yellow box must always remain unobstructed and open for passage. A driver must not enter a yellow box if his exit road or lane from it is not clear, or if he cannot cross and go beyond the boundaries of the box in time before the traffic signal, if any, turns to red.

**Section 32. PEDESTRIAN CROSSING.** – a) A driver approaching a pedestrian crossing shall travel at such a speed that, if necessary to comply with this section, he will be able to stop his vehicle before reaching the pedestrian crossing.

- b) A driver shall give way to any pedestrian who is on a pedestrian crossing.
- c) A driver shall not permit any portion of his vehicle to enter upon a pedestrian crossing even if any vehicle headed in the same direction is stopped on the approach side of, or upon the pedestrian crossing apparently for the purpose of complying with this section.

**Section 33. OBEDIENCE TO TRAFFIC CONTROL SIGNALS AND SIGNS.** – Every person shall at all times observe and comply with the instructions of any traffic control signal applicable to him.

- a) The display by a traffic control signal of
  - 1) a green circle is an instruction that
    - i) a driver facing the referred traffic control signal may, subject to the provisions of this Article, proceed straight ahead, turn left or turn right unless a signal at the place prohibits either such turn. Vehicles turning right or left shall give way to any opposing traffic and/or pedestrians.
    - ii) A green signal and walking man symbol is an instruction that a pedestrian facing the traffic control signal may proceed across the thoroughfare;
  - 2) an amber circle alone is an instruction that
    - i) a driver facing the referred traffic control signal shall not proceed beyond the stop line or, in the absence of a stop line, the traffic

control signal itself, unless his vehicle is so close to the stop line or traffic control signal when the color amber first appears that he cannot safely stop his vehicle before passing the stop line or traffic control signal;

- ii) a pedestrian facing the traffic control signal shall not obstruct vehicles entering or approaching the intersection;
- 3) a red circle alone is an instruction that
  - i) a driver facing the referred traffic control signal shall not proceed straight ahead or turn left beyond the stop line or, in the absence of a stop line, shall not proceed straight ahead or turn left beyond the traffic control signal itself;
  - ii) a pedestrian facing the traffic control signal shall not obstruct vehicles entering or approaching the intersection;
- 4) a red square and standing man signal is an instruction that a pedestrian facing the traffic control signal shall not enter upon the thoroughfare;
- 5) a green arrow is an instruction that a driver facing the traffic control signal may proceed in the direction indicated by the arrow;
- 6) an amber arrow is an instruction that a driver facing the traffic control signal shall not, for the purpose of proceeding in the direction indicated by the amber arrow, proceed beyond the stop line or, in the absence of a stop line, shall not enter the intersection at or near which the traffic control line or the intersection when the amber arrow first appears that he cannot safely stop his vehicle before passing the stop line or entering the intersection;
- 7) A red arrow is an instruction that a driver facing the traffic control signal shall not for the purpose of proceeding in the direction indicated by the red arrow proceed beyond the stop line or, in the absence of a stop line, shall not enter the intersection at or near, which the traffic-control signal is erected.
- b) A driver shall not cause his vehicle to turn at any intersection contrary to the instruction to turn on any "No Turns", "No Left Turn", "No Right Turn" or "No U-turn" signs erected to face an approaching driver at or near the intersection.
- c) Where a "One Way" sign is erected to face a driver entering a thoroughfare to face an approaching driver, the driver shall not proceed on that thoroughfare beyond the sign.
- d) Where a "No Entry" sign is erected over or adjacent to thoroughfare to face an approaching driver, the driver shall not proceed on that thoroughfare beyond the sign.
- e) Where a "No Overtaking or Passing" sign is to face an approaching driver, the driver shall not overtake or pass a vehicle traveling the same direction.
- f) Where a "No Overtaking on Bridge" sign is erected near a bridge to face an approaching driver, the driver shall not overtake a vehicle on the bridge;
- g) a driver shall not drive a vehicle and its load, including trailer attached to it, when it exceeds the weight indicated on the bridge load limit sign facing the driver.

- h) Where a "Keep Right" sign is erected to face an approaching driver, the driver shall pass to the right of the sign;
- i) Where a "Keep Left" sign is erected to face an approaching driver, the driver shall pass to the left of the sign.
- j) Where a "Stop" sign is erected to face a driver who is approaching or has entered an intersection, the driver shall:
  - 1) Stop his vehicle before reaching and as near as practicable to the stop line associated with the sign or, in the absence of a stop line, at the point nearest the first intersecting thoroughfare where he has a clear view of traffic approaching the intersection; and
  - 2) On reaching and after passing such sign, give way to any vehicle which is entering or within or leaving the intersection, except where that vehicle:
    - i) is facing or has passed a "Stop" sign or a "Give Way" sign erected at the intersection, and
    - ii) is about to turn, or is turning at the intersection.
- k) Where a "Give Way" (or "Yield") sign erected to face a driver who is approaching or has entered an intersection, the driver shall on reaching or after passing such sign give way to any vehicle which is entering or within or leaving the intersection road, except where that vehicle:
  - 1) is facing, or has passed a "Stop" sign or "Give Way" sign erected at the intersection, and
  - 2) is about to turn, or is turning at the intersection;
- l) Where a "Give Way" sign is erected to face a driver approaching a bridge, the driver shall not pass the sign while any vehicle traveling in the opposite direction is between the sign and far end of the bridge.
- m) Where a "No U-Turn" sign is erected adjacent to a thoroughfare to face an approaching driver, the driver, shall not make a U-Turn while he is between the sign and the far side of the first intersection beyond the sign, nor shall a driver who enters the thoroughfare between the sign and the intersection and travels towards the intersection make a U-Turn before he has passed the intersection.

Section 34. SPEED RESTRICTIONS. – a) No person shall operate, run or drive a vehicle on any street in this city, at rate of speed greater than that permitted by law.

b) Subject to the provisions of the preceding paragraph, the rates of speed of vehicles shall under no circumstances exceed the respective values given in the following:

<u>Trucks, Cars &amp; Motorcycles</u>	<u>Kilometer</u> <u>Per Hour</u>
---------------------------------------	-------------------------------------

Place:

On all streets within the following barangays: .....30

Balangasan, Dumagoc, Santo Niño, Gatas,  
Santa Lucia, Santiago, San Francisco, San Jose,  
San Pedro Santa Maria, Tuburan, Kawit, Dao,  
Bulatok, Tiguma, Lenienza, Napolan & Danlugar

Upon approaching a pedestrian lane .....	20
School zones (50 meters from the designated pedestrian lane)	
within the Poblacion .....	20
along the Highway .....	30

- 1) The rates of speed above prescribed shall not apply to vehicles under the following situations:
  - i) A Physician or his driver when the former responds to emergency calls.
  - ii) The driver of a hospital ambulance on the way to and from the place of accident or other emergency.
  - iii) Any driver bringing a wounded or sick person for emergency treatment to a hospital, clinic or any other similar place.
  - iv) The driver of a motor vehicle belonging to the armed forces while in use for official purposes in times of riot, insurrection or invasion.
  - v) The driver of a vehicle, when he or his passengers are in pursuit of a criminal.
  - vi) A law-enforcement officer who is pursuing a violator of traffic laws.
  - vi) The driver officially operating a motor vehicle of the fire department; Provided, that exemption shall not be construed to allow useless or unnecessary fast driving of drivers aforementioned.
- 2) For animal-drawn vehicles: on boulevards, "through streets" and on those with very little traffic, 12 kilometers per hour, on narrow or crowded streets, bridges, street intersection or crossing, eight kilometers per hour.
- 3) For bicycles and other slow-moving vehicles: The maximum rates of speed shall be fifteen kilometers per hour on boulevards, "through streets" and on those with very little traffic, twelve kilometers per hour on narrow or crowded streets, bridges, street intersection or crossing.

Section 35. EXEMPTIONS TO SPEED RESTRICTIONS. – a) For Emergency Vehicles. – The driver of any emergency vehicle may, when it is expedient and safe to do so:

- 1) on a sounding siren, bell or repeater horn, proceed, pass a traffic control signal displaying a red or amber circle or a red amber arrow or proceed contrary to the direction or instruction of any traffic control devices;
- 2) on a sounding siren, bell or repeater horn, drive in any direction or any part of a road or overtake or pass on either side of another vehicle; stop, leave waiting or park the vehicle at any place at any time; or
- 3) exceed the speed limits prescribed under this Ordinance.

b) Drag Racing/Speed Contest. – The conduct of drag races and speed contests are not covered under this Section. However, no person shall utilize any public or private street upon which the City has been authorized to impose traffic regulations, as racing ground or for drag racing/speed contests or exhibition of speed, whether for animals, bicycles, motorcycles, or all kinds/types of vehicles without first obtaining a permit from the Office of the City Mayor.

Section 36. PARKING NEAR GRADE OR CURVE. – No person shall park or leave a vehicle waiting on or near a crest or curve so that any portion of it is

upon a thoroughfare unless a driver approaching from the rear would have a clear view of the vehicles for a distance of at least 45 meters.

**Section 37. PARKING NEAR FIRE HYDRANTS.** – The area within any fire hydrant shall be free from vehicular or any obstruction within five (5) meters both ways.

**Section 38. PROHIBITED PARKING.** – No person shall park or leave a vehicle waiting so that any portion of the vehicle is:

- a) between any other waiting vehicle and the center of the thoroughfare;
- b) between the pedestrian zone and the nearest curb;
- c) within six (6) meters of intersecting curb lines
- d) in front of a right-of-way, passage or private driveway;
- e) in front of a footway constructed across a reservation;
- f) alongside or opposite any excavation if the vehicle would obstruct traffic;
- g) on any footway, marked crosswalk or pedestrian crossing;
- h) upon a bridge or other elevated structure or within a tunnel or underpass;
- i) upon an intersection;
- j) on any portion of a thoroughfare on which the words "Keep Clear";
- k) within four (4) meters of the driveway entrance to a fire station;
- l) within one meter of any fire hydrant or fire plug or any sign or mark indicating the existence of a fire hydrant or fire plug;
- m) on a bicycle lane;
- n) upon a Bus and PUJ Lane, except that a public utility vehicle may remain waiting while persons are actually entering or alighting from vehicle;
- o) upon a parking slot/space specifically marked/designated as "For Disabled Parking Only" as mandated by R.A. 7277, otherwise known as the "Magna Carta for Disabled Persons";
- p) on a crosswalk;
- q) in the travel lane of a highway.
- r) within ten (10) meters from the gate posts (both entrance or exit gates) of any educational institution, be it elementary, secondary or collegiate level during days when classes are held or on special days where government examination are held in the campus.
- s) Within 9 meters from corner of entry point of a roadway and 12 meters from corner or exit point, of the road way of which parking probation is assigned along the said road way (DPWH Road Safety Manual)
- t) within 20 meters of a signalized intersection (DPWH Road Safety Manual)
- u) in places where signs of prohibition are installed.

**Section 39. USE AND/OR OPERATION OF HAZARD LIGHTS IN RELATION TO UNAUTHORIZED PARKING.** – The use/operation of hazard lights of the vehicle while on idle mode shall not in any manner justify parking or authorize illegal or prolonged stay on any thoroughfare.

**Section 40. STOPPING TO RECEIVE/DISCHARGE PASSENGERS AND/OR CARGOES.** – Drivers of vehicles may only receive and/or discharge passengers at

designated areas. In cases where no specific area is allotted for the purpose, the driver must see to it that the position of his vehicle shall not block or obstruct the lane/road he is following, subject to the following conditions:

- a) A driver of a truck may stop his vehicle in a "Loading Zone" when actually taking up or setting down goods, provided he is present at all times and attending to the same;
- b) On sections of the road where there is no prohibition against loading and unloading, he may stop to take up or set down passengers provided it is 50 meters away from a signalized intersection.

**Section 41. USE AND OPERATION OF COMMUNICATION DEVICES AND ACCESSORIES.** – Any driver while operating a vehicle or while in the carriageway of a thoroughfare shall not use mobile phones or similar devices and/or use headphones.

#### **Article 2 — Lighting, Warning Signs, Equipment, Etc.**

**Section 42. LIGHTS ON MOVING MOTOR VEHICLES.** – No person shall drive a motor vehicle or a combination of a motor vehicle and trailer between sunset and sunrise, unless the motor vehicle or combination is equipped with appropriate lamps and reflectors prescribed as mandatory by the LTO to be carried by that vehicle or combination, and the lamps are lighted.

**Section 43. DIMMING OF HEAD LIGHTS.** – a) The driver of a motor vehicle shall dim the headlights or tilt the beam downward whenever the vehicle is approached by any other vehicle traveling in the opposite direction.

- 1) when the other vehicle reaches a point 200 meters from his motor vehicle; or
- 2) immediately when the light projected by every headlight of the other vehicle is switched to low beam and shall cause every headlight of his vehicle to remain on low beam until the other vehicle has passed.

b) No person shall drive a motor vehicle without the required headlights that are capable or being operated on low beam.

**Section 44. LIGHTS ON STATIONARY MOTOR VEHICLES.** – a) No person shall leave a motor vehicle waiting on a road with a lamp of a power exceeding seven watts lighted and showing to the front, except while the vehicle is loading or unloading passengers or is compelled to remain stationary by the exigencies of traffic.

b) No person shall leave a motor vehicle or a trailer waiting on or partly on any thoroughfare between sunset and sunrise unless that motor vehicle or trailer is equipped with:

- 1) two lamps (one on each side) showing a clear white light to the front and clearly visible under normal atmospheric's conditions at a distance 180 meters, or where the motor vehicle or trailer is waiting on or adjacent to the boundary of the thoroughfare, one such lamp, which shall be on the side of the motor vehicle or trailer near to the center of the thoroughfare; and
- 2) appropriate rear lamps, number-plate lamps, front and rear clearance lamps and reflectors prescribed as mandatory by the LTO and the lamps so affixed are lighted.

c) Paragraph (b) of this Section shall not apply on the following cases:

- 1) where the street lighting in the vicinity renders the motor vehicle or the trailer clearly visible at a distance of 180 meters; or
- 2) to any motorcycle not connected to a sidecar or a trailer left waiting parallel to and as near as practicable to the boundary of the thoroughfare.

Section 45. PORTABLE WARNING SIGNS FOR DISABLED VEHICLES. – a) No person shall drive a vehicle on a road, or permit a vehicle to be driven, unless that vehicle carries a portable early warning device complying with the specifications prescribed by the LTO.

- b) Whenever a disabled vehicle is stationary on a thoroughfare, the portable early warning devices shall be placed one to the rear of the vehicle and one to the front side nearer to the center of the thoroughfare at a distance prescribed by the LTO to give reasonable warning to approaching drivers.
- c) Nothing in this section shall affect any duty imposed by this Code to display lighted lamps on stationary vehicles.

Section 46. LIGHTS AND OTHER EQUIPMENT ON BICYCLES. – a) No person shall ride or propel a bicycle between sunset and sunrise, unless it is equipped with:

- 1) a lighted lamp showing a clear white light to the front;
- 2) a lighted lamp showing a clear red light to the rear;
- 3) a red reflector on its rear; and
- 4) a rear mudguard, the rear half of which is colored white.

- b) Such lamps and reflectors shall be of the types and affixed in the positions prescribed by the proper authority and shall be kept clean at all times.
- c) No person shall ride a bicycle unless it is equipped with
  - 1) an efficient brake; and
  - 2) an efficient bell or some other suitable warning device.

Section 47. LIGHTS ON ANIMAL DRAWN VEHICLES. – a) No person shall drive or permit any animal-drawn vehicle or any trailer attached to it to be upon any thoroughfare between sunset and sunrise, unless the vehicle or the trailer is equipped with appropriate front and rear lamps, clearance lamps and reflectors, as prescribed by proper authority and the lamps are lighted.

- b) All reflectors and lights prescribed under this Section shall be kept clean and shall not be obscured by any part of the vehicle or its load.

Section 48. LIGHTS ON TOWED VEHICLES. – No person shall between sunset and sunrise drive a motor vehicle which is towing another vehicle unless a lighted lamp is attached to the portion of the towed vehicle facing any following vehicle, with a power not exceeding seven watts showing a clear red light visible under normal atmosphere conditions at a distance of 100 meters which lamp is so placed that:

- a) its center is not more than 1 meter above the ground; and
- b) it is in the center or to the left side of the center of that portion of the towed vehicle which faces any following vehicle.

Section 49. FLASHING WARNING LIGHTS. – a) No persons shall drive or leave waiting a vehicle on which is mounted a lamp displaying intermittent flashes, except

- 1) a lamp displaying intermittent red flashes is on the top of an emergency vehicle;
- 2) a lamp displaying intermittent amber flashes on top of:
  - i) a tow truck or motor breakdown service vehicle at the scene of an accident or breakdown; or
  - ii) a vehicle being used by a government, public or local authority in connection with its functions and occupying a hazardous position on the thoroughfare.

b) A motor vehicle moving or stationary in a hazardous position on a thoroughfare because of an emergency situation, shall display such flashes from both sides of the front and rear of the vehicle by means of a flashing lamp signaling devices or Early Warning Device (EWD); provided, that the display of such flashes and the operation of the EWD are in accordance with the specifications of the LTO.

**Section 50. SPOT LAMPS.** – a) No person shall cause or permit any spot lamp or search lamp offered or connected to any vehicle to be lighted unless:

- 1) the vehicle is stationary and the lamp is used only for the purpose of reading a road sign;
- 2) the vehicle is outside a built-up area and the lamp is lighted and used only for the purpose of reading a road sign.

b) The provisions of paragraph (a) of this Section shall not apply if the vehicle is an emergency vehicle or if the vehicle is being used by law enforcement agencies in the performance of their official function.

**Section 51. MUFFLERS AND NOISE CONTROLLING DEVICE.** – a) No person shall operate a motor vehicle on a street unless such motor vehicle, when not fitted with the original manufacturer provided exhaust system, is equipped, at all times, with an operational muffler or mufflers of sufficient capacity for the motor vehicle that shall not emit sound of more than 60 decibels and an exhaust system to prevent the escape of excessive fumes or smoke.

b) Owners or operators of motor vehicles within the territorial jurisdiction of the City shall at all times ensure that their vehicles comply with the exhaust emission standards set forth in R.A. No. 8749, otherwise known as the "Philippine Clean Air Act of 1999" and its implementing rules and regulations.

**Section 52. WINDSHIELDS TO BE UNOBSTRUCTED AND EQUIPPED WITH WIPERS.** – a) No person shall drive any motor vehicle with any sign, poster, or other non-transparent material upon the front windshield of such vehicle which obstructs the driver's clear view of the highway.

- b) Posters or stickers approved by the proper authority shall be placed at the lower right hand corner of the front windshield.
- c) No person shall drive any motor vehicle with any non-transparent material or object suspended within the wind shield area as viewed from the drivers' seat nor shall any person drive any motor vehicle upon the hood of which is attached to any fixture ornament of any material which vibrates, or swings within view of the driver of said vehicle.
- d) The windshields on every motor vehicle shall be equipped with a wiper for cleaning rain or other moisture from the windshield and shall be maintained in good working order.

**Section 53. PROTECTIVE EQUIPMENT.** – The use of appropriate safety helmets prescribed under Republic Act No. 10054 and its implementing rules and regulations and further specified in City Ordinance No. 2018-398 (Protective Helmet Ordinance) shall be compulsory for motorcycle drivers and riders at all times when travelling in public thoroughfares.

**Section 54. SEATBELTS BEING SUPPLEMENTARY RESTRAINING DEVICE.** – Consistent with national law, it shall be the duty of the driver to use upon himself and to require his passengers to use the vehicle's seatbelts.

### **Article 3 — Weight, Size And Load**

**Section 55. GROSS WEIGHT, AXLE AND WHEEL LOADS.** – No motor vehicle or trailer or combination of such vehicles equipped wholly with pneumatic tires, which has a total gross weight, including vehicle and load, in excess of the requirements prescribed as mandatory by the LTO, shall be operated or moved upon any public road, street or highway.

**Section 56. PROJECTING LOADS ON PASSENGER VEHICLES.** – No passenger type vehicle shall be operated on any highway with a load thereon projecting beyond the extreme width of the vehicle, regardless of the nature of the property being transported.

**Section 57. LOADS TO BE PROPERLY SECURED.** – No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or secured to prevent any of its cargo from dropping, shifting, leaking or otherwise escaping there from:

- a) with any load consisting partially or entirely of loose paper, empty cartons, crates, or any other material susceptible of being blown or carried by the wind, the load must entirely be covered by canvas, net, canopy, or other suitable material to effectively prevent any part of such load from being blown or carried by the wind.
- b) when carrying sand, gravel and/or earthfilling materials, the cargo must at all times be provided with appropriate canvas cover to prevent spillage.

**Section 58. AUTHORITY TO WEIGH VEHICLES AND REQUIRE REMOVAL OF EXCESS LOADS.** – a) Any Traffic Officer having reason to believe that the weight of a vehicle and load is unlawful, is authorized to require the driver to stop and submit to a weighing by means of a portable or stationary scales and may require that the vehicle be driven to the nearest public scales in the event such scales are within 2 kilometers.

- b) Whenever an officer upon weighing a vehicle and load as above provided, determines that the weight is unlawful, the officer may require the driver to stop the vehicle in a suitable place and remain standing until the portion of the load is removed as may be necessary to reduce the gross weight of the vehicle to such limit as permitted. All material so unloaded shall be cared for by the owner of the vehicle at their own risk.
- c) Any driver of a vehicle who refuses to stop and submit the vehicle and load to a weighing when directed by an officer shall be guilty of a misdemeanor.

**Section 59. RESTRICTING THE USE OVER BRIDGES.** – a) No person shall drive or operate any motor vehicle having an aggregate weight of vehicle and load in excess of the specified allowable weight indicated over any bridge in the City.

b) No person shall drive any motor vehicle over any wooden bridge at a speed greater than 10 kilometers per hour.

**Section 60. PERMIT TO MOVE EQUIPMENT AND/OR LOAD OF EXCESSIVE WEIGHT, WIDTH OR HEIGHT.** – a) No vehicle shall be moved, transported or caused to be moved through the city streets having an equipment and/or load of excessive weight, width or height unless a permit or clearance has been issued by a duly authorized officer of the traffic management authority.

b) All application for permits required under this Section shall be made in writing to the traffic management authority of the city and shall contain the following:

- 1) description of the vehicle, equipment and/or load to be moved;
- 2) Street location or other identifying description of the place to which the same is to be moved;
- 3) Complete designation of the route to be followed;
- 4) Height, width and length of the same;
- 5) Time at which the movement of the vehicle will commence and terminate;
- 6) The applicant shall have filed with the issuing officer, a certificate of any insurance carrier certifying that there is a comprehensive automobile liability insurance policy covering said applicant and his authorized agents, administrators and heirs in case of bodily injury to or death of one or more persons in any accident or damage to or destruction to property.

c) The head of the traffic engineering division of the City may, in his discretion, change and designate another route to be followed or the time during which the movement shall be made prior to the issuance of a permit.

#### **Article 4 — Accidents and Accident Reports**

**Section 61. ACCIDENTS INVOLVING DEATH OR PERSONAL INJURIES OR DAMAGE TO A VEHICLE.** – The driver of a vehicle involved in an accident resulting in injury or death of a person or damage to property or other vehicle that is driven or attended by another person, shall immediately stop his vehicle at the scene of the accident and shall remain at the scene of such accident until he has fulfilled the requirements of the immediately following section of this Ordinance. Every step must be taken to ensure that such stop is made without obstructing traffic.

**Section 62. DUTY TO GIVE INFORMATION AND RENDER AID.** – The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle or other property damage shall:

- a) give his name and the license plate number of the vehicle he is driving;
- b) upon request, exhibit his driver's license to the person struck or to the driver or occupant of the vehicle or the person attending the vehicle involved in the collision; and
- c) render reasonable assistance to any and all persons injured in the accident.

**Section 63. DUTY UPON STRIKING UNATTENDED VEHICLE.** – The driver of a vehicle that has collided with another vehicle which is unattended shall immediately stop and then locate the driver and/or notify the operator or owner of such vehicle or leave in a conspicuous place in the vehicle struck a written notice giving the name and address of the driver or the owner of the vehicle and

the license plate number of the involved vehicle together with a statement of the circumstances of the accident.

**Section 64. DUTY UPON STRIKING FIXTURES ON A ROAD.** – The driver of any vehicle involved in an accident resulting only in damage to fixtures along the road or within the road-right-of-way shall take reasonable steps to locate and notify the person in-charge of such property and shall give his name and address, and the vehicle license plate number he is driving and, upon request, exhibit his driver's license and make a report of such accident required by this Ordinance.

**Section 65. REPORT OF ACCIDENTS.** – a) The driver of any vehicle involved in an accident resulting in injury or death of any person shall immediately, by the quickest means of communication, give notice of such to the police department or the Roads and Traffic Management Office.

- b) The driver of any vehicle involved in property damage, shall endeavor to make an agreement with the owner of the property involved on the amount of property damage sustained, provided, however, that if no agreement is reached between the parties, the accident shall be reported immediately to the police department.
- c) Every law enforcement officer who, in the regular course of duty, investigate a motor vehicle accident of which report must be provided, either at the time and scene of the accident or at a later time after conducting interview of the involved parties or witnesses shall, within 24 hours after completing such investigation, forward a written report of such accident to the Roads and Traffic Management Office.

**Section 66. ACCIDENT REPORT FORMS.** – a) The Roads and Traffic Management Office shall prepare and, upon request, supply to garages and agencies concerned such forms for accident reports required herein with respect to the persons required to make such reports and the purpose to be served.

- b) The written reports to be made by persons involved in accidents and by the investigating officers shall call for sufficient detailed information and disclose, with reference to such accidents the causes, all existing conditions including that of the person and vehicle involved.
- c) Every accident report required to be made in writing shall be made on the appropriate form prescribed by the traffic division of the police department and agreed with national agencies. The report shall contain all the information required in the form, unless not available.

**Section 67. GARAGE TO REPORT.** – It shall be the obligation of the person in charge of any garage or repair shop to which a motor vehicle was brought showed evidence or suspected to be involved in an accident or may have been struck by any bullet, to report to the police department within 24 hours after such motor vehicle is received and give the engine number, plate number, the name and address of the owner or driver of such vehicle together with a description of the suspicious or unusual circumstances.

**Section 68. ACCIDENT REPORTS CONFIDENTIAL.** – All accident reports in writing made by person involved in accidents or by garages shall be for the confidential use of the Police Department or other city agencies having use of such records for accident prevention and statistical purposes. The police department may, however, disclose the identity of a person involved in an accident when his identity is not otherwise known or when such person denies his presence at the accident. No such report or part thereof may be used as

evidence in any trial, civil or criminal, arising out of the accident except that the police department, upon demand by any Court, issue a certificate showing that a specified accident report was or has been made to the police department solely to prove compliance with the requirement that such a report has to be made and submitted to the police department.

Section 69. WHEN DRIVER UNABLE TO REPORT. – a) An accident report is not required under this Article from any person who is physically incapable of making report during the period of such incapacity.

b) Whenever the driver being the owner of the vehicle is physically incapable of giving an immediate notice of an accident as required in Section 65 and there is, at the time of the accident, another occupant in the vehicle who is capable of doing so, such vehicle occupant shall make a report. If the driver is not the owner of the vehicle, it shall be the responsibility of the owner of the vehicle involved in an accident to, within 5 days after learning of the accident, make such report not made by the driver.

Section 70. RESPONSIBILITY TO TABULATE AND ANALYZE ACCIDENT REPORTS. – Without infringing on the authority of the Police, the Roads and Traffic Management Office shall tabulate and analyze all accident reports and shall annually publish statistical information on the number and circumstances of traffic accidents.

Section 71. WEEKLY TRAFFIC INCIDENT REPORTING. – The RTMO shall submit to the Office of the City Mayor a weekly report on traffic related incidents.

#### **Article 5 — Drug Induced Vehicle Operation and/or Drunk Driving**

Section 72. DRIVING UNDER THE INFLUENCE OF LIQUOR OR DRUGS. – No person shall drive a motor vehicle while under the influence of liquor or incapacitating drug. For the purposes of this Section, a driver is considered under the influence of liquor, if, at the time of competent examination performed within an hour of apprehension of a person, he is found to have in his blood at least 0.60% of alcohol or, in the case of drugs, if it is reasonably manifest from his actions or behavior that his exercise of his five senses is physically impaired as to expose himself or the vehicle or other persons to a danger of accident. The operation of any transport unit, although not motorized, in the manner stated herein above, is likewise prohibited.

- a) All police traffic investigators or the inquest prosecutors, depending on whether those apprehended are under police or custodial investigation, shall require the drug and/or alcohol testing of the individuals involved in vehicular or traffic accidents within 24 hours from the time the accident happened.
- b) The drug or alcohol test shall be done in any government medical institution, the PNP facilities or other government accredited drug/alcohol testing centers at cost of the concerned driver/s or the owner/operator of the vehicle who, under criminal law, is subsidiarily civilly liable on account of an offense.
- c) The result of the drug or alcohol test shall become part of the record, which shall be appended to the traffic investigation report.
- d) No traffic investigation report shall be released by the police traffic investigator or the inquest prosecutor for purposes of insurance claim unless the concerned driver/s shall be able to submit the result of the drug or alcohol test within twelve (12) hours of the incident.

- e) Any traffic police investigator who is found to have failed to enforce the provisions of this Ordinance shall be administratively charged for dereliction of duty pursuant to existing rules and regulations.

## **CHAPTER 3 — PEDESTRIANS**

### **Article 1 — Pedestrian Rights and Duties**

Section 73. DUTIES OF PEDESTRIANS. – A pedestrian:

- a) When on a footway, marked cross-walk, or pedestrian crossing, shall keep as close as practicable to the right side of the footway;
- b) When crossing a thoroughfare at an intersection shall keep right of pedestrian crossing in the opposite direction;
- c) When crossing a thoroughfare or portion of a thoroughfare shall do so promptly by the shortest and most direct route, as may be practicable, to the thoroughfare boundary.

Section 74. RESTRICTIONS ON PEDESTRIANS. – A person shall not: a) while waiting to board a vehicle stand on any portion of thoroughfare;

- b) proceed from a footway towards a vehicle that has not fully stopped for the purpose of boarding it;
- c) alight from or board a moving vehicle, or do so at an area where loading and unloading is prohibited;
- d) remain on a pedestrian crossing, or marked cross-walk longer than is necessary for the purpose of passing over the thoroughfare with reasonable dispatch;
- e) stand up a footway or thoroughfare so as to inconvenience, obstruct, hinder or prevent the free passage of any other pedestrian or any vehicle.

Section 75. PEDESTRIANS ON THOROUGHFARE. – Except when there is a sidewalk or footway, a pedestrian:

- a) proceeding along a thoroughfare shall, when practicable, travel on the thoroughfare or side of the thoroughfare used by vehicles traveling in the opposite direction, and shall keep as close as he can to the boundary of the thoroughfare on his left.
- b) shall not proceed along a thoroughfare abreast of more than one other pedestrian, except in a procession or parade authorized by the proper authority.

## **BOOK II. — ROADS**

### **Chapter 1 — Roads Management**

#### **Article 1 — Traffic Signs and Markings**

Section 76. – Appropriate traffic signs and road markings shall be installed to provide direction and information to all road users in accordance with national and international standards.

Section 77. – Whenever and wherever applicable, traffic signs shall be erected to guide all motorists and pedestrians. Such signs must conform in size, design and element to the national and international patterns.

Section 78. – It shall be the primary responsibility of the RTMO to see to it that such informational and directional markings are regularly maintained.

Section 79. – Information signs shall be conspicuously posted in all areas where entry restrictions and/or limitations are imposed on the entry and/or parking of cargo trucks during specific times of the day.

### **Article 2 — Passenger Loading and Dropping**

Section 80. AUTHORITY TO ASSIGN, ALLOCATE AND MARK PASSENGER LOADING AND DROPPING AREAS. – The Roads and Traffic Management Office is hereby authorized to assign, allocate and mark areas and/or spaces purposely for the loading and dropping of passengers. Roadside sections that may be identified and designated for the purpose shall be twenty (20) meters or less in length from the corner of the block immediately after the pedestrian crossing and appropriately marked with visible signs. Use of such designated area for parking or the encroachment of a part thereof by a parked vehicle shall be penalized.

For purposes of legal sanction, the Roads & Traffic Management Office shall initially submit the list of areas/spaces designated for the purpose to the Honorable City Mayor for his approval and copy furnish the Sangguniang Panlungsod within fifteen (15) calendar days. The list shall be deemed final if not acted by the Sangguniang within three (3) months from receipt thereof. The allocation of additional areas shall be allowed provided prior approval from the City Mayor and sanction by the Sangguniang Panlungsod is obtained.

Section 81. LOADING AND DROPPING AREAS. – The areas designated for loading or dropping of passengers by all types of vehicles as may be appropriately marked shall be at least ten (10) meters in length.

Section 82. DURATION. – The loading or dropping of passengers and cargoes by all types of vehicles shall be less than (1) minute unless prolonged or justified by circumstances, e.g., loading/dropping of disabled passengers or the elderly.

### **Article 3 — Parking**

Section 83. ON-STREET PARKING, APPROVED SYSTEM. – Parallel parking shall be implemented in all on-street parking areas and may only be allowed within spaces and portions of city roads and streets that are appropriately marked and designated for the purpose.

The RTMO shall define and designate distinct spaces separate for four-wheeled vehicles or tricycles and for motorcycles.

Section 84. ON-STREET PARKING AREAS. – Where traffic signs are installed, the streets side sections appropriately marked may be used for parking except for the following streets where, with reference to national law and provisions of this code, shall not be available nor utilized for parking, to wit:

- a) the whole stretch of Jose P. Rizal Avenue;
- b) F.S. Pajares Avenue from junction J.P. Rizal Avenue to the PPA gate.

Section 85. AUTHORITY TO EXPAND, REDUCE, AMEND OR MODIFY. – The RTMO is authorized to expand, reduce, amend or modify from time to time the list as it sees fit upon recommendation of the Roads and Traffic Planning Board and approval by the City Mayor, provided, however, that the RTMO shall

furnish the Sangguniang Panlungsod within fifteen (15) calendar days from its approval a report of the changes or revisions made. The revised list shall be deemed final if not acted by the Sangguniang within three (3) months from receipt thereof.

**Section 86. PARKING IN SIDEWALKS AND/OR ALLEYS.** – No person shall use the sidewalk, alleys or parts thereof for vehicle parking.

**Section 87. PARKING IN FRONT OF RESIDENTIAL OR COMMERCIAL ESTABLISHMENT.** – The use of all areas within city streets where vehicle parking is allowed shall be made available to all motorists. Under no case or circumstance will any of these areas or portions thereof particularly spaces in front of residential or commercial establishments be designated for exclusive use.

The installation of signage and markings indicating reservation of the space or the setting up of obstructions that may hinder the parking of vehicles within any designated area for vehicle parking is prohibited.

**Section 88. PARKING ON PARADE ROUTES AND ON ANY STREET OR PART THEREOF IDENTIFIED TO BE USED FOR A SPECIAL OCCASION.** – The RTMO is authorized, whenever it deems it necessary, to prohibit or restrict the parking of any vehicle on either or both sides of any street or portion thereof, constituting a part of the route of a parade or procession, or for any special occasion, and also upon any street adjacent thereto by the erection or placement of temporary signs setting forth such restrictions. When such signs are erected or placed prior to the parade, procession or special occasion, it shall be unlawful to park or leave unattended any vehicle in violation of such signs at the owner's expense. A traffic enforcer assigned in the area is hereby authorized to remove, or cause to be removed, any vehicle left unattended or parked in violation of such signs at the owner's expense.

**Section 89. PARKING FOR CERTAIN PURPOSES, PROHIBITED.** – No person shall park a vehicle upon any roadway for the principal purpose of:

- a) displaying such vehicle for sale;
- b) washing, greasing or repairing a vehicle except when repairs are necessitated by an emergency and doable within two (2) hours.

**Section 90. PAY PARKING.** – Portions of the following streets that shall be marked by the RTMO are allocated for pay parking, to wit:

- a) Benigno Aquino Street (junction Cabrera Street to Mayor W. Pulmores Street);
- b) Serapio J. Datoc Street (junction Cabrera Street to Dablo Street);
- c) Javier Ariosa Street (junction Cabrera Street to Mayor W. Pulmores Street);
- d) Vicente M. Cerilles Street (junction Cabrera Street to F. Jamisola Street);
- e) Marcelo Dablo Street (junction F.S. Pajares Avenue to F. Duterte Street);
- f) Faustino Jamisola Street (junction F.S. Pajares Avenue to Serapio J. Datoc Street).

**Section 91. PARKING FEES.** – Fees shall be collected at the following rates by authorized personnel of the RTMO who shall then issue the corresponding Official Receipt or the equivalent amount in cash tickets:

- a) Daytime Parking in Designated Parking Areas for Public Utility Vehicles, per unit, per hour or fraction thereof

1) Motorcycles.....	P 5.00
2) Tricycles .....	10.00
3) Cars, Jeeps and Vans.....	20.00
4) Delivery Trucks .....	30.00
b) Daytime Parking in Streets designated under the Traffic Code: Private Vehicles, per unit, per parking, per hour or fraction thereof	
1) Cars/Jeeps.....	P20.00
2) Mini Vans/Jeepneys .....	30.00
3) Six and Eight-Wheeler Trucks.....	50.00
4) Ten-Wheeler Trucks/Containerized Vans or Trailers .....	100.00
c) Overnight Parking of Vehicles in all streets within the urban barangays of the City: per unit, per parking, per hour or fraction thereof	
1) Light Vehicles, per unit .....	P 5.00
2) Medium Built Vehicles, per unit .....	7.50
3) Heavy Built Vehicles, per unit.....	10.00
4) Containerized Vans or Trailers, per unit .....	30.00

#### **Article 4 — Cargo Loading and Unloading**

Section 92. CONTROLLED AREA. – a) Segments of the following streets and all areas within the perimeter of these specified roads sections shall be off-limits to delivery trucks, and such other cargo trucks, including tractor trailers or prime movers for containerized hauling services and for any such other purposes or used for parking purposes from 7:00 a.m. to 8:00 p.m.:

- 1) North — Jose Sanson Street (from Sabado Street up to Serapio J. Datoc Street);
- 2) East — Fernando Sabado Street (from J. P. Rizal Avenue up to Cabrera Street);
- 3) West — Serapio J. Datoc Street (from W. Pulmones Street up to Sanson Street);
- 4) South — Warlito Pulmones Street (from Vicente M. Cerilles Street up to Serapio J. Datoc Street)

b) Loading and/or unloading of cargo from any of the above-enumerated vehicles may only be done from 9:00 a.m. to 4:00 p.m. and from 7:00 p.m. to 7:00 a.m. of the following day.

c) Vehicles carrying perishable goods may, however, be allowed to pass this area en route to its final destination/delivery point and in leaving after completion of the delivery.

d) Delivery or Cargo Vehicles due to deliver and/or unload its shipment to warehouses or bodegas located within the perimeter mentioned above may proceed to its destination. Provided, such vehicles shall not at any time prior to, during or after the completion of the delivery park on the road or occupy any area within the road-right-of way.

Section 93. CARRIERS OF FLAMMABLE, HAZARDOUS AND/OR TOXIC CHEMICALS. – Subject to pertinent regulations established in this code in the delivery protocol, vehicles carrying flammable, hazardous and/or toxic chemicals

when entering the city proper from any point of origin may only be allowed to take the F.S. Pajares Avenue going down en route to its final destination.

### **Article 5 — One Way Traffic Streets**

Section 94. – The streets hereunder listed are hereby declared as one-way traffic streets. However, the RTMO, as it sees fit, may recommend to the Roads and Traffic Planning Board the modification of the listing, provided, that the Office shall furnish the Sangguniang Panlungsod within fifteen (15) calendar days a report of the changes or revisions made as approved by the City Mayor. The revised list shall be deemed final if not acted by the Sangguniang within three (3) months from receipt thereof.

- a) Warlito E. Pulmores Street: from B. Aquino Street towards S. Datoc Street;
- b) Faustino Jamisola Street: from F.S. Pajares Avenue towards B. Aquino Street;
- c) Javier Ariosa Street: from J.P. Rizal Avenue towards F. Jamisola Street;
- d) Limited Time Application: from 6:30 a.m. to 8:00 a.m. and 4:00 p.m. to 6:00 p.m. during School Days only:
  - 1) Pedro Sabate Street: from F. Sabado Street towards Roxas Street;
  - 2) Roxas Street: from Sabate Street towards Mercedes Street;
  - 3) F. Duterte Street: from Mercedes Street towards Sabate Street;
  - 4) Pedro Sabate Street: from Zulueta Street towards S. Datoc Street
  - 5) F. Consolacion Street: (from the junction of unnamed road leading towards Santo Niño District up to P. L. Urro Street)

Section 95. – The RTMO may, in emergency situations, temporarily institute and summarily enforce or control the direction of vehicular flow in city street/s.

### **Article 6 —Through Streets**

Section 96. DESIGNATION OF THROUGH STREETS AND STOP STREETS. – In prioritizing the order of traffic flow, the RTMO is authorized to install corresponding traffic signs to designate and indicate Through Streets upon recommendation of the Roads and Traffic Planning Board and the approval of the City Mayor. The implementation of the list shall, however, be subject to the confirmation of the Sangguniang Panlungsod. If no action is taken by the Sanggunian on the list within three (3) months after submission, the same shall be deemed approved and enforceable.

### **Article 7 — Turns**

Section 97. RIGHT TURN. – The execution of right turns may be allowed in street intersections provided such street to be entered into is not designated as one-way street and leading into the other direction. Provided, further, that right of way or access shall be given to the vehicles navigating the road being entered into.

Section 98. LEFT TURN. – a) The execution of left turns in the street intersections listed hereunder is hereby restricted:

- 1) S. Datoc Street towards W. Pulmores Street;
- 2) B. Aquino Street towards F. Jamisola Street

- 3) F. Jamisola Street towards J. Ariosa Street;
- 4) Warlito Pulmone towards F.S. Pajares Avenue

b) From 6:30 a.m. to 8:00 a.m. & 4:00 p.m. to 6:00 p.m. during school days, left turns shall not be allowed in the following intersections, viz:

- 1) Mercedes Street towards Roxas Street;
- 2) S. Datoc Street towards Sabate Street.

c) The RTMO may, however, temporarily restrict the execution of U-Turns in certain street intersections on account of emergency and/or special occasions requiring the rerouting of traffic flow.

Section 99. U-TURN. – The execution of U-Turns shall not be allowed in the following street intersections and in all breaks in between the center islands of these roads segments, to wit:

- a) The following intersections with J.P. Rizal Avenue:
  - 1) F.S. Pajares Avenue;
  - 2) B.S. Aquino Street;
  - 3) J. Ariosa Street
- b) The following intersections with F.S. Pajares Avenue:
  - 1) F. Jamisola Street;
  - 2) W. Pulmone Street;
  - 3) Cabrera Street

Section 100. AUTHORITY TO MODIFY THE LISTINGS. – The RTMO may expand, reduce, amend or modify from time to time the lists in the preceding Sections of this Article as it sees fit upon recommendation of the Road and Traffic Planning Board and approval by the City Mayor. Provided, however, that the Office shall furnish the Sangguniang Panlungsod within fifteen (15) calendar days a report of the changes or revisions made. The revised list shall be deemed final if not acted by the Sangguniang within three (3) months from receipt thereof.

#### **Article 8 — Rotundas or Roundabouts**

Section 101. – The flow of traffic in existing roundabouts established as part of the city's road network shall be counterclockwise.

#### **Article 9 — Street Center Islands**

Section 102. – The street center islands are established to delineate traffic channels and these structures shall be maintained and developed for aesthetic purposes. Its may be as site for informational or promotional notices and business advertisements in accordance with the provisions of existing ordinances; Provided, however, that henceforth the lowermost part of any materials that shall be hung must be at least two (2) meters high from the road level.

Section 103. – No street center island may be used by any individual or groups for hanging about or loitering and for any other purposes.

### **Article 10 — Rest Stop Areas**

Section 104. – Wayside stops for the overnight parking of cargo trucks shall be established in an area along the stretch of the National Highway or the B. F. Arao Avenue.

Section 105. – Appropriate facilities and amenities necessary to provide comfort and rest to truckers/travelers shall be provided thereat. The operation and utilization of the area shall be subject to the formulation of an operational guidelines, policies and regulations by the City Economic Enterprises Department and the adoption thereof by the Sangguniang Panlungsod.

Section 106. – These areas shall be appropriately marked and strategically located so as not to inconvenience and pose hazard passers-by and other road users.

### **Article 11 — Road Closure**

Section 107. TEMPORARY ROAD CLOSURE AND TRAFFIC REROUTING. – a) The temporary closure of a portion of any road or street may be allowed or implemented by the RTMO when the use of the street or streets shall only be for the duration of not more than two (2) days and involving any of the following:

- 1) Actual emergencies;
- 2) Fiesta celebration, public rallies, agricultural or industrial fairs;
- 3) Implementation of government programs or projects;
- 4) parades and/or motorcades;
- 5) government-sponsored, recognized and/or approved athletic, cultural or civil activities.

It shall, however, be the obligation of the RTMO Chief to advise the City Mayor and coordinate with the Pagadian City Police Office of such road closure or traffic rerouting before the same shall be enforced.

b) The use of any street requiring the closure of any portion thereof not qualified in the preceding section may be allowed subject to the authority from the Sangguniang Panlungsod upon the favorable endorsement of the RTMO and approval of the City Mayor.

Section 108. PERMANENT CLOSURE (ABANDONMENT) OF ROAD. – Abandonment or permanent closure of any public road may be effected in accordance with the provisions of Chapter 2, Section 21 of Republic Act No. 7160.

### **Article 12 — Excavations, Restoration, Etc.**

Section 109. PERMIT FOR ROAD EXCAVATIONS. – No person—natural or juridical, shall be allowed to excavate any part of the road-right-of-way for any purpose whatsoever unless he shall filed an application, paid the necessary cost of restoration and secured from the City Mayor through the Office of the City Engineer a permit for the activity.

The application must contain the estimated total area of the road-right-of-way to be affected and the specific purpose/intention of such road excavation.

Section 110. ROAD RESTORATION FEES. – Subject to actual site inspection, assessment and engineering computation, the applicant shall pay the

corresponding amount for road restoration in accordance with the assessment cost after the area shall have been inspected and verified, based on the rates prescribed under Chapter 3, Article M of City Ordinance No. 2017-395, the Revised Pagadian City Revenue Code of 2017 or any succeeding legislation relative thereto.

The Sangguniang Panlungsod, upon recommendation of the City Engineer, may update the rates of fees based on the prevailing prices of materials and cost of labor.

Section 111. COLLECTED FUNDS. – All monies collected for road restoration shall accrue to a Special Account to be established under the direct care and control of the Office of the City Treasurer.

- a) It shall be the responsibility of the Office of the City Engineer to effect reconstruction works for any road excavation subject of this provision. He shall be authorized to charge the attendant costs for such activity to be undertaken to the Special Account herein purposely created.
- b) To effect the immediate restoration and reconstruction works, an inventory of the appropriate materials in reasonable quantities shall be authorized.

Section 112. USE OF STREETS OR PORTIONS THEREOF DURING BUILDING CONSTRUCTION. – The use of the road-right-of-way or any part thereof to stockpile construction materials is prohibited.

### **Article 13 — Classification of Roads/Streets**

Section 113. – For purposes of establishing the preferential right of passage, city roads and streets are hereby classified as follows:

- a) Primary Roads shall refer to the following main roads of the city which in the order of priority vehicles traveling within of these streets shall have precedence:
  - 1) J. P. Rizal Avenue
  - 2) Warlito E. Pulmores Street
  - 3) Vincenzo Sagun Street
  - 4) Platon L. Urro Street
  - 5) Benjamin F. Arao Avenue
  - 6) Filemon S. Pajares Avenue
  - 7) Benigno Aquino Street
  - 8) Florentino Duterte Street
  - 9) Canuto Enerio Street
- b) Secondary Roads refer to the hereunder described streets within the urban road network:
  - 1) Marcelo Dablo Street
  - 2) Faustino Jamisola Street
  - 3) Cabrera Street
  - 4) Jose Sanson Street
  - 5) Jose Hofileña Street
  - 6) Antonio Salazar Street

- 7) Hermogenes Broca Street
- 9) Mercedes Street
- 10) Pedro Sabate Street
- 11) Francisco Consolacion Street
- 12) Jose Zulueta Street
- 13) Serapio J. Datoc Street
- 15) Javier Ariosa Street
- 16) Vicente M. Cerilles Street
- 17) Fernando Sabado Street
- 18) Roxas Street
- 19 Bernabe Sabellano Street

c) Barangay Roads refer to the all other roads—named or unnamed, not otherwise mentioned in the preceding sub-sections (a) and (b).

Section 114. – Vehicles approaching intersections must yield the right of way in accordance with the above established precedence.

Section 115. – In cases when vehicles traversing roads of the same classification meet at crossroads, preferential right of passage shall be accorded to the vehicle negotiating the uphill or downhill grade.

### **BOOK III. — TRANSPORTATION**

#### **Chapter 1— General Regulations**

##### **Article 1—Requirement for Operation**

Section 116. LTO REGISTRATION. – All land transportation vehicles operating within or entering or passing the territorial jurisdiction of the city must have updated or current motor vehicle registration with the Land Transportation Office which, when required or demanded, shall be presented to authorized officers.

- a) The motor vehicle's body number, engine and color, and such other vehicle details must correspond to the description in the Certificate of Registration (CR).
- b) It shall be the obligation and responsibility of owners, operators and/or assigned drivers to ascertain that the vehicle's registration is updated.

Section 117. DRIVER'S LICENSE. – The driver actually operating the vehicle must possess a valid Driver's License issued by the Land Transportation Office and which license restrictions must be appropriate for the type of motor vehicle being driven. The driver's license must be shown to traffic enforcers when demanded or surrendered in case such is required.

Section 118. VEHICLE LICENSE PLATES. – All vehicles registered with the Land Transportation Office must bear the agency-issued license plate numbers. The use of temporary or improvised plates shall require prior authorization by the LTO.

Section 119. BASIC ACCESSORIES. – Every land transportation vehicle operating within and/or passing through the city shall be mandatorily equipped

with company installed or, in the absence thereof, LTO authorized and prescribed devices such as: headlights; brakes, signal and hazard lights; horn; mufflers/silencers; side mirrors; windshield wipers; early warning device (EWD); and other accessories.

Section 120. PROHIBITED VEHICLE ACCESSORIES. –The use of the following improvised or after-market accessories, gadgets and/or apparatuses is outlawed, viz:

- a) fog lights and high intensity (blinding) headlights;
- b) inappropriately colored head, brake, signal and/or hazard lights;
- c) blaring or startling horns, sirens and/or audio speakers;
- d) open and/or improvised mufflers;
- e) plate number covers that hinder and/or impair identification of the license plate.

Section 121. USE OF SAFETY HELMETS. – Subject to the provisions of Republic Act No. 10054 and its implementing rules and regulations and City Ordinance No. 2018-398 (Protective Helmet Ordinance), drivers and riders of motorcycles shall wear protective helmets at all times when travelling in any road within the territorial jurisdiction of the city.

## **Chapter 2 — Cargo Carriers and Delivery Vehicles**

### **Article 1 — Haulers of Construction and Earth Filling Materials**

Section 122. HAULERS FOR SAND, GRAVEL, CONSTRUCTION SUPPLIES AND/OR EARTH FILLING MATERIALS. – Trucks utilized to haul sand, gravel or earth filling materials and construction supplies, in the course of operation in transporting materials, shall at all times be covered securely.

### **Article 2 — Carriers of Flammable, Hazardous and/or Toxic Chemicals**

Section 123. VEHICLES CARRYING HAZARDOUS, FLAMMABLE AND TOXIC CHEMICALS/SUBSTANCES, ROUTE AND REGULATION. – Before entering the city proper, for purposes of safety clearance, it shall be obligation and responsibility of the local consignee of any shipment of these chemicals and substances to inform and coordinate with the Office of the Pagadian City Fire Marshall of the incoming shipment prior to the actual entry of the vehicle for purposes of inspection and monitoring before completing the delivery.

### **Article 3 — Parking, Loading and Unloading**

Section 124. LIMITATION FOR CARGO AND DELIVERY TRUCKS. – Delivery trucks, and such other cargo trucks, including tractor trailers or prime movers for containerized hauling services and for any such other purposes shall not be allowed to enter, pass or park either for purposes of loading and/or unloading of cargoes within the area delineated in this code from 6:59 a.m. to 8:59 a.m. and from 3:59 p.m. to 6:59 p.m.

### **Section 125. – EXEMPTIONS.**

- a) Carriers of Perishable Goods. – Cargo Trucks with gross weight capacity of Four Thousand Five Hundred (4,500) kilograms or any six (6) wheeler trucks carrying perishable goods may enter and pass through without stopping in any of the streets specified in the preceding section and in such other side

streets of the city only when scheduled to unload or load the cargo at a particular destination or when leaving after completing the delivery.

- b) Cargo Carriers with Garage and Warehouse located within the Banned Areas.
  - Any incoming cargo truck that is due to deliver and/or unload cargoes to a warehouse or bodega located within the perimeter of the banned area may directly proceed to its destination provided it shall not during any time park on or along any street or road before or after loading and unloading of cargoes.

## **Chapter 3— Public Utility Transportation**

### **Article 1— Conditions of Operation**

Section 126. STANDARD OF SERVICE. – a) Operators of public utility vehicles shall not allow another person or entity to use his registered commercial/business name ("Kabit System") for its operation;

- b) Operators shall maintain their vehicle in clean or sanitary condition and equipped and painted with the required signs such as for hire, trade name, operator's name and address, etc.
- c) The installation/use of jalousies; dim colored cabin lights; and/or dark glass tints for the windshield, rear & side windows, or anything that will restrict visibility to the vehicle cabin shall be prohibited.
- d) Public utility vehicles, except taxicabs—when authorized to operate, and tricycles with route general MTOP, shall ply their approved routes as stated in their franchise subject to the provisions of this Ordinance.
- e) Authorized routes shall be properly painted on the PUV pursuant to LTO regulations. Failure or erroneous/improper painting of authorized route shall create a presumption that PUV is not plying on its authorized route or it is out of line;
- f) When plying, every PUV should carry with it the copy of its franchise for presentation to traffic enforcers when demanded for verification;
- g) PUVs shall comply with the city's programs on vehicle volume reduction or mitigation that may be adopted;
- h) All public utility vehicles may only carry the maximum number of passengers allowed and/or specified in the approved Certificate of Public Convenience (franchise).
  - i) Fare matrix must be conspicuously displayed in the vehicle;
  - j) Public transportation shall have designated seats for disabled persons:
    - 1) Regular buses shall have at least five (5) designated seats for disabled persons near exit/entrance doors.
    - 2) First class, premier, and air-conditioned buses shall have at least four (4) designated seats for disabled persons near the door.

Under provisions (1) and (2) above, other passengers may use the designated seats if same are not occupied but must yield them to incoming disabled persons whenever the occasion arises;

- 3) Jeepneys shall designate the two (2) front seats for disabled persons.

Other passengers may use these designated seats if not occupied and yield them to incoming disabled passengers only if the yielding passenger can still be accommodated at the back.

- 4) The designated seats shall be identified by symbols and signs.
- k) Drivers of Public Utility Vehicles including tricycles and trisikads are required to post their identification Card (I.D.) with a 2 x 2 picture containing the name of the owner/operator and/or driver and their addresses on the front portion of the windshield of their vehicles.
- l) During the period of operation, public utility vehicle drivers and conductors must be in respectable attire. The use of sleeveless shirt, short pants or slippers is prohibited.
- m) Every public utility vehicle must be provided and have on display or posted in a conspicuous area within the vehicle a "NO SMOKING" sign.

**Section 127. REQUIRED BODY MARKINGS.** – All public utility transportation shall bear body informational marking indicating the vehicle's maximum number of passenger seats; load capacities; LTFRB Franchise Number and the corresponding expiry date; and the name of the vehicle owner/operator, among others.

**Section 128. PROVISION OF GARBAGE RECEPTACLES.** – Appropriate trash/garbage bins or receptacles shall be at all times be provided in all public utility vehicles: passenger buses, jeepneys and motorized tricycles for hire.

**Section 129. CHARTERED PUVs.** – Any public utility vehicle that is chartered, contracted or hired for other purposes for out of line operation within the jurisdiction of the city shall be required to obtain prior authorization from the RTMO.

**Section 130. RESPONSIBILITY OF VEHICLE OPERATORS/OWNERS.** – Operators/owners of public transportation vehicles shall properly ascertain the capacity of the drivers and conductors physically, mentally and emotionally as well as ascertain that they possess the appropriate training and experience for their respective duties.

**Section 131. PUV DRIVERS AND CONDUCTORS, MANDATORY REQUISITES.** – Drivers of public utility vehicles, including conductors, and drivers of motorized tricycles for hire must:

- a) possess commensurate license as may be applicable for the work assignment;
- b) be in appropriate attire during operation of the vehicle. Wearing of shorts, sleeveless shirts and slippers/sandals is prohibited;
- c) at all times extend courtesy to fellow drivers and passengers;
- d) be obliged to ferry passengers indiscriminately regardless of the passenger's personal circumstance, religion, color, race or creed, etc. to the specified destination;
- e) not allow overloading, overcharging of fares nor contract out of line services in violation of the franchise;

**Section 132. PROHIBITED ACTS.** – Consistent with national law, the following acts are likewise prohibited and punishable under this Ordinance:

- a) Operation of unauthorized tricycles, jeepneys, buses or mini-buses as vehicles-for-hire in transporting passengers and cargoes in this city;

- b) Operation of a motor vehicle outside of its assigned or designated zone of operation;
- c) Trip-cutting;
- d) Over-charging of passenger fare;
- e) Refusal to convey passengers; and
- f) Overloading.

**Section 133. PRINTING/PAINTING OF VEHICLE IDENTIFICATION IN PUBLIC UTILITY TRANSPORTATION UNITS.** – The plate numbers of Public Utility Transportation units must be painted in the specific areas and in the manner and size prescribed by the Land Transportation Franchising Regulatory Board and/or the Land Transportation Office.

Motorized Tricycle-For-Hire units must likewise be properly identifiable by their assigned body numbers painted in the front and back portions of the cab.

**Section 134. CONTROL PLATES.** – Motorized Tricycles For Hire and Trisikad units shall be provided with City Government issued control plates at a specified cost to cover the cost of fabrication/purchase.

**Section 135. PASSAGE ROUTE FOR OUT-OF-TOWN PUBLIC UTILITY VEHICLES.** – All public utility buses and vans or jeeps with valid authorizations from the Land Transportation Franchising and Regulatory Board (LTFRB) with routes originating, terminating or passing through Pagadian City may only be allowed to proceed directly from its place of origin to the Integrated Bus Terminal.

**Section 136. Loading and Unloading of Cargoes and Passengers.** – When inside the territorial limits of the city, aside from the Integrated Bus Terminal, the admission and/or discharge of passengers and cargoes may only be done at certain points appropriately marked and specifically designated for the purpose.

## **Article 2 — City Route Passenger Vehicles**

**Section 137. ESTABLISHED POLICY.** – Public utility jeeps authorized to operate and service the routes provided in this ordinance may only ply within the specified routes and shall be permitted to load or unload passengers and cargo at designated or marked loading and unloading zones.

**Section 138. PASSENGER/LOAD LIMIT.** – Admission of passengers shall be in accordance with its capacity marking as set by the Land Transportation Franchising and Regulatory Board.

**Section 139. EXCEPTIONS.** – Public Utility Jeepneys may operate outside of its authorized area with prior authorization from the Land Transportation Office, in case of out of town destinations, or by the RTMO when within the jurisdiction of Pagadian City.

**Section 140. GRANT OF FRANCHISE TO OPERATE.** – Subject to the endorsement by the Office of the City Mayor after the route applied for has been verified and confirmed by the RTMO with reference to the City Public Transportation Route Plan as may be adopted hereafter.

**Section 141. NUMBER OF PUBLIC UTILITY JEEPS PER ROUTE.** – The City Mayor shall endorse applications for the issuance of Certificate of Public Convenience (franchise to operate) to the Land Transportation Franchising & Regulatory Board in accordance with the total number of public utility jeeps allowed for every approved route.

## **Chapter 4 — Motorized Tricycles For Hire (Tricycles)**

### **Article 1 – Scope And Application**

Section 142. SCOPE AND APPLICATION. – This Chapter will apply to motorized tricycles for hire operation within the territorial limits or jurisdiction of Pagadian City.

All public motorized tricycle for-hire operating within the territorial jurisdiction of Pagadian City must necessarily acquire the necessary authority before being allowed to operate as such.

### **Article 2 – Definition of Terms**

Section 143. TERMINOLOGIES. – As used in this Chapter, the following terms shall mean:

- a) Motorized Tricycle – is a motor vehicle composed of a motorcycle fitted to a single-wheeled sidecar or motorcycle with two wheeled cab or any three-wheeled passenger conveyance;
- b) Public Motorized Tricycle or Motorized Tricycle For Hire – is a motorized tricycle or tri-wheeler rendering transport service to the general public for a fee.
- c) Motorized Tricycle Operators Permit (MTOP) – is a document granting Franchise or a Permit to operate, issued to a person, whether natural or juridical, allowing him/her or it to operate a motorized tricycle for hire on zones specified therein.
- d) Route Measured Capacity (RMC) – is the number of motorized tricycle for hire units covered with a valid franchise and allowed in its route as set by the Sangguniang Panlungsod.
- e) Route Specific MTOP – refer to motorized tricycles allowed to ply passengers in a specific route specified in the MTOP within the city.
- f) Route General MTOP – refer to motorized tricycles allowed to ply passengers anywhere in the entire City of Pagadian.
- g) Board – refers to the Motorized Tricycle Regulatory Board.
- h) MTRU – refers to the Office of the Motorized Tricycle Regulatory Unit.

### **Article 3 – Tricycle Operations Regulatory and Planning Body**

Section 144. MOTORIZED TRICYCLE REGULATORY BOARD. – The Motorized Tricycle Regulatory Board under the Sangguniang Panlungsod is hereby created with its composition and its powers and authority, as follows:

- a) Composition:

Chairman : Chairman, Committee on Public Utilities, Transportation, Communications & Franchising of the Sangguniang Panlungsod

Members :

- 1) Chairman of the Committee on Ways & Means of the Sangguniang Panlungsod
- 2) Chief of the Motorized Tricycle Regulatory Unit
- 3) Chairman, Committee on Barangay Affairs of the Sangguniang Panlungsod or the President, City Federation of the Liga ng mga Barangay;

- 4) Department Head, Roads & Traffic Management Office
- 5) Chief of the Traffic Management Division of the PNP
- 6) One (1) NGO representative to be determined by the SP

b) Powers and Authority. The Motorized Tricycle Regulatory Board shall have the following powers and authority:

- 1) Issue, amend, revise, suspend, or cancel Motorized Tricycle Operators Permit (MTOP) for cause and prescribe the appropriate terms and conditions thereof.
- 2) Prescribe and regulate zones or service areas in coordination with the Sangguniang Pambarangay of the areas to be affected.
- 3) Establish and prescribe the conditions and qualification of grantees not mentioned in this ordinance.
- 4) Establish and prescribe the conditions of the motorized units with safety and comfort of passengers as the prime factors of consideration.
- 5) Establish a standard measurement of tricycle seats, legroom, headroom, and minimum engine size.
- 6) Establish a policy on the mandatory replacement of old motorcycle engines or prime movers.
- 7) Recommend to the Sangguniang Panlungsod the re-adjustment of the fares or rates for the services for the different zones, as well as, the fees and other related regulatory fees and charges in connection with the operation of motorized tricycles for-hire.
- 8) Perform such other powers and authority that the Sangguniang Panlungsod may grant unto it.
- 9) Issue policies on the qualification of tricycle drivers.

Section 145. SECRETARIAT. – The Office of the Secretary to the Sangguniang Panlungsod shall provide the secretarial support and assistance to the Board.

#### **Article 4 – Inspection and Registration**

Section 146. MOTORIZED TRICYCLES REGULATORY UNIT. – The Motorized Tricycles Regulatory Unit (MTRU) shall be vested with the following duties and responsibilities pertaining to applications, new and renewal, for motorized tricycles operation in the city, viz:

- a) Enlist all Public Motorized Tricycle For-Hire operating within the territorial jurisdiction of Pagadian City.
- b) Attend to the documentation for the registration and process applications for franchise of all Motorized Tricycles intending to operate on Hire-Basis.
- c) Prepare all MTOP and submit a summarized list of all approved MTOP to the MTRB. The summarized list shall include the following data:
  - 1) Name of Grantee
  - 2) Address of Grantee
  - 3) Date of Grant and Expiration
  - 4) MTOP Plate Number

- d) Submit all processed applications for Motorized Tricycles For Hire Franchise with all the supporting prescribed documents to the Sangguniang Panlungsod through the Motorized Tricycle Regulatory Board for approval.
- e) Report observed problems, both procedural and substantive, in the operations of the MTRU to the Board.
- f) Propose solutions to problems perceived to the Board for issuance of policy on the matter.
- g) Call for a general or limited meetings of MTOP grantees for purposes of dispensing new policies or information for the smooth operations of the MTRU.
- h) Do other duties that may be prescribed by the Sangguniang Panlungsod as the need arises.

#### **Article 5 – Requisites to Support Tricycle Operation Applications**

**Section 147. ELIGIBILITY TO OPERATE MOTORIZED TRICYCLES FOR HIRE.** – Upon the effectivity of this Code, the eligibility to operate motorized tricycles for hire shall be exclusively available to Filipino Citizens who are certified residents of the city for at least one (1) year.

**Section 148. COMPULSORY COMMON CARRIER INSURANCE.** – Tricycle units that are granted with Motorized Tricycle Operators Permit (MTOP) must be covered by a common carrier's insurance sufficient to answer any liability it may incur to passengers and third parties in the event of an accident.

**Section 149. REQUISITES FOR LEGAL OPERATION.** – No motorized tricycle for-hire shall be allowed to operate within the jurisdiction of Pagadian City without having first complied with the following:

- a) Enlistment with Motorized Tricycle Regulatory Unit (MTRU)
- b) Valid Land Transportation Office (LTO) Registration
- c) Annual Safety Inspection/Check-up by the Land Transportation Office (LTO)
- d) Issuance of Motorized Tricycle Operators Permit (MTOP)
- e) Insurance Coverage

**Section 150. REGISTRATION AS "FOR HIRE" VEHICLE.** – Motorized tricycles when being applied for Motorized Tricycle Operators Permit must be registered with the Land Transportation Office, Pagadian City as "For Hire" to be able to secure the appropriate Number Plate for the operation.

**Section 151. SUPPORTING DOCUMENTS.** – Applicants for a motorized tricycle franchise should present the following documents:

- a) Community Tax Certificate;
- b) Certificate of residence issued by the Punong Barangay;
- c) Copy of the Voter's latest registration;
- d) LTO Certificate of Registration of the Motorcycle with the latest LTO Official Receipt of registration payment issued in the name of the applicant.

**Section 152.** – In all applications for motorized tricycle franchise, priority shall be given to residents of Pagadian City.

### **Article 6 – Motorized Tricycle Operator’s Permit / Franchise**

Section 153. AUTHORIZED NUMBER OF UNITS. – The total number of motorized tricycles for-hire allowed to operate within the jurisdiction of Pagadian City shall be Two Thousand Eight Hundred Fifty (2,850) units.

Section 154. VALIDITY. – The Franchise for motorized tricycle for-hire shall be valid for two (2) years and renewable for the same period.

Section 155. RENEWAL. – a) Upon expiry of the Franchise/Motorized Tricycle Operators Permit, a grantee shall be given a grace period of thirty (30) days following the date of expiration to renew the same.

b) Failure to renew within the time prescribed shall be a ground for revocation or forfeiture of the motorized tricycle operators permit (MTOP).

Section 156. SURCHARGE FOR LATE MTOP RENEWAL. – A surcharge of Twenty-Five (25%) Percent of the Franchise Fee for every month of delay shall be collected from the operator/s with expired Franchise/Motorized Tricycle Operators Permit (MTOP) who will apply for renewal, except those operators whose franchise expires before the enactment of this Ordinance.

### **Article 7 – Zoning, Color Coding and Body Numbering**

Section 157. COLOR CODE. – There shall be a color scheme to be assigned by the Motorized Tricycle Regulatory Unit (MTRU) and which shall be adopted to identify the area of operation of the different motorized tricycles for-hire.

Section 158. BODY NUMBERS. – Motorized Tricycle For-Hire shall bear a body number to be controlled by the RTMO.

The Motorized Tricycles Operators Permit (MTOP) Franchise Holder shall cause the painting of the Motorized Tricycle Regulatory Board (MTRB) Body Number on the front, rear and inside passenger cabin of the unit.

### **Article 8 – Fees and Charges**

Section 159. – The following fees and charges shall be assessed and paid for new applications or renewal of Motorized Tricycle Operators Permit:

a) Filing Fee, for every unit .....	P 300.00
b) Annual Supervision Fee, per unit .....	100.00
c) Filing Fee for substitution of unit .....	300.00
d) Filing Fee for dropping of unit/s .....	300.00
e) Filing Fee for petition for increase of fare rate .....	150.00
f) Filing Fee for petition for change of route .....	200.00

Section 160. – In case of unit substitution, the Motorized Tricycle Operators Permit holder shall only enjoy the unexpired portion of the Motorized Tricycle Operators Permit Validity.

### **Article 9 – Routes, Terminals and Area of Operations/Driver’s ID**

Section 161. – Subject to the formulation of tricycle routes under the public transportation route plan, only motorized tricycles duly registered with the Motorized Tricycle Regulatory Board (MTRB) of the City of Pagadian may be

allowed to operate within the routes and terminals as may be allocated for motorized tricycles operations. The number of motorized tricycles for-hire that may be allowed in each route shall be in accordance with the Route Measured Capacity (RMC).

Section 162. – Identification Cards of drivers shall be issued by the Motorized Tricycle Regulatory Unit (MTRU) at the cost and shall be displayed in a conspicuous place inside the sidecar/cab.

#### **Article 10 – Miscellaneous**

Section 163. FARE MATRIX. – Subject to the approval of the Motorized Tricycles Regulatory Board and the subsequent adoption of the fare rates by the Sangguniang Panlungsod, a fare matrix shall be formulated for distribution to the individual motorized tricycle for hire units upon payment of a fee to cover the cost of printing.

The Fare Matrix, being the basis for the collection of fare rates, must at all times during the operation of the tricycle be posted in a conspicuous location within the cabin for passenger's reference.

Section 164. MANDATORY APPLICATION OF COLOR SCHEME AND OTHER IDENTIFYING MARKS OR PRINTS. – Public motorized tricycles for-hire are not allowed to operate without the prescribed color scheme, body number and other prints as provided under this Chapter of the Code.

Section 165. TRANSFER OF ZONE OR AREA OF OPERATION. – An operator opting to transfer to another zone or area of operation shall be allowed only upon application for change of route and payment of the prescribed fee as provided in this Chapter and approved by the Motorized Tricycles Regulatory Board.

Section 166. CONVEYANCE OF PASSENGERS OR CARGOES. – It shall be the duty and obligation of public motorized tricycle for-hire to convey passengers and cargoes to their respective destination within their allocated or designated route or area of operation.

Section 167. PASSENGER CAPACITY. – Tricycles may only be allowed to carry a maximum number of five (5) passengers excluding the driver.

Section 168. BACKRIDERS. – No minors or women in skirts may be allowed to sit as backrider of motorized tricycle for-hire under any circumstance.

Section 169. AREA OF OPERATION. – Motorized tricycle for-hire shall be allowed to operate only within its assigned route or designated area of operation except in cases of extreme emergencies involving the preservation of life and/or property.

Section 170. CAB DIMENSION. – All motorized tricycles for hire units that shall operate in the city shall be of the following minimum measurements to be certified to be operable within the territorial jurisdiction of Pagadian, to wit:

1) Seats: (minimum)

Length – 29 inches

width – 11 inches

height (from floor level) – 13 inches

2) Cab height (floor level to inside of roof) – 43 inches (minimum)

- 3) Cab breadth/legroom: (minimum)  
Front: (from the backrest to front window panel) – 34.5 inches  
Back: (from the backrest to front seat backrest) – 26 inches
- 4) Roofing width: (minimum)  
Passenger cab – 29 inches  
Driver – 29 inches
- 5) Roofing length: (minimum)  
Passenger cab – 52 inches  
Driver's side canopy – 44 inches
- 6) Passenger Entrance width: (minimum)  
Front – 15 inches  
Back – 13 inches
- 7) Step measurement (from cab floor level) – 12 inches (minimum)

**Section 171. TRICYCLE BODY/CAB NUMBERS. –**

- a) Motorized tricycle for hire shall be assigned permanent body/cab numbers. The RTMO through its Motorized Tricycle Franchising Unit shall control issuance of body/cab numbers with reference to the approved number of units allowed to operate within the city.
- b) Such body/cab number shall be non-transferrable and shall, upon dropping of the unit, automatically be reverted to the City Government for disposition to other wait-listed applicants in the manner to be determined by the Motorized Tricycles Regulatory Board.
- c) For purposes of uniformity, tricycle numbers shall be printed in bold red numbers with the following minimum dimensions in the front and back portions of the cab:
  - 1) height — eight (8) inches;
  - 2) width — five (5) inches;
  - 3) thickness — 1 inch

**Section 172. OTHER BODY MARKINGS. –** The name and address of the motorized tricycle for hire operator shall be printed in bold letters at the passenger side portion of the cab.

**Section 173. DRIVER'S IDENTIFICATION TAG. –** a) Every motorized tricycle for hire driver shall be required to have a Driver's Identification Tag signed and authenticated by the RTMO Chief. This will serve as proof that he has undergone a seminar on the salient provisions of this code and authorized to drive a motorized tricycle for hire in the city.

- b) The tag shall be issued for a fee to cover the cost of production by the RTMO and the same must be hung at the front portion of tricycle cabin when operating/driving a motorized tricycle for hire.

## **CHAPTER 5 — OTHER PROVISIONS**

### **Article 1 — Operation of Animal Drawn Carriages, Bicycles and Trisikad**

Section 174. EFFECT OF REGULATIONS. — The regulations applicable to animal-drawn carriages or bicycles shall apply whenever an animal drawn carriage, bicycles or trisikad is operated upon any roadway or upon any path set aside for the exclusive use of such carriages, bicycles or trisikad.

Section 175. REGISTRATION. — All animal-drawn carriage, bicycles and trisikad owned by residents of the City shall be registered with the RTMO for issuance of license plates and upon payment of One Hundred (P100.00) Pesos to the City Treasurer's Office.

No person, whether resident or not of the City, shall operate, ride or propel an animal-drawn carriage, bicycle or trisikad on any street, highway, alley roadway, sidewalk or upon any public path set aside for the exclusive use of carriages, bicycles or trisikad unless such has been licensed and a license plate three (3") inches by six (6") inches in size is attached thereto as provided herein.

Section 176. TRAFFIC LAWS APPLICABLE TO PERSONS RIDING BICYCLES OR TRISIKAD. — The provisions of this Ordinance granting right to and imposing duties upon a driver of a vehicle shall apply to every person operating an animal-drawn carriage, bicycle or trisikad upon a roadway, except those provisions that by their very nature are not applicable.

Section 177. RIDING BICYCLES OR TRISIKAD. — a) No person shall ride a bicycle or trisikad which does not have a permanent and regular seat attached to it.

- b) No bicycle or trisikad shall be used to carry at one time more persons than the number for which it is designed and equipped.
- c) No person shall ride a bicycle without having at least one hand on the handle bars.
- d) Whenever a bicycle lane is provided, the rider of a bicycle shall use that bicycle lane.
- e) No person shall ride a bicycle within two meters of the rear of a motor vehicle.
- f) No person shall drive a trisikad on any national road.

Section 178. TOWING OF BICYCLES, ETC. — a) A person riding a bicycle shall not attach himself to nor permit himself to be drawn by any other vehicle.

- b) The driver of a vehicle shall not permit a person riding a bicycle to attach himself to or be drawn by the vehicle.

Section 179. RIDING MORE THAN TWO ABREAST. — a) Except on a bicycle lane where such is permitted by signs or other means, no person shall ride a bicycle so that it is travelling abreast of more than one bicycle.

- b) The preceding provision of this section shall not operate to prevent a cyclist from overtaking and passing other persons riding bicycle abreast.
- c) A bicycle shall be deemed to be abreast of another bicycle if any part of it by the side of any part of the other.

**BOOK IV. — PLANNING AND ADMINISTRATION**

**Chapter 1 — Roads and Traffic Planning Board**

**Article 1 — Composition & Functions**

Section 180. ROADS AND TRAFFIC PLANNING BOARD. — a) There shall be created a Roads and Traffic Planning Board which shall be composed the following:

Chairman : The City Mayor  
Members :  
1) The City Engineer  
2) The City Planning & Development Coordinator  
3) The Chief of Police, Pagadian City Police Office  
4) The City Legal Officer  
5) Chairman, Committee on Public Utilities, Transportation, Communications & Franchising, Sangguniang Panlungsod  
6) Chairman, Committee on Ways & Means, Sangguniang Panlungsod  
7) The President, City Federation of the Liga ng mga Barangay  
8) The Transport District Officer, Land Transportation Office, or his duly authorized representative  
9) The Regional Director, Land Transportation Franchising & Regulatory Board or his duly authorized representative  
10) The Highway District Engineer, DPWH—Pagadian City Officer, or his duly authorized representative  
11) The City Building Official or his duly authorized representative  
12) The Action Officer, Pagadian City Risk Reduction and Management Office  
13) The City Fire Marshall, Bureau of Fire Protection, or his duly authorized representative  
14) One (1) representative of the Transportation Sector  
15) One (1) representative of the Media Sector  
16) One (1) representative of the Education Sector  
17) One (1) representative of the Business Sector  
18) One (1) representative of the Petroleum Dealers  
19) The Roads & Traffic Management Officer

b) Sectoral representation as provided in items 14 to 18 above shall be with reference to their respective appointments to be issued by the City Mayor based on the recommendations of the sectors.

Section 181. THE ROADS AND TRAFFIC PLANNING BOARD; POWERS AND FUNCTIONS. — The Board shall be vested with the responsibility to formulate traffic plans and program; Provided, however, that all traffic plans and program that may be hereafter be drawn or prepared shall be submitted to the Sangguniang Panlungsod for approval.

The Board shall also have the following functions:

a) Identify traffic bottleneck points and establish priorities in implementing remedial measures;

- b) Formulate traffic engineering schemes, such as banning of turning movements, creation of one-way streets, prohibition of parking, designation of loading/unloading zones, installation of traffic signages, regulating speeds, and similar measures, in accordance with its approved priority list;
- c) Secure agreement on proposed traffic schemes;
- d) Recommend ordinances in support of traffic management schemes;
- e) Review major property development proposals as to their traffic impact, especially those involving land use conversion from low to high-intensity traffic generation;
- f) Provide technical inputs into the preparation and updating of the City's Land Use Plan, particularly the long term road network plan of the city;
- g) Update and analyze the public transport routes and services covering tricycles, buses, jeepneys, and other public transport modes;
- h) Evaluate requests, in coordination with the City Planning Department, for variances from the zoning ordinance that are likely to have a significant traffic impact;
- i) Formulate and advocate programs that will promote and encourage walking and trips by public transport and higher-capacity modes;
- j) Initiate or administer pedestrian districts or streets temporarily or permanently withdrawn from vehicular use, including time allocation for use of roads other than for vehicles.
- k) Coordinate, monitor and evaluate the planning and implementation of the traffic management components undertaken by the Bureau;
- l) Recommend to the City Council the routing of common carriers operating in Cagayan de Oro City in so far as it forms part of a comprehensive traffic management schemes;
- m) Review and approve the annual work programs and budgets of the RTA;
- n) Develop and prescribe rules and procedures for internal operation and management;
- o) Submit to the Honorable City Mayor periodic and special reports relative to traffic management activities;
- p) Perform such other related functions as may be necessary to ensure the effective planning and implementation of traffic management schemes;
- q) The Board has the authority to summon persons/individuals or establishments in matters pertaining its functions; and
- r) The Board shall meet once a month or as often as necessary.

**Section 182. SECRETARIAL SUPPORT TO THE BOARD.** – The Administrative Division of the Roads and Traffic Management Office shall serve as the Secretariat of the Board.

## **Chapter 2 — Roads and Traffic Management Office (RTMO)**

### **Article 1 — Creation & Functions**

**Section 183. CREATION.** – There is hereby created the Roads and Traffic Management Office (RTMO) as a department in the Organizational Structure of the City Government of Pagadian.

Section 184. FUNCTIONS. – The RTMO shall be solely vested with the power to enforce and implement this Ordinance and such traffic management plans and programs that may hereafter be drawn or prepared.

The RTMO shall have the following responsibilities:

- 1) Install and maintain the traffic signs, road markings and other traffic control devices;
- 2) Identify private roads that should be opened to improve overall circulation, and initiate moves for the full or partial integration into the road network;
- 3) Collect traffic date and statistics such as vehicular counts, road layouts and dimensions, etc;
- 4) Review request for road diggings, road constructions, temporary closures, parades, and conduct of extraordinary events that would reduce road capacity;
- 5) Provide the technical and staff support to the Sangguniang Panlungsod in regulating the operation of tricycles, pedicabs and other public conveyances within the administrative jurisdiction of the city;
- 6) Coordinate with public transport operators in the provision or operation of facilities like terminals and waiting areas;
- 7) Appear in the hearings of the Land Transportation Franchising and Regulatory Board to ensure that the issuance of permits or certificates of public convenience are consistent with the plans of the city;
- 8) Assign personnel to direct or control traffic at intersection and other locations requiring such intervention;
- 9) Execute the enforcement component of any traffic scheme devised or conceived by the Roads and Traffic Management Office and approved by the City Mayor;
- 10)Enforce applicable traffic rules and regulations, including apprehension and issuance of traffic citation tickets to drivers found in violation of any provisions of this Ordinance;
- 11)Conduct investigations on vehicular accidents that occur within the city;
- 12)Coordinate with the Pagadian City Police Office, the barangay officials, traffic enforcers and other affiliating agencies to harmonize personnel deployment and field operations within the city;
- 13)Initiate the towing and/or clamping of vehicles obstructing or violating traffic;
- 14)Suggest changes in any traffic scheme, including provision of traffic signals;
- 15)Implement a local traffic education and road safety program;
- 16)Establish, operate, maintain and/or administer terminals, parking facilities, bicycle paths, including collection of user fees and charges thereto;
- 17)Initiate or administer pedestrian districts or streets temporarily or permanently withdrawn from vehicular use, including time allocation for use of roads other than for vehicles;
- 18)Take custody of vehicles and articles impounded by virtue of this Code and secure the same in the city impoundment area until released to their owners or lawful claimants, or otherwise disposed in accordance with this Ordinance;

- 19) Provide administrative services to all the divisions of the office when exigency demands;
- 20) Provide management information services, including the collection of accident data, updating and maintenance of records, inventory of roads and traffic control devices;
- 21) Handle the paper work and documentation attendant to enforcement, such as the processing of traffic citation tickets;
- 22) Conduct public information campaigns in support of any activities of the Department;
- 23) Conduct continuing traffic surveys and statistics gathering;
- 24) Propose rerouting, parking and other regulations to the authorities;
- 25) Conduct feasibility studies or traffic networks and system;
- 26) Conduct studies and propose engineering designs or intersection management;
- 27) Maintain and operate the traffic signals;
- 28) Provide the needed traffic signs and pavement markings within the jurisdiction of the City of Pagadian;
- 29) Maintain the flow of vehicular traffic and enforce the traffic rules and regulations;
- 30) Expand, reduce, amend or modify the list of authorized on-street parking road segments; One Way Streets; Right and Left areas or U-Turn slots from time to time as it sees fit, subject to the pertinent provisions in this ordinance.
- 31) Conduct traffic education program and administer the dissemination of information regarding traffic updates;
- 32) Propose ways and means for traffic revenue measures;
- 33) Absorb and exercise all functions related to transport safety, develop and provide public parking, and undertake environmental protection activities such as anti-smoke belching, noise pollution and other pertinent laws and ordinances.
- 34) Manage and control the use of public roads and pathways and the clearing of obstructions of any form to ensure smooth flow of traffic.
- 35) Reroute traffic and close roads during emergencies and during fiesta, festivals, holidays and on such other special occasions for a duration of not more than three (3) days only.
- 35) Perform other tasks that may be assigned by the City Mayor and/or the Roads and Traffic Management Board.

## **Article 2 — Organizational Structure**

Section 185. CHIEF OF OFFICE. – The department shall be headed the Roads and Traffic Management Officer (RTMO Chief) with the rank of City Government Department Head I, Salary Grade 25:

- a) Appointment to the position of Roads and Traffic Management Officer (RTMO Chief) is Co-Terminus to the Appointing Officer;

b) Qualifications:

- 1) a resident and a registered voter of Pagadian City;
- 2) of good moral character;
- 3) a holder of a college degree from a recognized college or university preferably in the field of engineering, urban planning, public administration or law and a first grade civil service eligible or its equivalent;

c) Powers, duties and functions:

- 1) undertake the overall management and supervision of the whole bureau;
- 2) coordinate with other offices to ensure effective and efficient implementation of traffic management measures;
- 3) interpret and implement traffic management policies and to formulate plans and design standards;
- 4) review and submit for approval the annual budget of the bureau.

Section 186. PERSONNEL. – The department shall be composed of the following divisions with distinct duties and responsibilities and the following manpower complement:

a) Administrative Services Division:

- 1) One (1) Administrative Officer III, Salary Grade 18 (Division Chief)
- 2) One (1) Records Officer II, Salary Grade 14
- 3) One (1) Computer Operator II, Salary Grade 8
- 4) One (1) Supply Officer II, Salary Grade 14
- 5) One (1) Administrative Aide (Clerk I), Salary Grade 3
- 6) One (1) Messenger, Salary Grade 2
- 7) One (1) Driver I, Salary Grade 3
- 8) One (1) Utility Worker II, Salary Grade 3

b) Traffic Engineering Division:

- 1) One (1) Engineer IV, Salary Grade 22 (Division Chief)  
Traffic Signal Control/Signage & Pavement Markings Section:
- 2) One (1) Engineer II, Salary Grade 16
- 3) One (1) Electronics & Communication Equipment Technician II, Salary Grade 18
- 4) One (1) Draftsman II, Salary Grade 8
- 5) One (1) Painter I, Salary Grade 3
- 6) One (1) Welder I, Salary Grade 1
- 7) One (1) Carpenter I, Salary Grade 3
- 8) 2 – Laborer I, Salary Grade 1  
Transport Technical Section:

- 9) One (1) Engineer II, Salary Grade 16
- 10) One (1) Statistician I, Salary Grade 15

11)One (1) Computer Operator II, Salary Grade 8

12)One (1) Computer Maintenance Technologist I, Salary Grade 7

c) Traffic Enforcement Division:

1) One (1) Traffic Operation Officer IV, Salary Grade 22 (Division Chief)

Traffic Education Section:

2) One (1) Traffic Operation Officer II, Salary Grade 15

3) One (1) Public Relation Officer II, Salary Grade 5

4) One (1) Audio-Visual Equipment Operator I, Salary Grade 3

5) One (1) Clerk I, Salary Grade 3

Traffic Law Enforcement & Control Section:

6) One (1) Traffic Operation Officer II, Salary Grade 15

7) One (1) Traffic Aide II, Salary Grade 5

8) Fifty (50) Traffic Aide I, Salary Grade 3

Traffic Special Services Section:

*Telephone/Radio Control Staff.*

9) Three (3) Communication Equipment Operator I, Salary Grade 8

*Anti-Smoke Belching Staff.*

10)Two (2) Traffic Aide I, Salary Grade 3

*Impounding Services Staff.*

11)Three (3) Watchman II, Salary Grade 4

*Towing Services Staff.*

12)One (1) Driver II, Salary Grade 4

13)Two (2) Laborer I, Salary Grade 1

*Pay Parking/Anti-Jay Walking Staff.*

14)Six (6) Parking Aide I, Salary Grade 2

15)Two (2) Traffic Aide I, Salary Grade 3

*Motorized Tricycles Inspection Staff.*

16)Two (2) Traffic Aide I, Salary Grade 3

Traffic Data Section:

17)One (1) Administrative Assistant III, Salary Grade 9

18)One (1) Data Encoder II, Salary Grade 8

19)One (1) Administrative Aide I, Salary Grade 1

Section 187. QUALIFICATIONS REQUIREMENT OF PERSONNEL. – Appointees to any of the positions in the preceding section must possess the educational qualifications and eligibility as well as the training and experience requirements set forth by the Civil Service Commission for the positions.

Section 188. FUNCTIONAL SETUP. – The divisions within the Department shall have the following functions and responsibilities:

a) Administrative Services Division:

- 1) To perform general administrative functions on personnel transactions and responsible for the auxiliary activities such as clerical, janitorial, accounting, record and supply management and other related activities of the Bureau;
- 2) To prepare and submit annual budget proposals of the Bureau;
- 3) To maintain proper accounting and budgeting of funds of expenditures; and
- 4) Enlist all Public Motorized Tricycle For-Hire operating within the territorial jurisdiction of Pagadian City.
- 5) Attend to the documentation for the registration and process applications for franchise of all Motorized Tricycles intending to operate on Hire-Basis.
- 6) Prepare all MTOP and submit a summarized list of all approved MTOP to the MTRB. The summarized list shall include the following data:
  - i) Name of Grantee
  - ii) Address of Grantee
  - iii) Date of Grant and Expiration
  - iv) MTOP Plate Number
- 7) Submit all processed applications for MTC Franchise with all the supporting prescribed documents to the Sangguniang Panlungsod through the Motorized Tricycle Regulatory Board for approval.
- 8) Report observed problems, both procedural and substantive, in the operations of the MTRU to the Board.
- 9) Propose solutions to problems perceived to the Board for issuance of policy on the matter.
- 10) Call for a general or limited meetings of MTOP grantees for purposes of dispensing new policies or information for the smooth operations of the MTRU.
- 11) Do other duties that may be prescribed by the Sangguniang Panlungsod as the need arises.
- 12) To perform other related activities.

b) Traffic Engineering Division:

- 1) To implement geometric improvement plans and construct minor civil works;
- 2) To prepare, install signs, repair damaged poles, posts and barriers;
- 3) To maintain and repair all traffic signal system facilities and structures;
- 4) To maintain signs, markings on street parking areas and traffic areas and traffic islands;
- 5) To establish procedures to ensure that maintenance programs are implemented safely and efficiently;
- 6) To implement changes in the controller and systems data;
- 7) To act as the custodian of the system's software and other utility programs;
- 8) To install traffic signals; and

- 9) To monitor performance and make on the spot analysis of the system to ensure optimum operation of the signal system.
- c) The Traffic Enforcement Division:
  - 1) To conduct continuing education program; and
  - 2) To administer the dissemination of information regarding traffic updates.
  - 3) To enforce the City Ordinance, R.A. 4136 and other related traffic ordinances or law;
  - 4) To apprehend violators;
  - 5) To respond to accident reports in areas not assigned with traffic enforcers;
  - 6) To conduct field accident investigations; and
  - 7) To direct and control traffic.
  - 8) To provide radio communication support and assistance to the field personnel and coordinate with concerned national and local agencies/offices in emergency situations;
  - 9) To undertake inspection of motor vehicles and report violations against anti-pollution laws and ordinances;
  - 10) To take charge of the vehicle impounding area and establish a detailed record of all apprehended vehicles that are impounded and/or released from the impounding area;
  - 11) To take charge of the operation and maintenance of the towing equipment and in the hauling/tugging of apprehended and/or stalled vehicles;
  - 12) To monitor the proper utilization of the designated pay parking areas; and collects the prescribed parking fees and issue the corresponding cash tickets or receipts.
  - 13) To apprehend jaywalkers and issue citation tickets for the violation, and/or turn-over protesting violators to the Division for subsequent action.
  - 14) To regularly submit reports of violations and statements of collections from fines and impositions to the RTMO Chief.
  - 15) To keep records of all vehicles operating in the City which shall include the name of registered owners, users and addresses and other information relating to the physical identification of the motor vehicle;
  - 16) To cause the issuance of traffic citation tickets and penal summons to violators of any Ordinance and other ordinances relating to traffic rules and regulations; and
  - 17) To cause the filing of a complaint or information and secure the issuance of warrant of arrest against violators who fail and ignore Citation Tickets or Penal Summons.

**Section 189. TRANSFER OF THE MOTORIZED TRICYCLES REGULATORY UNIT.** – The Motorized Tricycles Regulatory Unit, its duties, functions and personnel shall, by this Code, be transferred to the Administrative Division as a section therein.

### **Article 3 — Supplemental Qualifications**

Section 190. MTRU PERSONNEL. Notwithstanding the pertinent qualification on education, training, experience and eligibility pursuant to Civil Service laws and rules with respect to the specific positions under the Motorized Tricycles Regulatory Unit, the herein qualification requirements must have to be met for employment:

a) MTRU Head/In-Charge:

- 1) Must be a college graduate; and
- 2) Must have undergone a 10-hour training on or must have at least 6 college units in transportation or common carrier subjects/management or 1-year actual experience in the management of common carriers or common carrier terminal operations.

b) MTRU Service/Record Clerk:

- 1) Must be a college graduate; and
- 2) Must have at least ten (10) units in computer technology.

Section 191. TRAFFIC ENFORCERS. – a) As a matter of policy, the herein specific qualifications for employment of traffic aides are hereby adopted in addition to such requirements under Civil Service Laws and Rules, to wit:

- 1) citizen of the Philippines;
- 2) of good moral conduct;
- 3) of sound mind and body;
- 4) at least second year college or the equivalent of seventy-two (72) collegiate units or an equivalent training or experience;
- 5) have not been dishonorably discharge from military or police employment or dismissed for cause from any civilian position in the Government;
- 6) have not been convicted by final judgment of an offense or crime involving moral turpitude;
- 7) at least one meter and sixty-two centimeters (1.62 m) in height for male and one meter and fifty-seven centimeters (1.57 m) for female;
- 8) weighs not more than five (5) kilograms of the standard weight corresponding to his/her height, age and sex;
- 9) new applicant must at least be twenty-one (21) but not more than thirty (30) years of age; and
- 10) must pass drug testing in an LTO/DOH accredited drug testing center.

b) There shall be no waiver on the minimum qualifications. The same, however, shall not apply to Traffic Enforcers already employed prior to the approval of this Code.

Section 192. OATH OF OFFICE. – In addition to existing requirements imposed by the City Government and the Civil Service rules and regulations, no traffic enforcer shall be hired unless he/she faithfully executes an Oath of Office.

The Roads and Traffic Administration Chief is hereby tasked to prepare the Oath of Office, which shall contain the following phrases, among others:

"I will love and serve GOD, my country and people;  
I will uphold the Constitution and obey legal orders of the duly

constituted authorities;  
I will oblige myself to maintain a high standard of morality and professionalism;  
I will respect the customs and traditions of the traffic enforcement service; and  
I will live a decent and virtuous life to serve as an example to others."

#### **Article 4 — Prescribed Uniform**

Section 193. TRAFFIC ENFORCERS UNIFORM.— a) There shall be prescribed uniform for traffic enforcers under the Roads and Traffic Management Office of such detail and design as follows:

Cap - Black Pershing Cap with RTMO Badge and Green band;

Upper (polo) - Green in color with the new City Seal on the right sleeve; RTMO seal on the left sleeve; "Traffic Enforcer" patch above the left pocket; RTMO Badge above the said patch; and a name tag above the right pocket.

Lower (pants) - Black in color with green side piping and black belt;

Shoes - Black

b) Traffic enforcers shall be in the prescribed uniform while on duty manning, directing and controlling the flow of traffic and enforcing traffic laws, ordinances, rules and regulations and/or holding office in the bureau or attending any public occasion where the wearing of uniform is enjoined by RTMO Chief.

c) It shall be unlawful for any person who is not a member of Roads and Traffic Management Office to wear such uniform whether posing as traffic enforcer or not along the streets or roads or merely seen in other public places.

### **BOOK 5 — IMPOSITIONS AND OTHER PROVISIONS**

#### **Chapter 1 — Apprehension, Fines & Penalties**

##### **Article 1 — Apprehension**

Section 194. BASIC PROCEDURE FOR APPREHENSIONS. — The following procedures shall be observed in the apprehension of any person found violating the provisions of this Ordinance:

a) Any person violating the provision of this Code shall be issued a Traffic Citation Ticket.

- 1) In case of violation of the Traffic Code of the Philippines, a duly LTO deputized traffic enforcer shall confiscate the driver's license and correspondingly issue a Temporary Operator's Permit (TOP) which shall serve as Temporary Driver's License within the period stated/specified in the TOP.
- 2) All confiscated licenses and the duplicate copy of Traffic Citation Tickets and TOPs shall be turned over by the apprehending officer to the RTMO Chief within 24 hours from the time it was confiscated or issued.

b) In the apprehension of drivers of motor vehicles, the traffic officer or deputized agent shall demand presentation of the driver's license and the registration of the motor vehicle. The apprehending officer shall then indicate in the citation ticket the name and address of the driver, the license number

and the issuing agency of the driver's license, and when applicable, the name and address of the owner and registering agency of the vehicle, including the certificate of registration number. The apprehending officer shall stipulate therein the specific violation and furnish copy of the citation ticket to the person apprehended.

- c) Should it come to the attention of the traffic enforcer that the driver of motor vehicle who has committed traffic violation is a recidivist or is under the influence of liquor or prohibited drugs; the apprehending officer shall request for police assistance in escorting to or detaining such driver at the nearest police precinct for verification.
- d) In case of business establishments found violating the provisions on traffic obstructions, the apprehending officer shall demand the presentation of Mayor's Permit or, in case of building constructions, the Building Permit. The Traffic Officer shall then indicate the name and address of the owner and the corresponding Mayor's or Building Permit Number, the particular provision of the code that is violated and furnish copy of said citation ticket. In the event, however, that the person found violating the provisions of this Ordinance is not engaged in any occupation or business requiring a permit, his name and correct address shall be ascertained and indicated in the citation ticket.
- e) In case of pedestrians found violating this Ordinance, they shall be taken to the Office of the City Treasurer to pay the appropriate penalty.
- f) In case any motor vehicle without driver is found illegally parked, stopped or in violation of the provisions of this Ordinance, the officer finding the vehicle shall note down its plate number, model or type and any information displayed on the vehicle, which may identify its user, and shall conspicuously attach to the vehicle a summon for the driver or owner to answer the charge against him/her within three (3) days, during the hours and at a place specified in the summon. Failure of the driver or owner to appear shall be construed as waiver of his/her right to contest the citation and shall be liable for payment of the corresponding fines.

If the driver or owner of such illegally parked motor vehicle will not turn up within one (1) hour from the time the traffic enforcer issued the summon, such vehicle shall be towed to the impounding area of the RTMO located within the compound of the Office of the City Engineer, San Jose District or the towing services company/contractor, if any, as the case maybe.

In the event an apprehended driver or owner of vehicle decides to contest his/her violation or the apprehension, he/she may lodge a protest before the Traffic Adjudication Board created hereof and composed of the following:

Chairman: The City Legal Officer

Members: 1) The Chief, Traffic Enforcement Section, Pagadian City PNP  
2) The Roads and Traffic Management Officer

which shall conduct investigation and hearing, and render decision thereof. The said Board shall also take jurisdiction on complaints against abusive traffic enforcers and cases of traffic enforcers accepting bribes or drivers offering bribes by conducting preliminary hearing of said cases and recommend appropriate administrative or criminal action to the City Legal Officer.

Section 195. WHEN COMPLAINT TO BE ISSUED. – In the event the person who was issued a Citation Ticket fails to pay the traffic fine stated in the Citation Ticket at the Office of the City Treasurer nor render community service in lieu of payment of administrative fine as provided under this Ordinance within seventy-two (72) hours from time of issuance of the citation ticket, the RTMO shall immediately file a complaint against such person before the courts.

Aside from filing of the appropriate action before the Court, the following administrative remedies for enforcement shall be undertaken:

- a) For driving-related violations, the RTMO shall communicate with the Land Transportation Office to hold in abeyance the renewal of driver's license or the renewal of the vehicle's registration until clearance has been obtained from the City;
- b) For other violations, the Permits and Licenses Division, Office of the City Mayor shall immediately request for cancellation of the permit and the issuance of closure order from the City Mayor. In the event that the owner of the thing or object causing the obstruction on the sidewalk or city streets could not be determined, the RTMO shall cause its removal or impoundment.
- c) Where the violator is not the driver, a written notice or citation to the offending party shall be issued by the deputized traffic enforcer.

#### **Article 2 — Schedule of Fines & Penalties.**

Section 196. VIOLATIONS IN CONNECTION WITH LICENSES. – The following fines and penalties shall be imposed for this particular nature of infractions, to wit:

	<i>Types/Kinds of Violations</i>	<i>Fine</i>
a)	A student driver operating motor vehicle w/o being accompanied by a licensed driver .....	P 1,500.00
b)	Allowing an unlicensed/ improperly licensed person to drive .....	1,500.00
c)	Allowing another person to use his/her license .....	1,500.00
d)	Driving with a delinquent, invalid, suspended, ineffectual or revoked license .....	1,500.00
e)	Driving without a license .....	1,500.00
f)	Expired driver's license .....	1,500.00
g)	Failure to carry driver's license .....	500.00
h)	Failure to show or surrender license .....	500.00
i)	Fake or counterfeit license .....	1,500.00
j)	Hiring a minor or unlicensed conductor .....	1,500.00

Section 197. VIOLATIONS IN CONNECTION WITH MOTOR VEHICLE REGISTRATION. – The herein list of fines and penalties shall be imposed for this particular nature of infractions, to wit:

	<i>Types/Kinds of Violations</i>	<i>Fine</i>
a)	Certificate of registration and official receipt not carried .....	P 300.00

b)	Operating/allowing the operation of a motor vehicle with a suspended/revoked certificate of registration .....	5,000.00
c)	Tourist operating a non-Philippine registered vehicle beyond 90 day period.....	1,500.00
d)	Unregistered/improperly registered/delinquent or invalid registration.....	5,000.00

Section 198. VIOLATIONS IN CONNECTION WITH PLATES AND STICKERS. – The herein list of fines and penalties shall be imposed for this particular nature of infractions, to wit:

	<i>Types/Kinds of Violations</i>	<i>Fine</i>
a)	Dirty or uncared for plates.....	P 2,500.00
b)	Expired commemorative plates/stickers.....	2,500.00
c)	If plates are made to appear as registered to operate as FOR HIRE .....	2,500.00
d)	Illegal transfer of plates, tags, or stickers.....	2,500.00
e)	Illegal use of commemorative plates without proper authority ....	2,500.00
f)	Inconspicuously displayed plates .....	2,500.00
g)	License plate different from body number on for-hire vehicle.....	2,500.00
h)	No sticker.....	2,500.00
i)	No sticker showing the correct year .....	2,500.00
j)	Plates not firmly attached and visible .....	2,500.00
k)	Removing permanent plates to accommodate commemorative plates.....	2,500.00
l)	Tampered/marked plate or stickers.....	2,500.00
m)	Unauthorized or improvised number plates.....	2,500.00

Section 199. VIOLATIONS RELATIVE TO MOTOR VEHICLE PARTS, ACCESSORIES, MARKINGS. – The herein list of fines and penalties shall be imposed for this particular nature of infractions, to wit:

	<i>Types/Kinds of Violations</i>	<i>Fine</i>
a)	Defective brakes.....	P 2,500.00
b)	Defective handbrakes.....	2,500.00
c)	Defective horn or signaling device.....	2,500.00
d)	Defective or broken windshield .....	2,500.00
e)	Dirty and unsightly or dilapidated motor vehicle.....	2,500.00
f)	Failure to paint or improper painting of authorized route (jeepneys) .....	2,500.00
g)	Failure to put "NOT FOR HIRE" sign on jeepney not operated as FOR HIRE .....	2,500.00

h)	Glaring front or rear body parts and/or sporting dazzling accessories .....	2,500.00
i)	Improper horn or signaling device (exceptionally loud, startling, or disagreeable) .....	2,500.00
j)	No brake (stop) lights .....	2,500.00
k)	No Early Warning Device .....	2,500.00
l)	No handbrakes .....	2,500.00
m)	No interior lights or using dim interior lights .....	2,500.00
n)	No license plate lights .....	2,500.00
o)	No or defective headlights .....	2,500.00
p)	No or defective speedometer .....	2,500.00
q)	No or defective taillights .....	2,500.00
r)	No or defective windshield wipers .....	2,500.00
s)	No or disconnected muffler or muffler emitting exceptionally loud noise .....	2,500.00
t)	No rear view mirror .....	2,500.00
u)	No red rear lights .....	2,500.00
v)	Non-painting of business name or trade name on vehicle used for business or trade .....	2,500.00
w)	Operating vehicle with tinted front side glass windows and windshield .....	2,500.00
x)	Operating vehicle with unprescribed mudguard .....	2,500.00
y)	Operation of vehicles with right-hand steering wheel .....	2,500.00
z)	Unauthorized change of color or configuration .....	2,500.00
aa)	Unlawful use or attachment of siren/bell/horn/whistle/gadget that produces exceptionally loud or startling sound, including dome lights, blinkers, and similar signaling/flashing devices .....	2,500.00

Section 200. VIOLATIONS RELATIVE TO FOR-HIRE MOTOR VEHICLE. – The herein list of fines and penalties shall be imposed for this particular nature of infractions, to wit:

	<i>Types/Kinds of Violations</i>	<i>Fine</i>
a)	Defective Equipment (not roadworthy) .....	P 2,500.00
b)	Failure to post signage instructing passengers of public motor vehicles required the wearing of seat belts to FASTEN SEAT BELTS .....	1,500.00
c)	For any infraction to retrofit with/install required seatbelt/anchorage/seat orientation as prescribed .....	1,500.00
d)	Illegal installation or playing of car stereo .....	500.00
e)	No body number on vehicle .....	500.00

f)	No capacity markings .....	500.00
g)	No garbage receptacle .....	500.00
h)	No name of operator and plate number inside passenger cab ....	500.00
i)	No name/business name and address on vehicle .....	500.00
j)	No red flag or red lights on projecting load .....	500.00
k)	No spare tire .....	500.00
l)	Operating without Mayor's Permit .....	500.00
m)	Out of Line - Operating outside authorized route .....	500.00
n)	Unauthorized bell, siren, or exhaust whistle .....	500.00
o)	Use of slippers or sleeveless shirts when driving a FOR HIRE vehicle .....	500.00
p)	Violation of color scheme/unauthorized use of body color/design (for motorized tricycles for hire) .....	500.00

Section 201. WEIGHTS AND LOAD LIMITS. – The herein list of fines and penalties shall be imposed for this particular nature of infractions, to wit:

	<i>Types/Kinds of Violations</i>	<i>Fine</i>
a)	Allowing load in excess of its carrying capacity .....	P 500.00
b)	Baggage/freight carried on top of truck exceeds 20 kgs/sqm and not distributed properly.....	500.00
c)	Load extended beyond projected width without permit .....	500.00
d)	Overloading .....	500.00
e)	Total weight of cargo carrying device or passenger truck in excess of 100 kilos .....	500.00
f)	Unsafe load .....	500.00
g)	Loads not properly secured .....	500.00
h)	No permit to move equipment and/or load of excessive weight, width or height .....	500.00

Section 202. PROHIBITED OR ILLEGAL OPERATION. – The herein list of fines and penalties shall be imposed for this particular nature of infractions, to wit:

	<i>Types/Kinds of Violations</i>	<i>Fine</i>
a)	Colorum operation .....	P 1,500.00
b)	Colorum operation or private use despite suspended CR .....	1,500.00

Section 203. BREACH OF CONDITION OF FRANCHISE & RELATED VIOLATIONS. – The herein list of fines and penalties shall be imposed for this particular nature of infractions, to wit:

	<i>Types/Kinds of Violations</i>	<i>Fine</i>
a)	Breach of franchise conditions .....	P 500.00

b)	Employing insolent, discourteous or arrogant drivers or conductors .....	500.00
c)	Fare Overcharging .....	500.00
d)	Contracting Services .....	500.00
e)	Refusal to convey passengers to proper destination (trip cutting) .....	500.00
f)	Refusal to render service to the public .....	500.00
g)	Unauthorized commercial or business name, allowing another to use his commercial or business name .....	500.00
h)	Undue preference or unjust discrimination .....	1,000.00
i)	No fare matrix displayed .....	500.00

Section 204. PARKING VIOLATIONS. – The herein list of fines and penalties shall be imposed for this particular nature of infractions, to wit:

	<b>Types/Kinds of Violations</b>	<b>Fine</b>
a)	Double parking .....	P 500.00
b)	Overnight parking (6:00 PM-5:00 AM) on road, road shoulder, sidewalk not designated as overnight pay parking zone, of cargo trucks or tractor trailers of six-wheel and up .....	500.00
c)	Parking at any place where official NO PARKING signs are posted .....	500.00
d)	Parking in front of a private driveway.....	500.00
e)	Parking on a crosswalk.....	500.00
f)	Parking on the sidewalk .....	500.00
g)	Parking within 4 meters of a fire hydrant.....	500.00
h)	Parking within 4 meters of the driveway entrance to any fire station .....	500.00
i)	Parking within 6 meters of the intersection of curb lines.....	500.00
j)	Parking within an intersection.....	500.00

Section 205. OTHER VIOLATIONS. – The herein list of fines and penalties shall be imposed for this particular nature of infractions, to wit:

	<b>Types/Kinds of Violations</b>	<b>Fine</b>
a)	Allowing a passenger to ride on top or on the cover of a vehicle .....	P 500.00
b)	Arrogance or courtesy .....	500.00
c)	Blocking an intersection or free turn right lane500.00	
d)	Cutting an overtaken vehicle .....	500.00
e)	Disregarding traffic officer .....	500.00
f)	Disregarding traffic signs .....	500.00

g)	Disregarding traffic control signals .....	500.00
h)	Driver operating motor vehicle without turning on headlights during night time .....	500.00
i)	Driving against traffic .....	500.00
j)	Driving or parking in a place not designed for parking/driving (i.e. sidewalks, alleys, etc.) .....	500.00
k)	Driving while under the influence of liquor or prohibited drugs .....	5,000.00
l)	Failure to come to a complete stop on a through highway or stop intersection .....	500.00
m)	Failure to come to a complete stop on a through street or railroad crossing .....	500.00
n)	Failure to dim headlights .....	500.00
o)	Failure to give proper turn/stop signals .....	500.00
p)	Failure to give way to an overtaking vehicle .....	500.00
q)	Failure to give way to police, fire department vehicles or ambulances .....	1,000.00
r)	Failure to stop motor vehicle and apply handbrake when left unattended .....	500.00
s)	Failure to wear the prescribed seat belt devices and/or failure to require passengers to wear prescribed seatbelt .....	500.00
t)	Failure to yield right of way (same time rule) .....	500.00
u)	Failure to yield to pedestrians at a crosswalk .....	500.00
v)	Failure to yield to the right of way (first at intersection rule) .....	500.00
w)	Failure to yield to the right of way coming from a private road or driveway .....	500.00
x)	Hitching-permitting any person to hang onto or ride on the outside of a vehicle such as a person on a bicycle/ skateboard/ roller skates .....	500.00
y)	Illegal left turn .....	500.00
z)	Illegal overtaking .....	500.00
aa)	Illegal right turn .....	500.00
ab)	Illegal turn .....	500.00
ac)	Increasing speed when being overtaken before the overtaking vehicle has completely passed .....	500.00
ad)	No canvass cover on sand and gravel cargoes of trucks .....	500.00
ae)	No helmet when driving or riding a motorcycle .....	500.00
af)	Obstruction to traffic .....	500.00
ag)	Operating truck during truck ban .....	1,000.00

ah)	Over speeding .....	500.00
ai)	Overtaking at a railway grade crossing .....	500.00
aj)	Overtaking at an unsafe distance .....	500.00
ak)	Overtaking between MEN WORKING or CAUTION signs .....	500.00
al)	Overtaking in a NO OVERTAKING zone .....	500.00
am)	Overtaking in an intersection .....	500.00
an)	Overtaking on a crest of a grade .....	500.00
ao)	Overtaking on a curve .....	500.00
ap)	Overtaking when left side is not visible or clear of incoming traffic .....	500.00
aq)	Permitting a passenger to ride on the running board, step board, or mudguard of a vehicle.....	500.00
ar)	Reckless driving .....	1,000.00
as)	Smoke Belching .....	1,000.00
at)	Smoking inside a public utility vehicle (driver or passenger).....	500.00
au)	Any Violation of General Driving Rules .....	500.00
	1) <i>Keeping as Far Right as Practicable;</i>	
	2) <i>Use of Center Lanes of Three Lanes Thoroughfares;</i>	
	3) <i>Passing vehicles;</i>	
	4) <i>Giving way to Overtaking Vehicles;</i>	
	5) <i>Drivers not to Obstruct Traffic;</i>	
	6) <i>Driving in Lanes on Thoroughfares;</i>	
	7) <i>Driving through Roundabouts and Rotundas;</i>	
	8) <i>Keeping Right of Double Yellow Lanes;</i>	
	9) <i>Driving in Bicycle Lanes;</i>	
	10) <i>Driving in Reserved Lanes</i>	
	11) <i>Driving Over a Yellow Box;</i>	
av)	Driving tricycle/motorela in national road .....	500.00
aw)	Driving through Funerals or other processions .....	500.00
ax)	Erection or Interference with Traffic Control Signals.....	500.00
ay)	Following fire truck and emergency vehicles when its siren is on .....	500.00
az)	Improper riding of bicycle or tricycle .....	500.00
ba)	Improper opening of doors and alighting from vehicles .....	500.00
bb)	"Kabit System".....	500.00
bc)	Not giving way during turns.....	500.00
bd)	Not giving way to or from parked vehicles.....	500.00
be)	Not giving way to vehicles while leaving or entering a road .....	500.00
bf)	Not Giving Way at Roundabout in Rotundas .....	500.00
bg)	Violation of Speed Limits/Over speeding.....	500.00

bh) Drag Racing/Speed Contest .....	1,000.00
bi) Violation Of Rule On One-Way Street.....	500.00
bj) Failure to use or stop the use of Turn and Stop Signals.....	500.00
bk) Violation of No U-Turns.....	500.00
bl) Prohibited Parking, Waiting, Loading or Unloading .....	500.00
bm) Non-payment of parking fees.....	500.00
bn) No Holding handle bar .....	500.00
bo) Non-compliance with WRP.....	500.00
bp) No designated seats for disabled persons .....	500.00
bq) No IDs displayed (for PUV drivers).....	500.00
br) Operating Animal Drawn Carriages, Bicycles and Tricycles without License .....	500.00
bs) Overloading of passengers of bicycles and tricycles.....	500.00
bt) Out of service area (tricycle, pedicab, trisikad).....	500.00
bu) Obstructing Drivers View or Mechanism.....	500.00
bv) Obstructing Roads by Motor Vehicles, and Vendors Stalled Vehicles .....	500.00
bw) Parking and Waiting in Prohibited Areas .....	500.00
bx) Parking Near Grade or Curve .....	500.00
by) Parking on Parade Routes and on Any Special Occasion .....	500.00
bz) Parking for Certain Prohibited Purposes.....	500.00
ca) Putting Glass, Sharp Objects on Highway .....	500.00
cb) Riding Bicycle and Tricycle Without Regular and Permanent Seat .....	500.00
cc) Restrictions on Some Roads .....	500.00
cd) Riding Bicycle More than Two Abreast.....	500.00
ce) Refusal to Have Vehicle Weighed and/or Remove Excess Load .....	500.00
cf) Road Unworthiness of Motor Vehicles.....	500.00
cg) Street Diggings or Road Closure Without Permit .....	1,000.00
ch) Towing of Bicycles .....	500.00
ci) Unregistered Motor Vehicle.....	1,000.00
cj) Use, Posting or Display of Fake Unauthorized IDs, Stickers, etc.....	500.00
ck) Unauthorized Installation/Use of Jalousies, Additional Air-con, Dim-colored Lights, etc. .....	500.00
cl) Tracking Mud Unto the Highway .....	500.00
cm) Violation of No Entry Sign.....	500.00

cn)	Violation of Bridge Load Limit .....	500.00
co)	Violation of Keep Right, Keep Left Sign .....	500.00
cp)	Violation of Stop Sign.....	500.00
cq)	Violation of Give Way/Yield Sign .....	500.00
cr)	Violation of Procedures Involving Traffic Accidents.....	500.00
cs)	Violation or Non-compliance with any Section or Article, regarding Lighting, Warning Signs, Equipment .....	500.00
ct)	Violation of Bridge Load Limit or Limit in the Use of Bridge.....	500.00
cu)	Violation of License Restriction .....	1,500.00
cv)	Violating Pedestrian Crossing.....	500.00
cw)	Violating Restrictions on Pedestrian.....	500.00
cx)	Violating Restrictions on Animals and Livestock.....	500.00

**Section 206. COMMUNITY SERVICE.** – In case a driver of a motor vehicle apprehended for traffic violations could not pay the administrative fine imposed under this Ordinance, he/she may opt to render community service in lieu of paying the administrative fine at the rate equivalent to eight (8) hours per Five Hundred Pesos (P500.00) worth of administrative fine. The community service for apprehended traffic violators shall include collection of garbage, cleaning of streets and graffiti, declogging of canals and drains, and other tasks relative to the beautification and clean and green program of the city.

At the discretion of the RTMO Chief, a traffic violator who opts to render community service maybe allowed to serve his/her penalty by doing traffic enforcement; Provided, that his/her required community service is not less than six (6) days; Provided further, that he/she shall undergo a two-day seminar on traffic enforcement or management to be offset on his required period of community service; Provided finally, that he/she shall possess the educational and other qualifications of a traffic enforcer.

Within seventy-two (72) hours from apprehension, the driver of a motor vehicle apprehended for traffic violations who opts to render community service in lieu of paying the administrative fine shall report to the RTMO Chief who shall immediately compute and reflect in a prescribed community service form the required number of hours of community service.

The form shall be signed by the RTMO Chief and the apprehended driver. The driver shall be accompanied and entrusted together with the Community Service Form to the City General Services Officer who shall determine the nature of the required community service as mentioned herein, the location and the specific date and hour when he/she will commence doing community service, which shall be within twenty-four (24) hours from the time he/she reported to the City General Services Officer.

After the apprehended driver completes the required community service, the City General Services Officer or the RTMO Chief, in case the required community service is traffic enforcement, shall issue a certification to this effect. The said Certification shall be submitted put on file to form part of the record of violations of the said driver.

Section 207. RECIDIVISM. – a) When a motor vehicle driver has committed at least three (3) traffic violations of the same nature, the RTMO may recommend to the Land Transportation Office the suspension or cancellation of their driver's license.

b) In cases where a public utility vehicle has been registered and recorded to have been involved in the commission of at least three (3) traffic violations cumulatively by either one or more drivers for the period of one (1) month, the RTMO may:

- 1) recommend to the Land Transportation Franchising and Regulatory Board the suspension or cancellation of the franchise of the subject unit, for passenger jeepneys and buses.
- 2) for motorized tricycles for hire, recommend to the Motorized Tricycles Regulatory Board of Pagadian City the cancellation of the franchise of the unit.

In addition, no Mayor's Permit as required under Pagadian City Revenue Code shall be issued for the operation of such vehicle in the City.

Section 208. JUDICIAL PENALTY. – In the event the person who was issued citation ticket fails to pay the traffic fine stated in the citation ticket at the office of the Treasurer, or to not render community service in lieu of payment of administrative fine as provided under this Ordinance, within seventy-two (72) hours from time of issuance of the citation ticket, the RTMO with the assistance of the City Legal Officer shall immediately file a complaint against such person before the courts, and if found guilty of the offenses shall be penalized with a fine of not less than P3,000.00 but not more than P5,000.00 or imprisonment of not less than eight (8) months but not more than one (1) year, or both such fine and imprisonment at the discretion of the court.

### **Article 3 — Clamping and Towing**

Section 209. USE OF WHEEL CLAMP. – The use of wheel clamp or tire lock to immobilize illegally parked and unattended vehicles in any street or area designated as "no parking", or "clamping area", shall hereby be authorized.

Section 210. RECORDS. – The wheel clamp or tire lock must be duly recorded, numbered or coded and shall bear the seal of the City of Pagadian.

Section 211. NON-LIABILITY. – The City of Pagadian or any of its responsible employees shall not be held responsible for any damage to the vehicle caused by any movement or attempted movement of the vehicle by the owner/driver/operator while the wheel is clamped.

Section 212. CLAMPING UNIT. – Within one month from approval of this ordinance a Clamping Unit shall be created under the supervision of RTMO to ensure that clamping activities are carried out efficiently and effectively.

Section 213. RELEASING. – In order to minimize the pernicious effect of the "padrino system" or "palakasan" system, a separate Releasing Unit under the supervision of the City Mayor's Office shall be immediately created upon approval of this ordinance. The Releasing Unit shall be composed of city government employees whose tasks do not involve the clamping of illegally parked and unattended vehicles, or tasked to apprehend violators of existing traffic laws and ordinances.

Section 214. ADMINISTRATIVE FINE. – For the release/removal of the said clamping device, the owner/driver/operator shall pay the fine of five hundred (P500.00) pesos to the City Treasurer's Office, for which a corresponding official receipt shall be issued. Immediately upon payment of the corresponding fine, the owner/driver/operator shall present the official receipt to the Releasing Unit for the release of the clamped vehicle.

Section 215. PROHIBITED ACT. – It shall be unlawful and/or illegal to remove or destroy the wheel clamp, and any attempt to remove or destroy the wheel clamp shall subject the offender to a fine of One Thousand (P1,000.00) Pesos or one month imprisonment or both, at the discretion of the court, plus liability to pay the cost/value of the wheel clamp, should the same be destroyed.

The owner/driver/operator of the clamped vehicle shall be given a maximum period of twelve (12) hours, within which to redeem the said illegally parked vehicle by paying the amount of the fine prescribed under Section 8, otherwise, an additional fine of one hundred (P100.00) pesos per hour shall be charged against said driver/operator/owner over and above the fines and penalties required for the violation committed.

## **BOOK 6 — OTHER PROVISIONS**

### **Article 1 — Allocation of Collected Fines**

Section 216. APPORTIONMENT OR SHARING SCHEME FOR THE PROCEEDS OF ALL ADMINISTRATIVE/ JUDICIAL FINES. –

- a) The proceeds of the administrative fines collected from or paid by violators of the city's traffic rules and regulations who opted to settle their violation administratively during the reglementary period of 72 hours from the time of arrest, shall be apportioned as follows:
  - 1) Fifty percent (50%) of the fine paid by the offender shall accrue to the general fund of the City government;
  - 2) In case the arrest was made by a city policeman, fifty percent (50%) shall accrue to the Pagadian City Police Office, as the city's financial support thereto for its operational funds to special activities/operations, honorarium, and for the acquisition of equipment, supplies, repair of police vehicles, improvement of police buildings, for schooling/training of its members and for medical assistance to policemen wounded while on duty, among others.
  - 3) In case the arrest was made by a member of the traffic enforcement unit, twenty percent (20%) shall be given to the arresting person, and thirty percent (30%) shall accrue to the office and shall form part of the operating fund of the department that shall be used for the provision of life, accident and health insurance of all personnel of the department and for the upgrading the office's equipment or facilities.
  - 4) In case the arrest was made by a member of the Barangay Police, elected barangay official, traffic enforcer and deputized private individual traffic enforcer, twenty percent (20%) shall be given to the arresting person, and thirty percent (30%) shall accrue to the Barangay where he/she resides or is member of its Barangay Police, the RTA, or to the private traffic organization or association, as the case maybe.

b) The proceeds of judicial fines collected from or paid by violators of the city's traffic rules and regulations shall be apportioned as follows:

- 1) Forty percent (40%) of the fine paid by the offender shall accrue to the general fund of the City government;
- 2) Twenty percent (20%) shall accrue to the Municipal Trial Court in Cities, Pagadian City, as the city's financial support thereto for acquisition of equipment necessary for its operations.
- 3) In case the arrest was made by a city policeman, forty percent (40%) shall accrue to the Pagadian City Police Office, as the city's financial support thereto for its operational funds to special activities/operations, honorarium, and for the acquisition of equipment, supplies, repair of police vehicles, improvement of police buildings, for schooling/training of its members and for medical assistance to policemen wounded while on duty, among others.
- 4) In case the arrest was made by a member of the traffic enforcement unit, forty percent (40%) shall accrue to the office and shall form part of the operating fund of the department that shall be used for the provision of life, accident and health insurance of all personnel of the department and for the upgrading the office's equipment or facilities.
- 5) In case the arrest was made by a member of the Barangay Police, elected barangay official, traffic enforcer and deputized private individual traffic enforcer, forty percent (40%) shall accrue to the Barangay to form part of its fund for the implementation of Barangay Public Safety Programs.

### **Article 2 — Education and Information Dissemination**

Section 217. INFORMATION CAMPAIGN. — The Roads and Traffic Management Office shall implement a program for public information and awareness on the features of the Code.

Section 218. ORIENTATION SEMINARS. — Drivers and operators of motorized tricycles for hire as well as those of public utility vehicles with authorized area of operation in the city shall be required to undergo an orientation on the provisions of the code.

Section 219. DESIGNATION OF ACCREDITED NGOS IN TRAFFIC EDUCATION. — The Chairman of the Roads and Traffic Planning Board with the concurrence of the members of thereof may designate and authorize accredited Non-Government Organizations to assist the department in the conduct of traffic education programs.

### **Article 3 — Appropriation**

Section 220. APPROPRIATIONS. — The amount of Two Million (P2,000,000.00) Pesos shall be initially appropriated to cover all costs relating to the installation of traffic directional signs and/or signaling devices, establishment and delineation of appropriate road or lane markings, information dissemination, public education and the initial operational/administrative expenses of the office.

### **Article 4— Final Provisions**

Section 221. COLLABORATION WITH THE LAND TRANSPORTATION OFFICE AND THE LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD. — The City Mayor of Pagadian is hereby authorized to enter into

Memoranda of Agreement with the following national government agencies to implement specific provisions of this code, to wit:

- a) With the Land Transportation Office on the aspect of vehicle registration renewal to the effect that when fines arising from traffic violations committed against any provision of this code that were reported to the LTO and have remained unsettled during the renewal of registration shall be required clearance from the City Government through the Roads and Traffic Management Office before the renewal of the vehicle's registration shall be processed.
- b) With the Land Transportation Franchising and Regulatory Board with respect to the issuance of Certificates of Public Convenience to any applicant for public utility vehicle franchise with intended area of operation within the City of Pagadian more particularly the jeepney routes established under this code shall be required to the favorable recommendation of the City Mayor.

**Section 222. TRANSFER OF DIRECT SUPERVISION AND CONTROL OVER PERSONNEL CURRENTLY PERFORMING FUNCTIONS RELATED TO PROVISIONS OF THIS CODE.** – Upon approval of this Code and the constitution of the department, the Traffic Enforcement Section and the Motorized Regulatory Section under the Office of the City Mayor and all its personnel shall be transferred to the Roads and Traffic Management Office including the direct supervision and control over them.

**Section 223. MISCELLANEOUS.** – Notwithstanding the provisions of this Code, other existing Ordinances and laws to the contrary, the City Mayor is hereby given full power and authority to issue Executive Orders, rules and regulations appurtenant hereto with the end in view of making this Ordinance truly reflective of the ideals of good governance, especially in regulating the use and enjoyment of city streets.

**Section 224. SEPARABILITY CLAUSE.** – If for any reason, any section or provision of this Ordinance is declared illegal or unconstitutional, other sections or provisions hereof, which are not affected thereby shall continue to be in full force and effect.

**Section 225. REPEALING CLAUSE.** – All previous issuances, ordinances, resolutions, rules and regulations or parts thereof, which are inconsistent or in conflict with the provisions of this Code are hereby repealed or modified accordingly.

**Section 226. EFFECTIVITY CLAUSE.** – This Ordinance shall take effect after fifteen (15) days following its approval and publication.

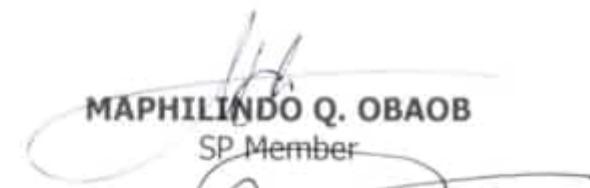
**ENACTED AND APPROVED** by the Sangguniang Panlungsod (12<sup>th</sup> City Council) during its 78th Regular Session on 27 March 2018 at the SP Session Hall, Legislative Building, V. Sagun Street, San Francisco District, Pagadian City.

Verified:

**JESUS B. BAJAMUNDE, JR.**  
SP Member/Assistant Floor Leader

**TROY B. ASUGAS**  
Chairman Pro-Tempore, Presiding

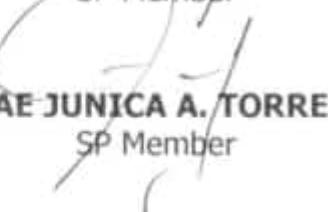
**RICARDO S. ALAJEÑO**  
SP Member

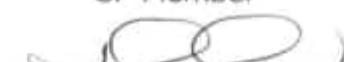
  
**MAPHILINDO Q. OBAOB**  
SP Member

  
**CHERRYL Y. LEE**  
SP Member

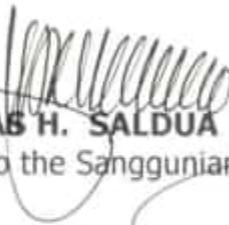
  
**MENDATO B. MARCABAN**  
SP Member

  
**DOMINADOR S. YOCOGO, JR.**  
SP Member

  
**MAE JUNICA A. TORRES**  
SP Member

  
**JUROFER P. PULMONES**  
SP Member

Attested:

  
**JEREMIAS H. SALDUA**  
Secretary to the Sanggunian

Approved:

  
**ROMEO P. PULMONES**  
City Mayor

Date: 5-23-2018