

ARTICLE V – GENERAL DRIVING RULES

Section 12. 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 available exclusively for traffic in the direction in which he is traveling.

Section 13. Overtaking –

- (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.
- (d) 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.
- (e) 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 overtaking movement to be completed in safety.

Section 14. Use of Center and Left Lanes of Three-Lane Thoroughfare –

On a two-way thoroughfare divided into three lanes, a driver shall not drive his vehicle in the center lane, except:

- (a) to overtake another vehicle in accordance with the rules on overtaking;
- (b) in preparation for a left turn; or
- (c) where the center lane is at the time allocated exclusively to vehicles traveling in the same direction to which he is traveling;
- (d) the extreme left hand lane, except in preparation for a left turn

Section 15. Passing Vehicles –

A driver passing a vehicle traveling in the opposite direction shall keep to his right relative to that vehicle.

Section 16. 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 17. 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 2 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 18. 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 laterally 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 19. Driving Through Roundabouts or Rotondas –

A driver passing through a traffic roundabout shall drive to the right of the central traffic island.

Section 20. Keeping Right of Double Yellow Lines –

Where a thoroughfare is marked with a double yellow longitudinal line comprising of two 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 21. Driving in Bicycle Lanes –

Motor vehicles are prohibited from being driven or parked on any lane of a public street or path reserved exclusively for bicycles and provided with a sign bearing a symbol of a bicycle.

Section 22. 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 the times and days indicated, from being driven in those reserved lanes, except when it is turning right at the next intersection.

Section 23. 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 can not cross and go beyond the boundaries of the box in time before the traffic signal turns to red.

ARTICLE VI – GIVING WAY

Section 24. Giving Way at Intersections –

- (a) A driver approaching or passing through an intersection shall exercise special care and where appropriate shall drive at a reduced speed.
- (b) Except as provided in paragraph c (i) and (ii) of this Section, the driver of a vehicle which is approaching an intersection from one thoroughfare shall give way to any vehicle which has entered the intersection except that where the two vehicles have entered at the same time, the driver which has the other vehicle on his right shall give way.
- (c)
 - (i) Where traffic-control signals are erected at or near an intersection, paragraph (b) above shall not apply to a driver proceeding in accordance with the instruction of any such signal.
 - (ii) Paragraph (b) above shall not apply to the driver of a vehicle having another vehicle on his right at an intersecting thoroughfare where that other vehicle is facing or passed a "Give Way" or stop sign.

Section 25. Giving Way during Turns –

- (a) Subject to the provisions of Section 11, paragraph 8, and Section 29, 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.
- (d) Except as otherwise provided in this section, the provisions of section 1 of this Article shall apply to turning vehicles.

Section 26. Movements to or from Parked Vehicles –

- (a) A driver who is about to drive or is driving a vehicle into or out from a parking area or the boundary of a thoroughfare shall give way to all other vehicles.
- (b) A driver shall not move in reverse out of a parking area and cross the center of a thoroughfare, unless traffic conditions permit him to do so.

Section 27. 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 28. Entering or Leaving a Road –

- (a) A driver entering a road from land abutting, shall
 - (i) except when proceeding pursuant to an instruction of a traffic-control signal, a traffic policemen, a traffic aide or other duly authorized traffic enforcers, give way to all vehicles traveling in either direction along the road;
 - (ii) 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 29. Roundabouts or Rotondas –

- (a) In a roundabout or rotonda, the first vehicle to enter takes precedence over a vehicle approaching or about to enter. Hence, the driver of vehicle entering a roundabout shall give way to any vehicle on his immediate left unless otherwise indicated.
- (b) Within the rotonda, the driver must give way to vehicles intending to leave by the nearest exit point.

ARTICLE VII – SPEED RESTRICTION

Section 30. Speed Limits –

- (a) No person shall drive a vehicle at a speed exceeding the design limits for the street as indicated by numerals on signs set up along the road.
- (b) The foregoing provisions of this section shall not apply to the driver of an emergency vehicle.
- (c) Nothing in this section shall be constructed to justify the driver of a vehicle driving at a speed which
 - (i) may constitute driving carelessly, recklessly or at a speed or in a manner which is dangerous to the public having regard to all the circumstances; or
 - (ii) exceed any maximum speed applicable to the vehicle and fixed by under any law, ordinance or regulation.

Section 31. Speed Contests –

It shall be unlawful for any person to engage in, or to aid any motor vehicle, speed contests or exhibition of speed, on any public or private street upon which the City has been authorized to impose traffic regulations except as permitted by special ordinance of the Sangguniang Panlungsod.

ARTICLE VIII – ONE-WAY STREETS

Section 32. Designation of One Way Streets –

- (a) Vehicular traffic on any street or highway or portion thereof may be designated by the head of the traffic management authority as one-way street on an experimental basis, and shall be referred immediately to the Sangguniang Panlungsod for approval. If no action is taken by the Sanggunian within three (3) months of referral, the same shall be deemed approved and included in the List of One Way Streets shown as Appendix I.
- (b) The head of traffic management authority is hereby authorized to expand, reduce, amend, or modify Appendix I, with the concurrence of the City Mayor and provided that any change shall be referred to the Sanggunian immediately. If no action is taken thereon within three months of referral, the same shall be deemed approved as part of this Ordinance.

Section 33. Operating Rule –

The driver shall drive along a one-way thoroughfare only in the direction indicated by the arrow on the sign.

ARTICLE IX – TURNING, REVERSING AND STOPPING

Section 34. Right Turns –

A driver who is about to make a right turn at an intersection shall so drive his vehicle 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 a thoroughfare, provided that this section shall not apply to a driver whose vehicle is in a marked lane allocated exclusively to right-turning vehicles.

Section 35. Left Turns –

- (a) A driver who is about to make left turn at an intersection shall:
- (i) Where he is traveling on a two-way thoroughfare, approach and enter the intersection so that his vehicle is to the right of, parallel to and as near as practicable to the center of the thoroughfare; or
 - (ii) Where he is traveling on a one-way thoroughfare, approach and enter the intersection so that his vehicle is parallel to and as near as practicable to the left boundary or leftmost lane, of the thoroughfare.

However, this sub-section shall not apply if his vehicle is in a marked lane which has a sign along side or over it or markings on its surface indicating that a left turn must or may be made.

- (b) Notwithstanding the foregoing provisions of this Section, a bicyclist who is about to make or is making a left turn at an intersection may make the left turn so that:
- (i) He approaches such intersection parallel to and as near as practicable to the right boundary of the thoroughfare;
 - (ii) Enters 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
 - (iii) Turns his bicycle to the left and after giving way to vehicles on his left and right leaves the intersection in accordance with the provisions of this Section, but when any traffic control signal is operating at the intersection, a bicyclist shall wait before turning and shall not proceed to leave the intersection until the traffic control signal

is displaying a green light indicating the appropriate direction of his intended movement.

Section 36. Turn and Stop Signals –

- (a) A driver shall not turn right or left or diverge right or left or stop or suddenly decrease speed or make a U-turn without giving a signal as prescribed in this Section.
- (b) 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.
- (c) For purposes of and without limiting the generality of paragraph (b) above, 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 a vehicle are applied before it stops or while it is slowing down;
- (d) 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 of 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.

Such signaling device or stop lamp shall comply with the specifications for that device or stop lamp prescribed by the Land Transportation Office (LTO).

Section 37. Use of Signaling Devices –

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.

Section 38. U-Turns –

A driver shall not cause his vehicle to make a U-turn

- (a) where there is a probability of colliding with another vehicle or interfering with the free movement of traffic; or
- (b) on any intersection at which a traffic control sign or signal prohibits a U-turn.

Section 39. Procedure at Channelized Intersection –

When accelerating or decelerating lanes are provided for right or left turns at unsignalized intersection, vehicles shall proceed as follows:

- (a) Vehicles intending to turn right into a roadway entrance, by means of a right turn accelerating lane, shall enter such roadway by means of the accelerating lane, so provided and shall merge with caution into the right hand traffic lane, unless otherwise instructed.
- (b) Vehicles intending to turn right from a roadway exit, from which is made by means of a right-turn decelerating lane, shall enter the decelerating lane and merge with caution into the right hand traffic lane, unless otherwise instructed.
- (c) Vehicles intending to turn left into the far roadway of a divided highway shall come to a complete stop before crossing the near roadway of such highway and shall merge with caution into the left hand lane of the far roadway, unless otherwise instructed.
- (d) Vehicles intending to turn left from a divided highway exit, by means of a left turn decelerating lane constructed in the medial strip area, shall enter decelerating lane and shall yield the right of way to approaching vehicles before proceeding with caution across the intersection and into the intersecting roadway, unless otherwise instructed.

ARTICLE X – STOPPING AND PARKING OF VEHICLES

Section 40. Vehicles Not To Be in Certain Areas –

No driver shall

- (a) leave a vehicle waiting in a "No Waiting Area";
- (b) park a vehicle in a "No Parking Area", except when loading or unloading goods or passengers;
- (c) leave a vehicle waiting in a "No Stopping Area" for any purpose;
- (d) leave a vehicle waiting in a Parking Area contrary to any limitation in respect of days, periods of the day, classes of vehicles indicated by the inscription on the sign or signs associated with the area

However, 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 any of the following conditions:

- (i) during anytime that the restriction is suspended by reason of the inscription on the sign or signs associated with the Area; or
- (ii) if the inscription on the sign or signs associated with the area exempts his vehicle from the restriction imposed within the area.

Section 41. Prohibited Parking or Waiting Places –

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) in front of a right-of-way, passage or private driveway;
- (d) in front of a footway constructed across a reservation;
- (e) alongside or opposite any excavation if the vehicles would obstruct traffic;
- (f) on any footway, marked crosswalk or pedestrian crossing;
- (g) upon a bridge or other elevated structure or within a tunnel or underpass;
- (h) upon an intersection;
- (i) on any portion of a thoroughfare on which the words "Keep Clear";
- (j) within 1 meter of any fire hydrant or fire plug or any sign or mark indicating the existence of a fire hydrant or fire plug;
- (k) within 3 meters of a letter pillar or letter box unless the vehicle is being used for the purpose of collecting postal articles from the pillar or box;
- (l) on a reservation;
- (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 the vehicle.

Section 42. Method of Parking Vehicles –

Any driver who parks or leaves a vehicle waiting on a thoroughfare shall park or leave the vehicles waiting

- (a) in the case of a road on which vehicles are permitted to travel in both direction, as near as practicable to the right boundary of the thoroughfare;
- (b) in the case of a road on which vehicles are permitted to travel in one direction only, as near as practicable to either boundary of the road and parallel to the boundary of the thoroughfare;
- (c) 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;
- (d) in a manner that it does not cause undue obstruction on the thoroughfare; and
- (e) where parking bays are marked on the thoroughfare, entirely within the confines of a single bay;

Provided that paragraphs (a) and (b) of this Section shall not apply to a person leaving a vehicle waiting in a Parking Area.

Section 43. 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 44. Parking on Parade Routes and on any Special Occasion –

The traffic management authority is hereby authorized, whenever in his judgment he 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 a procession, or on 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.

The Traffic Enforcer or Police 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 45. 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 such vehicle except repairs necessitated by an emergency.

Section 46. Loading Zones –

A driver of a truck may park 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.

A driver of a public utility vehicle shall stop, pick up or unload passengers only at designated loading zones. 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 47. Officers Authorized to Remove Illegally Stopped Vehicles –

- (a) Whenever any traffic police officer finds a vehicle standing upon a highway in violation of any of the foregoing provisions, such officer is hereby authorized to move such

vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the paved or main traveled part of such highway.

- (b) Whenever any traffic police officer finds a vehicle unattended upon any bridge or causeway where such vehicle constitute an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle to the nearest garage or other place of safety.
- (c) The expense incurred in the removal of such vehicle shall be charged to the owner of the vehicle.

Section 48. Authority to Dispose of Unclaimed Vehicles –

- (a) The Head of Traffic Enforcement Section is hereby authorized to recommend to the City Mayor the disposal of a vehicle that have been taken into custody. Such disposition shall be at public auction under such procedure, as the City Mayor shall establish with the approval of the Sangguniang Panlungsod. Written notice of such auction shall be sent to the last known registered owner by certified mail at least 10 days prior to the date of auction, and said auction shall be held not earlier than 60 days after the date upon such vehicle shall have been taken into custody. Any person entitled to such vehicle may claim the same at any time prior to such auction upon payment of all costs and expenses relating to the towing and storage of such vehicle, as determined by said officer or his authorized subordinates.
- (b) The funds derived from any such auction shall be used to defray the expenses of such auction and any other expenses incurred in taking into custody, and the balance if any, shall become part of the General Fund.

ARTICLE XI – PARKING ZONES AND FACILITIES

Section 49. Designation of Parking Zones –

- (a) The City's traffic management authority is hereby authorized and directed to establish, mark and designate portions of a thoroughfare as pay parking zones.
- (b) The streets listed under Appendix IV are hereby designated as pay parking zones. The traffic management authority is hereby authorized to expand, reduce, amend or modify from time to time the list as he sees fit, subject to approval of the Mayor; provided, he furnish a copy to the Sangguniang Panlungsod within one month of any change or revision. The revised list shall be deemed final if not acted by the Sanggunian within three months of receipt thereof.

Section 50. Off-Street Parking Facilities and Transport Terminals –

- (a) Off-street parking facilities and public transport terminals may be constructed, operated and maintained by the City, or by private entities, subject to approval of the Sangguniang Panlungsod upon the recommendation of the traffic management authority and the Mayor.
- (b) If so required by the traffic impact analysis, the traffic management authority may also require major commercial developments to incorporate off-street parking facilities into their building plans, before a Building Permit is issued therefor.

Section 51. Pay Parking Charges and Signs –

Appropriate signs indicating the parking charges, the time that such facility is open for business, shall be installed at each public parking facility.

Parking fees shall be collected during the regulated period at rates shown in Appendix IV. The rates shall be updated from time to time by the traffic management authority subject to approval of the Mayor.

Section 52. Overnight Parking –

Overnight parking on local roads not already determined as pay-parking zones may be determined by the Barangay Council through an appropriate resolution, subject to concurrence of the traffic management authority. Those local roads that may be designated, shall as much as practicable, be on a one-side parking basis and in no case shall prevent egress or through passage. No alley or road less than 3 meters in width shall be designated as overnight-parking zones.

Section 53. Enforcement of Overnight Parking –

The enforcement and collection of overnight parking fees may be undertaken by the Barangay in the City upon compliance with the following:

- (a) The Barangay Council concerned shall conduct a barangay assembly to determine which of the local roads may be utilized for overnight parking, before enacting a resolution to that effect.
- (b) The Barangay Council shall, in the same resolution, authorize the Barangay Captain to remit on a monthly basis one-half (1/2) of the fees collected for overnight parking to the City Treasurer's Office.
- (c) Overnight parking shall be limited to the hours of 9:00 p.m. to 6:00 a.m. the following day.
 - (i) No cargo trucks or tractor trailers of eight wheels and up shall be allowed to avail of overnight parking in any streets of the City except by reason of emergency repair or which shall be accomplished as expeditiously as possible. Cargo trucks found

parking during these hours on any City street shall be towed to the vehicle impounding area, and the driver required to pay the corresponding fines.

- (ii) The cost of the tickets or receipts issued by the Barangay for collection of overnight parking fees shall be chargeable to the City Government.
- (iii) Overnight parking fees shall be collected at the rate of FIVE PESOS (PhP5.00) per vehicle, per night; Provided, that owners of motor vehicles shall have the option to pay a monthly overnight parking fee net of 20% discount.
- (iv) It shall be the duty of the Barangay Treasurer to remit collections pertaining to the share of the City to the City Treasurer's Office.

Section 54. Violations in Parking Areas –

Within any pay-for-parking facility, it shall be unlawful for any person:

- (a) to refuse or fail to pay the parking charges;
- (b) to park any vehicle across any line or marking of a parking space or in such position that the vehicle shall not be entirely within the area designated by such lines or markings;
- (c) to tamper or damage any vehicle, other than his own, parked in the same parking facility;
- (d) to park any vehicle for the purpose of washing, cleaning, greasing or repairing such vehicle except repairs necessitated by an emergency or a designated area in the parking facility;
- (e) to display for sale or to sell goods or merchandise;
- (f) to disregard any official direction, instruction or restriction posted therein.

ARTICLE XII – CARELESS AND DANGEROUS DRIVING UNDER INFLUENCE OF LIQUOR OR DRUGS

Section 55. Scope –

The provisions of this Article shall apply to drivers, vehicles and pedestrians upon roads or in any public place.

Section 56. Careless Driving –

A person shall not drive a vehicle without due care or attention or without reasonable consideration for other persons.

Section 57. Reckless and Dangerous Driving –

A person shall not drive a vehicle recklessly or at a speed or in a manner dangerous to public safety.

Section 58. Driving a Motor Vehicle while under the Influence of Liquor or Incapacitating Drug –

No person shall drive a motor vehicle while under the influence of liquor or other 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 0.06% 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 vehicle, although not motorized, in the manner stated herein above, is likewise prohibited.

Article XIII – Accidents

Section 59. Accidents Involving Death or Personal Injuries or Damage to a Vehicle –

The driver of any vehicle involved in an accident resulting in injury or death of any person or only damage to a vehicle which is driven or attended by any person, shall immediately stop such vehicle at the scene of the accident and shall remain at the scene of such accident until he has fulfilled the requirements of Section 60 of this Ordinance. Every step must be taken to ensure that such stop is made without obstructing traffic.

Section 60. 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 give his name, and the vehicle license number he is driving and upon request, exhibit his driver's license to the person struck, or to the driver or occupant of, or person attending the vehicle collided with, and shall render reasonable assistance to any person injured in such accident.

Section 61. Duty Upon Striking Unattended Vehicle –

The driver of any vehicle that collides with any vehicle which is unattended shall immediately stop and shall then locate and notify the operator or owner of such vehicle, or shall 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 doing the striking, together with the license number of said vehicle and a statement of the circumstances thereof.

Section 62. Duty Upon Striking Fixtures on a Highway –

The driver of any vehicle involved in an accident resulting only in damage to fixture legally upon or adjacent to a street or highway shall take reasonable steps to locate and notify the owner or person in-charge of such property and shall give his name and address, and the vehicle license number he is driving, and upon request exhibit his driver's license and shall make a report of such accident as required by this Ordinance.

Section 63. 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 local traffic authority.
- (b) The driver of any vehicle involved in property damage, shall make an agreement to the persons whose property is involved as to amount of property damage sustained, provided, however, that if no agreement can be reached between the two 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 made as provided herein, either at the time of and at the scene of the accident or there after by interviewing participants or witness, shall, within 24 hours after completing such investigation, forward a written report of such accident to the appropriate division of the City's traffic management authority.

Section 64. Accident Report Forms –

- (a) The traffic enforcement section shall prepare and upon request supply to garages and agencies concerned, forms for accident reports required hereunder, appropriate with respect to the persons required hereunder, appropriate with respect to the persons required to make such reports and the purpose to be served. The written reports to be made by persons involved in accidents and by investigating officers shall call for sufficient detailed information to disclose with reference to such accidents the causes, existing conditions and the person and vehicle involved.
- (b) Every accident report required to be made in writing shall be made on the appropriate form prescribed by the traffic police department and agreed with national agencies. The report shall contain all of the information required in the form, unless not available.

Section 65. Garage to Report –

The person in charge of any garage or repair shop of which a motor vehicle brought showed evidence of having been involved in an accident or struck by any bullet, shall report to the police department within 24 hours after such motor vehicle is received, giving the engine number, plate number, the name and address of the owner or driver of such vehicle, and a description of the suspicious or unusual circumstances.

Section 66. 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 for the records for accident prevention purposes, except that the police department may disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies his presence at such accident. No such report shall be used as evidence in any trial, civil or criminal, arising out of an accident except that the police department shall or upon demand of any Court, issue a certificate showing that a specified accident report has or has not been made to the police department solely to prove a compliance or a failure to comply with the requirement that such a report be made to the police department.

Section 67. 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 of a vehicle is physically incapable of giving an immediate notice of an accident as required in Section 63 and there was another occupant in the vehicle at the time of the accident capable of doing so, such occupant shall make a report not made by the driver or if the driver is not the owner of the vehicle, then the owner of the vehicle involved in such accident shall within 5 days after learning of the accident make such report not made by the driver.

Section 68. Responsibility to Tabulate and Analyze Accident Reports –

Without impinging on the authority of the Police, the traffic management authority or its appropriate unit shall tabulate and analyze all accident reports and shall publish annually the statistical information based to the number and circumstances of traffic accidents.

Section 69. Copies of Reports to be Furnished to the Office of the City Mayor –

The head of the traffic management authority shall furnish true copies of all accident reports within 48 hours from the filing thereof, to the Police and the office of the City Mayor.

ARTICLE XIV – OPERATION OF ANIMAL-DRAWN CARRIAGES, BICYCLES AND TRICYCLES

Section 70. Effect of Regulations –

The regulations applicable to animal-drawn carriages or bicycles shall apply whenever an animal drawn carriages, bicycles or tricycles is operated upon any road or upon any path set aside for the exclusive use of such carriages, bicycles or tricycles.

Section 71. License Required –

All animal-drawn carriage, bicycles and pedicabs owned by residents of City [Name of LGU] shall be registered with the traffic management authority for issuance of bicycle license plates and upon payment of One Hundred Pesos (PhP100.00) 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 tricycle on any street, highway, alley roadway, sidewalk or upon any public path set aside for the exclusive use of carriages, bicycles or tricycles unless such has been licensed and a license plate 5.0 cm x 7.5 cm (2" x 3") in size is attached thereto as provided herein.

Section 72. Traffic Laws Applicable to Persons Riding Bicycles or Tricycles –

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 tricycle upon a road or in a public place, except those provisions that by their very nature are not applicable.

Section 73. Riding Bicycles or Tricycles –

- (a) No person shall ride a bicycle or tricycle which does not have a permanent and regular seat attached to it.
- (b) No bicycle or tricycle 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 tricycle on any national road.

Section 74. 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 75. 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 traveling abreast of more than one bicycle.
- (b) Paragraph (a) 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.

ARTICLE XV – LIGHTING, WARNING SIGNS, EQUIPMENT, etc.**Section 76. 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 77. 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.
 - (i) when the other vehicle reaches a point 200 meters from his motor vehicle; or
 - (ii) 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 78. Lights on Stationary Motor Vehicles –

- (a) Subject to the provisions of Section 84, 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
 - (i) two lamps (one on each side) showing a clear white light to the front and clearly visible under normal atmospheric 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
 - (ii) 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
 - (i) where the street lighting in the vicinity renders the motor vehicle or the trailer clearly visible at a distance of 180 meters; or
 - (ii) to any motorcycle not connected to a side car, trailer left waiting parallel to and as near as practicable to the boundary of the thoroughfare.

Section 79. 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 80. Lights and Other Equipment on Bicycles –

- (a) No person shall ride or propel a bicycle between sunset and sunrise, unless it is equipped with
 - (i) a lighted lamp showing a clear white light to the front;
 - (ii) a lighted lamp showing a clear red light to the rear;

- (iii) a red reflector on its rear; and
- (iv) 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
 - (i) an efficient brake; and
 - (ii) an efficient bell or some other suitable warning device.

Section 81. 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 82. 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 83. Flashing Warning Lights –

- (a) No persons shall drive or leave waiting vehicle on which, is mounted a lamp displaying intermittent flashes, except
 - (i) a lamp displaying intermittent red and/or blue flashes on the top of an emergency vehicle;
 - (ii) a lamp displaying intermittent amber flashes on top of
 - a tow truck or motor breakdown service vehicle at the scene of an accident or breakdown; or
 - 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 84. 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
 - (i) the vehicle is stationary and the lamp is used only for the purpose of reading a road sign;
 - (ii) 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 85. Mufflers and Noise Controlling Devices –

No person shall operate a motor vehicle on a street unless such motor vehicle is equipped, at all times, with a muffler or mufflers in constant operation and of sufficient capacity for the motor, and equipped with an exhaust system to prevent the escape of excessive fumes or smoke and unusual noise.

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 86. 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.

ARTICLE XVI – WEIGHT, SIZE, LOAD

Section 87. 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 places, road, street or highway.

Section 88. 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 89. Loads to be Properly Secured –

No vehicle shall be driven or moved on any highway

- (a) unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, shifting, leaking or otherwise escaping there from, except that sand may be dropped for the purpose of traction or water or other substance may be sprinkled on a roadway in cleaning or maintaining the roadway;
- (b) 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, unless such load is entirely covered by tarpaulin, net, canopy, or other suitable material, effectively preventing any part of such load from being blown or carried by the wind.

Section 90. Police Officers May 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 91. 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 92. 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:
 - (i) Description of the vehicle, equipment and/or load to be moved;
 - (ii) Street location or other identifying description of the place to which the same is to be moved;
 - (iii) Complete designation of the route to be followed;
 - (iv) Height, width and length of the same;
 - (v) Time at which the movement of the vehicle will commence and terminate;
 - (vi) 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 XVII – TRUCK BANS AND PUBLIC TRANSPORT ROUTES

Section 93. Truck Routes and Limited Truck Ban –

Cargo trucks, gravel and sand trucks and other heavy cargo trucks with eight wheels and up, or whose gross vehicle weights exceed 4,500 kilograms, including tractor trailers or containerized haulers, shall not be allowed to travel on any city streets with no more than two lanes, except along the streets specified as truck routes in Appendix V. The use of the truck routes shall be restricted to the hours of six in the morning (6:00 a.m.) to nine in the morning (9:00 a.m.), and from four in the afternoon (4:00 p.m.) to eight in the evening (8:00 p.m.).

The City Mayor may, upon recommendation of the traffic management authority, ban the access for limited hours of any cargo trucks and heavy vehicles on any other street when conditions warrant and in order to ensure orderly traffic flow.

Section 94. Routes of Public Utility Buses and Jeepneys –

Public utility buses and jeepneys, including mega-taxis and shuttle vans with valid authorizations from the Land Transportation Franchising and Regulatory Board and whose routes terminate or originate within the City shall furnish the traffic management authority a copy of their approved routes.

Without necessarily modifying their basic authorized routes, the traffic management authority may adjust the turning points and termini of public utility buses and jeepneys, prescribe their loading or unloading points, and/or require them to utilize passenger interchange terminals, if so required by an approved traffic improvement scheme.

Section 95. Tricycles and Pedicabs –

The regulation of tricycles and pedicabs in so far as application for and granting of permit to operate as a public transport for hire shall continue to be governed by Ordinance No. []¹.

However, in the granting or revision of routes or areas of operations, the recommendations of the traffic management authority shall be given consideration to ensure safety and minimize their traffic impact. In no case shall tricycles or pedicabs be permitted to run along national roads with heavy traffic, nor operate along bus or jeepney routes. In the absence of off-street tricycle terminals or stations, the number of tricycles operating or to be operated maybe restricted or curtailed on a thoroughfare to minimize traffic congestion; in such a situation, no additional units shall be franchised.

¹ The City or LGU should mention the specific ordinance, if nay, on the regulation of tricycles following the Local Government Code.

ARTICLE XVIII – PEDESTRIAN RIGHTS AND DUTIES

Section 96. 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 97. 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 98. 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 99. 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.

ARTICLE XIX – MISCELLANEOUS PROVISIONS

Section 100. Obstruction to Driver's View or Driving Mechanism –

- (a) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such number of person, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicles or as to interfere with the driver's control over the driving mechanism of the vehicle.
- (b) No passenger in a vehicle shall ride in such a position as to interfere with the driver's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle.

Section 101. Following Fire Apparatus Prohibited –

The driver of any vehicle shall not follow any fire apparatus traveling in response to a fire alarm closer than 150 meters, or drive into or parked such vehicle within the block where a fire apparatus has stopped in answer to a fire alarm.

Section 102. Putting Glass, etc. on a Highway –

No person shall throw or deposit upon any street or highway, any glass bottle, glass, nails, tacks, wire, cans or any other substance likely to injure any person, animal or vehicle on a highway.

Section 103. Tracking Mud onto the Highway –

No vehicle using the public highway shall track mud or dirt onto the traveled portion of such highway in such quantities as will constitute a hazard when the roadway is wet, or obscure the painted pavement markings thereon. In the event that mud or dirt is unavoidably tracked onto the highway, it shall be the duty of the owner of the offending vehicle to have said mud or dirt removed as quickly as possible.

Section 104. Driving Through Funeral, or Other Processions –

- (a) No person shall drive a vehicle between the vehicles comprising a funeral or other authorized procession while they are in motion. When the lead car of any funeral or other procession shall have entered any intersection, notwithstanding the light conditions at those intersections controlled by signal devices, then all other traffic shall yield the right-of-way to all vehicles comprising such funeral or other procession until it has passed through the intersection. The foregoing provisions of this Section shall apply only to such funeral or other procession moving under police escort.
- (b) No funeral, procession, assembly, or parade containing 200 or more persons or 50 or more vehicles, excepting the Armed Forces of the Philippines and the forces of the police and fire departments, shall occupy, march or proceed along any street except in accordance with a permit issued by the traffic management authority and such other regulations as set forth herein which may apply.
- (c) A funeral procession composed of any number of vehicles shall be identified as such by the conspicuous display on the top center of each vehicle a banner not less than twenty centimeters (20 cm.) [or 8 inches] long and ten centimeters (10 cm) [or 4 inches] wide, predominantly black or violet in color, with the word FUNERAL printed on both sides thereof, in letters no less than four centimeters (4 cm) [or 1 ½ inches] in height and the display on the top center of both the lead vehicle and the end vehicles of a flashing amber light having a minimum diameter of fifteen centimeters (15 cm) [or 6 inches]. The flags and lights shall be fastened by means of magnets, suction cups, or strings. While in the procession each driver shall turn on the head lamps of his vehicle as further identification.

Section 105. Restricting Animals and Livestock on Highways –

- (a) No person owning, controlling or having the possession of any livestock or animals such as cattle, horses, swines, goats, etc., shall negligently permit any such livestock or animals to stray upon or remain unaccompanied by a person in-charge or control thereof, upon any street or highway.
- (b) No person shall drive or lead any such livestock upon, or across any street or highway, without keeping a sufficient number of herders on continual duty to open the road so as to permit the passage of vehicles.

Section 106. Safety Helmets for Motor Cyclists –

- (a) A person shall not drive or ride upon a motorcycle unless that person is wearing a safety helmet on his head securely fastened under the chin of the wearer.
- (b) A safety helmet referred to in paragraph (a) herein shall comply with the standard set by the proper authority.

- (c) A person shall not drive a motorcycle while wearing a safety helmet to which is attached an eye protector unless that eye protector complies with the standards set by the proper authority.

Section 107. Production of Driver's License to Traffic Officer –

No person shall drive a motor vehicle on the road unless he or she has a valid driver's license issued by the LTO for that type of vehicle.

- (a) Any person who drives a vehicle on a road shall carry his driver's license with him at all time.
- (b) Any person driving a motor vehicle on a road shall, when requested to do so by a member of the traffic force or any other authorized person, produce his license for inspection and state his true name and address.
- (c) In this section "authorized person" means a person in uniform authorized by or under any Act to require a driver of a motor vehicle on a road to produce his driver's license.
- (d) A bona fide tourist or transient who is holding an international license may be permitted to operate a motor vehicle in the Philippines for the period not exceeding the expiry date of said license, or in accordance with international agreements to which the Philippines is signatory to.
- (e) A person who knowingly drives a motor vehicle without having secured a priori any appropriate license is guilty of a major offense, and shall be punishable with the highest penalty under Appendix VI.

Section 108. 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 109. 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 110. 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 the Land Transportation Office.

Section 111. 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:
 - (i) soliciting employment or business from the vehicle;
 - (ii) displaying an advertisement on the vehicle; or
 - (iii) offering goods for sale from the vehicle.
- (b) A person shall not stand or place himself on a road for the purpose of:
 - (i) soliciting contributions;
 - (ii) display any advertisement; or
 - (iii) 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 road.
- (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.
- (f) Stalled vehicles on thoroughfares shall be construed as obstructing traffic if not removed or towed within 5 minutes.

Section 112. Diggings and Excavations on Existing Roads –

- (a) It shall be unlawful for any person or entities, whether on their own or as contractors to any government agency, local or national, to excavate or dig for purposes of installing water pipes, telecommunication lines, poles, drainage pipes, and other underground facilities, within roads, streets, thoroughfares and alleys without first securing an excavation permit from the traffic management authority, except in cases of emergency in which case the permit should be secured within three (3) working days.
- (b) The application for temporary closure of a road, or part of the road, due to diggings and/or excavation shall be evaluated first by the traffic management authority so that timetable, remedial steps, and other precautions can be undertaken to minimize adverse effect on traffic flow.
- (c) Excavators/diggers must all times put up road signs for precautionary measures to motorist and pedestrians alike/or safety signs warning of excavation works ahead.
- (d) All areas dug or excavated must be properly restored to its original form under the standard specification for road construction. To ensure restoration, the party

undertaking the digging or excavation shall post a bond equivalent to one-hundred-fifty percentum of the cost to restore the same, the amount to be determined by the City Engineer. The bond shall be forfeited in favor of the City government if restoration work is not commenced within 10 days of completion of the excavation and completed within the same number of days for which the excavation had been authorized. It shall be released within five (5) days after determination by the City Engineer or his authorized representative that the road has been restored satisfactorily.

Section 113. Access Restrictions on Some Roads –

- (a) It shall be unlawful for any person, natural or juridical, to close, obstruct, prevent, or otherwise refuse to the public or vehicular traffic the use of or free access to any subdivision or community street owned by the government and within the jurisdiction of the City of [Name of LGU], or to exact fees in any form for the use thereof, unless with prior authorization of the Sangguniang Panlungsod. Such act is hereby declared a nuisance *per se* and the Mayor is hereby authorized to remove such closure or obstruction and to open said road to the public *motu proprio* at the expense of the offender.
- (b) Subdivision roads and/or private roads not turned over to the City may be opened to the public under the following conditions:
 - (i) the road will strengthen the road network and provide traffic relief to nearby roads that are congested as may be determined by the traffic management authority;
 - (ii) the Sangguniang Panlungsod has approved its opening, under such terms and conditions that will minimize or obviate any disturbance, pollution, or inconvenience to the residents in the area.

ARTICLE XX – PENALTIES AND PROCEDURES

Section 114. Procedures in the Issuance of Tickets to Violators of this Ordinance –

Except when authorized or directed by law to immediately take a person arrested for violation of any of the traffic laws before a Court, the following procedures shall be observed in the apprehension of any person found violating any provision of this Ordinance:

- (a) In case of drivers of motor vehicles, the traffic officer or deputized agent shall demand presentation of the driver's license and/or the registration of the motor vehicle. The apprehending officer shall then indicate the name and address of the driver, the license number and the issuing agency of the driver's license in the citation ticket. The name and the address of the owner and the registering agency of the vehicle, including the certificate of registration number, shall likewise be indicated therein. The

apprehending officer shall stipulate the specific violation and furnish copy of the citation ticket to the person apprehended.

- (b) 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 construction, the Building Permit; and indicate the name and address of the owner and the corresponding Mayor's or Building Permit Number, the particular provision 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.
- (c) In case of pedestrians found violating this Ordinance, they shall be taken to the nearest office of the traffic management authority to pay the appropriate penalty. In the event of inability to pay the fine or that the person decides to contest his apprehension, the apprehending officer shall immediately file the corresponding complaint before the Office of the City Fiscal.

Section 115. Failure to Obey Summons –

Any person who fails to appear at the place and within the time specified in the summons issued to him by an officer upon his arrest for any traffic violation is guilty of a misdemeanor.

Section 116. Summons on Illegally Parked Vehicle –

Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restriction contained in this Ordinance, the officer finding the vehicle shall note down its plate number and may take any information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a summon for the driver to answer to the charge against him within 7 days, during the hours and at a place specified in the summon.

Section 117. Failure to Comply with Summons Attached to Parked Vehicles –

Persons apprehended and issued citation tickets shall appear before the local traffic management authority for appropriate disposition within the period specified in the said ticket or written summons. Failure to appear shall be construed as waiver of their right to contest the citation and shall be liable for the payment of the corresponding charges.

If a violator of the restrictions on stopping, standing or parking under this traffic code does not appear in response to a summon affixed to a motor vehicle within a period of 7 days, the proper authority shall issue to the registered owner of the motor vehicle to which the summon was affixed, a penal summon ordering his appearance in Court. The City shall also furnish the LTO on a periodic basis, the list of motor vehicles and their owners or drivers who had been issued summons.

Section 118. When Complaint to be Issued –

In the event any person fails to comply with a summon given to him or attached to a vehicle or if any person fails or refuses to deposit bail as required and within the time permitted, the proper authority shall have a complaint entered against such person and secure the issuance of a warrant of his arrest.

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 traffic management authority shall communicate with the Land Transportation Office to hold in abeyance the renewal of driver's license or vehicle registration until clearance has been obtained from the City;
- (b) For other violations, the traffic management authority 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 traffic management authority shall cause its removal or impoundment.

Section 119. Penalty –

- (a) Any violations of the provisions of this Ordinance shall be punishable with fines indicated in Appendix VI hereof. A Traffic Violation Receipt (TVR) as the single ticketing system for Metro Manila shall be issued by a duly authorized traffic enforcement officer to an offending driver.
- (b) Where the violator is not a driver, a written notice or citation to the offending party shall be issued by the Police or local Traffic Enforcer.
- (c) The appropriate fine shall be paid within five (5) days from the date of issuance of the citation ticket. In the event of failure to pay the prescribed fine, an additional surcharge of ten percent for each day of delay or failure to pay the appropriate fine is hereby imposed until the full amount of fine and surcharge is made.

Section 120. Creation of Traffic Fund –

There is hereby created special account in the General Fund of the City to be known as the Traffic Fund wherein all receipts from registration, franchising, supervisory, regulatory fees, fines and surcharges as herein set forth in this Ordinance, including all expenditures and transfers shall be recorded there under.

Fines collected for violation of any section or provision of this Ordinance evidenced by the issuance of TVR shall be paid to the MMDA designated redemption centers or to the City Treasurer in the case of other violations.

The LGU share on traffic fines collected in accordance with existing arrangement with the MMDA shall form part of the Traffic Fund.

Parking charges, terminal fees, towing fees, and similar imposition for specific services rendered shall accrue to the Traffic Fund.

The Fund shall be disbursed only for traffic improvement measures and other activities and requirements of the traffic management authority, including maintenance of facilities and traffic control devices but excluding salaries of personnel. Any unused balance at the end of the fiscal year in excess of twenty five percent of the previous year's expenditures shall revert back to the General Fund.

ARTICLE XXI – TRAFFIC ADMINISTRATION²

Section 121. Creation of Transport and Traffic Bureau –

There is hereby created a Transport and Traffic Bureau under the direct supervision and control of the Mayor. It shall be the sole traffic management authority vested with the powers to enforce and implement this Ordinance and such traffic management plans and programs that may hereafter be drawn or prepared.

The Bureau shall have 4 divisions with the following functions:

- (1) Traffic Engineering Division
 - (i) Identify traffic bottleneck points and establish priorities in implementing remedial measures;
 - (ii) 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;
 - (iii) Secure agreement on proposed traffic schemes;
 - (iv) Install and maintain traffic signs, road markings and other traffic control devices or cause the preparation and installation of the same;
 - (v) Recommend ordinances in support of traffic management schemes;
 - (vi) Review major property development proposals as to their traffic impact, especially those involving land use conversion from low to high-intensity traffic generation;
 - (vii) Identify private roads that should be opened to improve overall circulation, and initiate moves for the full or partial integration into the road network;
 - (viii) Collect traffic data and statistics such as vehicular counts, road layouts and dimensions, etc.

² The City or LGU should modify this Article to suit their own preferred organizational structure. It is important, however, that the functions stipulated for the five divisions are assigned to specific units of the LGUs.

- (ix) Review and approve request for road diggings, road constructions, temporary closures, parades, and conduct of extra-ordinary events that would reduce road capacity.
- (2) Division of Transport Concerns
- (i) 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;
 - (ii) Update and analyze the public transport routes and services covering tricycles, buses, jeepneys, and other public transport modes;
 - (iii) 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;
 - (iv) Coordinate with public transport operators in the provision or operation of facilities like terminals and waiting areas;
 - (v) 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/municipality;
 - (vi) Evaluate requests, in coordination with the City Planning Department, for variances from the zoning ordinance that are likely to have a significant traffic impact;
 - (vii) Formulate and advocate programs that will promote and encourage walking and trips by public transport and higher-capacity modes.
- (3) Traffic Enforcement Division
- (i) Assign personnel to direct or control traffic at intersections and other locations requiring such intervention;
 - (ii) Execute the enforcement component of any traffic scheme devised or conceived by the traffic engineering division and approved by the Advisory Committee;
 - (iii) 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;
 - (iv) Conduct an investigation of any vehicular accidents that occur within the city;
 - (v) Coordinate with the Metro Manila Development Authority and the Philippine National Police traffic enforcers to harmonize personnel deployment and field operations within the city;
 - (vi) Initiate the towing or removal of vehicles obstructing traffic;
 - (vii) Suggest changes in any traffic scheme, including provision of traffic signals;
 - (viii) Cause the removal of any obstructions on sidewalks, alleys and main thoroughfares which are in violation of this Ordinance. In the event that no one admits ownership of any object or thing found impeding vehicular or pedestrian

traffic, take possession of the same for storage in the City Impoundment Area for later disposition.

- (ix) Formulate and implement a local traffic education and road safety program.
- (4) Facilities Management Division
- (i) Establish, operate, maintain and/or administer terminals, parking facilities, bicycle paths, including collection of user fees and charges thereto;
 - (ii) Operate a towing unit, by itself or with private entities;
 - (iii) 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;
 - (iv) Take custody of vehicles and articles impounded by virtue of this Ordinance and secure the same in the City Impoundment Area until released to their owners or lawful claimants, or otherwise disposed of in accordance with this Ordinance.
- (5) Support Services Division
- (i) Provide administrative services to all the divisions of the Bureau;
 - (ii) Provide management information services, including the collection of accident data, updating and maintenance of records, inventory of roads and traffic control devices;
 - (iii) Handle the paper work and documentation attendant to enforcement, such as the processing of traffic citation tickets and traffic violation receipts in behalf of or in accordance with established procedures of the issuer MMDA and LTO;
 - (iv) Conduct public information campaigns in support of any activities of the Bureau;
 - (v) Provide other administration and logistics support to the various technical sections

Section 122. Qualifications of the Bureau and Division Heads –

The Bureau shall be headed by a Department Head who shall be appointed by the City Mayor with the concurrence of the Sangguniang Panlungsod for a term of six years with option for re-appointment. He shall be a natural-born citizen, a resident of the City of [Name of LGU], at least 35 years of age, of good moral character and sound probity, a college graduate and trained in either public administration, law, management, civil engineering, and/or traffic engineering and management.

The head of the Bureau shall have the rank of a Department Head and the salary and emoluments applicable to that position grade.

The heads of the five divisions of the Bureau shall be appointed by the Mayor upon recommendation of the Bureau Chief. A division head must be at least 30 years of age, college graduate, with appropriate expertise or equivalent experience in the field of assignment. An active PNP Officer may be designated as head of the Traffic Enforcement Division, prohibition against dual positions to the contrary notwithstanding.

Section 123. Staffing –

The number and composition of staff comprising each of the five (5) divisions of the Bureau shall be determined by the Bureau Chief on an annual basis, taking into consideration the volume of work required to fulfill the functions efficiently and effectively, subject to the approval of the plantilla and budget by the Sangguniang Panglungsod. In addition, the City Mayor may deputize any City Government Officials or employees to act as traffic auxiliaries. The appointed or designated traffic auxiliaries shall be under the operational supervision of the head of the Traffic Enforcement Division.

Existing personnel affected by the creation of the Bureau under Section 121, such as those involved in tricycle regulation, parking administration, traffic enforcement, shall comprise the initial staff of the divisions to which their functions belong.

Section 124. Uniform of Traffic Officers –

In order to provide a distinction between Traffic Officers and members of the Philippine National Police, the Traffic Officers shall wear a uniform distinct from the uniform or attire of the members of the PNP. The determination of the color and type of uniform shall be left to the discretion of the City Mayor; Provided, however, that no changes in the type, color or style of the uniform shall be allowed for a period of five (5) years, determined from the date the prescribed uniforms were first implemented.

ARTICLE XXII – FINAL PROVISIONS

Section 125. Repealing Clause –

All previous issuances, ordinances, 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 126. Separability Clause –

If for any reason, any provision, section or ordinance is declared not valid by a court of competent jurisdiction or suspended or revoked by the Office of the President, such judgment or order shall not affect or impair the remaining provisions, sections or parts which are not affected thereby shall continue to be in force and effect.

Section 127. Effectivity –

This Ordinance shall take effect fifteen (15) days after its approval and publication in the City Hall and Barangay offices of this City.

ENACTED by the Sangguniang Panlungsod, City of [Name of LGU] at its Regular Session held on [Month, Day, Year].

APPROVED by His Honor, the City Mayor on [Month, Day, Year].

APPENDIX I – ONE-WAY STREETS

[LIST OF ONE-WAY STREETS]

APPENDIX II – PROHIBITED LEFT TURNS

[PROHIBITED LEFT TURNS]

APPENDIX III – LOCATIONS WITH NO U-TURNS

[NO U-TURNS]

APPENDIX IV – PARKING ZONES

ON-STREET PAY PARKING

The following are designated as pay-parking zones, as indicated by appropriate traffic signs an/or parking bay markings.

[]	[]
[]	[]
[]	[]
[]	[]

Parking Fees

Ten Pesos (P 10.00) for the first two (2) hours and two pesos (P 2.00) per hour thereafter or fraction thereof, from the owner/drivers of cargo trucks for hire and delivery trucks.

Five pesos (P 5.00) for the first three (3) hours and fifty centavos (P 0.50) per hour thereafter or a fraction thereof from the owners/drivers of cars and similar light vehicles.

Time and Day Coverage

Pay parking shall be observed and enforced starting 6:00 a.m. until 9 a.m. from Monday to Saturday.

APPENDIX V – STREETS WITH LIMITED TRUCK BAN

APPENDIX VI – SCHEDULES OF FINES AND PENALTIES

No.	Section of Ordinance	Type of Offense or Violation	Amount
1	Section 5	Erection and Interference with Traffic Items	P 100.00
2	Section 8	Display of Dazzling Lights, etc	P 100.00
3	Section 9	Disobedience to Traffic Control Signals	P 200.00
4	Section 10	Disobedience to Signs	P 200.00
5	Article V	Any violation of general driving rules	P 100.00
6	Section 23	Not Giving Way at Intersection	P 200.00
7	Section 24	Not Giving during Turns	P 200.00
8	Section 25	Improper Movements to or from Parking Area	P 200.00
9	Section 26	Not Giving Way to Emergency vehicle	P 200.00
10	Section 28	Not giving way at Roundabouts or Rotondas	P 200.00
11	Article VII	Violating Speed Limits	P 500.00
12	Section 32	Violating Operating Rule on One-way streets	P 200.00
13	Sections 39 & 40	Parking or Waiting in Prohibited Areas	P 200.00
14	Article IX	Improper turning, reversing and stopping	P 200.00
15	Section 42	Parking Near Grade or Curve	P 200.00
16	Section 43	Parking on Parade Routes and on any Special Occasion	P 200.00
17	Section 44	Parking for certain Prohibited Purposes	P 200.00
18	Sections 50 & 51	Non-payment of Parking Fees	P 500.00
19	Section 53	Violations in Parking Areas	P 200.00
20	Section 55	Careless Driving	P 500.00
21	Section 56	Reckless and Dangerous Driving	P 500.00
22	Section 57	Driving under Influence of Liquor or Drugs	P 500.00
23	Article XIII	Violation of procedures involving traffic accidents	P 500.00
24	Section 66	Operating animal drawn carriages, bicycles and tricycles that are not licensed	P 200.00
25	Section 68	Improper Riding Bicycle or Tricycles	P 200.00
26	Section 69	Towing of Bicycles, etc.	P 200.00
27	Section 70	Riding Bicycles More than two Abreast	P 200.00
28	Article XV	Violation or non-compliance with any section of Article XV regarding lighting, warning signs, equipment, etc.	P 100.00
29	Section 87	Exceeding Gross Weight, Axle and Wheel Loads	P 100.00
40	Section 88	Projecting Loads on Passenger Vehicles	P 100.00

continued

Schedules of Fines and Penalties (continued)

No.	Section of Ordinance	Type of Offense or Violation	Amount
41	Section 89	Loads Not Properly Secured	P 100.00
42	Section 90	Refusal to Have Vehicles weighed and/or to Remove Excess Load	P 100.00
43	Section 91	Violation of restrictions or limits in the use of bridge	P 100.00
44	Section 92	No Permit to Move Equipment and/or Load of Excessive Weight, Width or Height	P 100.00
45	Article VII	Truck ban, Non-complying buses and jeepneys	P 200.00
46	Section 96	Violating Pedestrian Crossing Rules	P 100.00
47	Section 98	Violating Restrictions on Pedestrians	P 100.00
48	Section 100	Obstructing Driver's View or Driving Mechanism	P 200.00
49	Section 101	Following Fire Apparatus	P 200.00
50	Section 102	Putting Glass, etc. on a Highway	P 300.00
51	Section 103	Tracking Mud unto the Highway	P 300.00
52	Section 104	Driving Through Funeral or Other Processions	P 200.00
53	Section 105	Violating Restrictions on Animals and Livestock	P 200.00
54	Section 106	No Safety Helmets for Motor Cyclist	P 200.00
55	Section 107	Non-Production of Driver's License to Police	P 200.00
56	Section 108	Improper Opening doors and alighting from vehicles	P 200.00
57	Section 109	Improper Use of Horns, etc.	P 200.00
58	Section 110	Non-use of Seatbelts	P 200.00
59	Section 111	Obstructing Roads by motor vehicles, including stalled vehicles	P 200.00
60	Section 111(e)	Obstructing roads or sidewalks by residential or commercial establishments.	P 500.00
61	Section 112	Street diggings or road closures without permit	P 1,000.00
62	Section 113	Unlawful restriction on road access	P 1,000.00

- B. For the second and subsequent offenses; the penalties shall be two times the value of the most recent fines on record – whether the same had been paid or not. For habitual offenders, or when the violation involved property damage in excess of P10,000.00 or loss of life, the traffic management authority shall seek the cancellation of the driver's license through the LTO.

