



Republic of the Philippines
 PROVINCE OF CAGAYAN
 City of Tuguegarao
EIGHTH CITY COUNCIL



EXCERPTS FROM THE MINUTES OF THE 19th REGULAR SESSION
 HELD ON NOVEMBER 8, 2019, FRIDAY, 9:00 A.M., IN LIEU OF NOVEMBER 12, 2019,
 TUESDAY, AT THE CONFERENCE ROOM, OFFICE OF THE CITY MAYOR,
 TUGUEGARAO CITY, CAGAYAN

PRESENT:

Hon. Bienvenido C. De Guzman II	City Vice Mayor/Presiding Officer
Hon. Maila Rosario T. Que	Sangguniang Panlungsod Member
Hon. Imogen Claire M. Callangan	-do-
Hon. Gilbert S. Labang	-do-
Hon. Danilo L. Baccay	-do-
Hon. Ronald S. Ortiz	-do-
Hon. Arnel T. Arugay	-do-
Hon. Mary Marjorie P. Martin-Chan	-do-
Hon. Winnoco R. Abraham	-do-
Hon. Grace B. Arago	-do-
Hon. Raymund P. Guzman	-do-
Hon. Karina S. Gauani	-do-
Hon. Victor Herbert N. Perez	-do-
Hon. Gil G. Pagulayan	Ex Officio Member
Hon. Karen L. Taguinod	-do-



CITY ORDINANCE NO. 47-08-2019

**AN ORDINANCE ADOPTING THE ROAD SAFETY CODE OF TUGUEGARAO CITY,
 PROVIDING PENALTIES FOR THE VIOLATION THEREOF,
 AND APPROPRIATING FUNDS FOR THIS PURPOSE**

Sponsors: **HON. BIENVENIDO C. DE GUZMAN II (Vice Mayor)**
HON. IMOGEN CLAIRE M. CALLANGAN
HON. DANILO L. BACCAY
HON. GIL G. PAGULAYAN
HON. GRACE ARAGO
HON. KARINA S. GAUANI
HON. KAREN L. TAGUINOD
HON. WINNOCO R. ABRAHAM
HON. RAYMUND P. GUZMAN
HON. ARNEL T. ARUGAY
HON. GILBERT S. LABANG
HON. RONALD S. ORTIZ
HON. MAILA ROSARIO T. QUE
HON. MARY MARJORIE P. MARTIN-CHAN
HON. VICTOR HERBERT N. PEREZ

WHEREAS, in the Philippines, the Cagayan Valley Region has the highest number of fatalities in proportion to its population. Of all the cities and municipalities in the region, Tuguegarao City has the highest number of road crashes.

WHEREAS, according to the Cagayan Provincial Police Office, in 2016, the province accounted for 1,471 road crashes, with an average of 123 road crash incidents each month. 127 fatalities were recorded while 770 resulted in injuries and 558 more resulted in damages to properties. One-third of these incidents or 482 road crashes happened in Tuguegarao City;

(Handwritten marks)

WHEREAS, for the period of January 01, 2019 to October 08, 2019, the Public Order and Safety Office recorded 1,159 road crash incidents, resulting in 611 recorded cases involving various injuries and 125 deaths;

WHEREAS, the Tuguegarao City Government has adopted several ordinances designed to promote road safety;

WHEREAS, the Tuguegarao City Government recognizes the need to improve the implementation and enforcement of existing road safety ordinances and introduce new interventions to further reduce the number of road crash fatalities in Tuguegarao City;

WHEREAS, the Tuguegarao City Government, particularly this Council, recognizes that road safety is a shared responsibility and that those who design and regulate the roads have as much responsibility in preventing road injuries and deaths as those who use the roads;

WHEREAS, a public hearing for the matter was held on October 18, 2019 at the Sangguniang Panlungsod Session Hall.

NOW, THEREFORE, be it **ORDAINED** by the Tuguegarao City Council in regular session duly assembled:

ARTICLE I. GENERAL PROVISIONS

Section 1. Title. This Ordinance shall be known as "*The Road Safety Code of Tuguegarao City.*"

Section 2. Declaration of Principles. It is the policy of this City to ensure the safety of all road users within the territorial jurisdiction of Tuguegarao City and to promote public health, safety and convenience. Toward this end, the City Government of Tuguegarao City adopts the Safe System Approach to road safety and recognizes the following principles:

- a. The five (5) road safety pillars, i.e. (1) Road Safety Management; (2) Safer Roads and Mobility; (3) Safer Vehicles; (4) Safer Road Users; and (5) Post-Crash Response, must be strengthened to ensure that road crashes resulting from common human error do not result in death or serious injury;
- b. Road safety is a shared responsibility between those who design and regulate the road and those who use the road;
- c. Road safety is a multi-sectoral public health issue that requires the participation of all sectors, including the private sector and civil society organizations;
- d. Road safety policies must take into consideration the need to protect vulnerable road users such as pedestrians, bicycle riders and motorcycle riders; and,
- e. Known effective interventions must be maximized in order to significantly reduce the number of road crash injuries and fatalities in Tuguegarao City.

Section 3. Interpretation. Words and phrases not defined in this Ordinance shall be given their plain or customary meaning, unless the context requires otherwise. All words, phrases and provisions shall be interpreted in a manner that is consistent with the purpose and spirit of this Ordinance.

Section 4. Coverage. This Ordinance shall apply to all road users within or passing through Tuguegarao City including, but not limited to, users and occupants of motor vehicles, bicycles and other modes of transportation, the drivers and owners thereof, and pedestrians, private individuals, public officers, and public and private entities.

Section 5. Definition of Terms. As used in this Ordinance, the following words and phrases shall have the meanings ascribed to them in this Section:

- a. "Alcoholic beverage" shall refer to any drink or liquid that contains alcohol that is capable of use as a beverage including, but not limited to, distilled spirits wine, beer and other fermented liquors.
- b. "AUVs" shall refer to Asian Utility Vans or vehicles commonly known as "FX."

- c. "Blood Alcohol Level" or "BAC" shall refer to the measure of the amount of alcohol in a person's blood.
- d. "Blood Alcohol Level Limit" or "BAC Limit" shall refer to such level of intoxication as established jointly by the Department of Health (DOH), the National Police Commission (NPC) and the Department of Transportation (DOTr).
- e. "City" shall refer to Tuguegarao City created under Republic Act No. 179 titled "An Act Creating Tuguegarao City," as amended.
- f. "City Council" shall refer to the Tuguegarao City Council.
- g. "City Government" shall refer to the Tuguegarao City Government.
- h. "City streets" shall refer to roads within the City, roads that connect to the National and City Roads, and roads that provide inter-barangay connections to major City infrastructure without traversing national roads, within the jurisdiction of Tuguegarao City, not otherwise designated as national roads, barangay roads and crowded streets.
- i. "Crowded streets" shall refer to streets with heavy pedestrian traffic including all streets within a five hundred (500)-meter radius of the perimeter of schools, public transportation terminals, markets, government buildings, churches and other places of worship, recreational places, facilities frequented by the youth, parks, shopping malls, movie houses, hotels, restaurants and other public places as may be determined by the City. In case of linear strips of crowded areas, the reckoning point for the five hundred (500)-meter radius shall be the first and the last crowded public place.
- j. "City Traffic Code" shall refer to City Ordinance No. 09-2017, otherwise known as "An Ordinance Adopting the Traffic Rules and Regulations of Tuguegarao City."
- k. "Dangerous drugs and other similar substances" shall refer to drugs listed in the schedules annexed to the 1961 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol, and in the schedules annexed to the 1971 Single Convention of Psychotropic Substances as enumerated in its attachment which is an integral part of Republic Act No. 9165, otherwise known as the "Comprehensive Dangerous Drugs Act of 2002", and those that the Dangerous Drugs Board, created under the same Act, may reclassify, add to or remove from the list of dangerous drugs.
- l. "Designated driver" shall refer to a person who is designated as the responsible driver of a vehicle who, by such designation, is required to refrain from consuming alcoholic beverages in order to safely drive home his/her companions who have consumed alcoholic beverages.
- m. "Distracted driving" shall refer to the use of mobile communications or entertainment devices by drivers while driving, whether in motion or temporarily stopped at a red light, including the use of mobile communications devices or electronic entertainment or computing devices, and other similar acts.
- n. "Driver" shall refer to any person operating a motor vehicle.
- o. "Driving under the influence of alcohol" shall refer to the act of operating a motor vehicle while the driver's BAC level has, after being subjected to a breath analyzer test, reached 0.05% or such level of intoxication as established jointly by the DOH, NPC and DOTr.
- p. "Driving under the influence of dangerous drugs and other similar substances" shall refer to the act of operating a motor vehicle while the driver, after being subjected to a confirmatory test as mandated under Republic Act No. 9165, is found to be positive for use of any dangerous drug.
- q. "Field of view" shall refer to the forward view directly through the windshield, rear and side views, through the other vehicle windows, as well as the indirect view using the side and rear view mirror provided by the vehicle mirror system.
- r. "Impoundment" shall refer to the act of placing a motor vehicle in a designated impoundment or holding lot by an authorized law enforcement officer.
- s. "Law enforcement officer" shall, as appropriate, refer to members of the Philippine National Police (PNP), members of the Land Transportation Office (LTO), Tuguegarao City Police District, Tuguegarao City traffic auxiliaries and other public officers who are deputized by the City Mayor for traffic and road safety enforcement.
- t. "Motor vehicle" shall refer to any vehicle propelled by any power other than muscular power using the public highways, but excepting road rollers, trolley cars, street-sweepers, sprinklers, lawn mowers, bulldozers, graders, fork-lifts, amphibian trucks, and cranes if not used on public highways, vehicles that run only on rails or tracks, and tractors, trailers and traction engines of all kinds used exclusively for agricultural purposes. It shall also refer to private

cars, private and public utility jeepneys, private and public utility mini-buses, passenger jeepneys, trucks of all kinds, motorcycles, and tricycles, vans, electric motorcycles, electric cars, Transport Network Vehicles and other modes of transportation as may be determined by the Road Safety Working Group.

- ii. "Owner" shall refer to the person in whose name the motor vehicle is registered, as indicated on the Certificate of Registration issued by the LTO. The president or highest managing officer, in case of corporations and other legal entities, or the highest official, in case of government agencies, shall be considered the owner of motor vehicles registered in the name of legal entities or government agencies. In case of failure to present the Official Receipt or Certificate of Registration of the motor vehicle, the driver shall be presumed to be the owner of the motor vehicle.
- v. "Public Order and Safety Office" or "POSO" shall refer to the department or agency of the Tuguegarao City Government specified under Article II, Section 1 hereof.
- w. "Post-harvest activities" shall refer to activities under Republic Act no. 7607, otherwise known as the "Magna Carta of Small Farmers" including, but not limited to, threshing drying, milling, storing and handling of produce and such other activities as shelling, stripping, winnowing, chipping and washing;
- x. "PUVs" shall refer to public utility vehicles.
- y. "Road" shall refer to any public highway, street, thoroughfare, alley, boulevard and the like within Tuguegarao City.
- z. "Traffic Citation Ticket" shall refer to the ticket issued by a Law Enforcement Officer upon confiscation of a driver's license due to a violation of this Ordinance or any other City ordinance. The Traffic Citation Ticket shall serve as a temporary driver's license, valid for five (5) days from the date of issuance.
- aa. "Transport Network Vehicles" or "TNVs" shall refer to privately owned vehicles accredited by Transport Network Companies licensed by the Land Transportation and Franchising Regulatory Board (LTFRB).
- bb. "Tricycle" shall refer to a motor vehicle duly registered with the LTO composed of a motorcycle with a four (4)-stroke engine, with not more than two (2) cylinders or 400cc engine capacity, fitted with a single-wheeled side car or two-wheeled cab, closed van or open cart, whether powered by gasoline or electricity.

ARTICLE II. ROAD SAFETY MANAGEMENT

Section 1. Public Order and Safety Office. The Public Order and Safety Office (POSO) shall be the lead agency in the implementation of this Ordinance and other road safety related activities of Tuguegarao City.

Section 1.1. Mandate. The POSO is tasked to oversee, enforce and implement the Tuguegarao City Road Safety Code and all other initiatives and activities related to or arising from road safety laws, policies and programs of this City.

Section 1.2. Functions and Powers. The POSO shall have the following functions, in addition to its functions under other ordinances, orders or policy issuances:

Section 1.2.1. Enforcement. Enforce this Ordinance, through coordination with local and national agencies and law enforcement officers, through the apprehension of offending persons/motor vehicles, issuance of Traffic Citation Tickets and the resolution of protests, without prejudice to the authority of the LTO to enforce traffic rules and regulations:

- a. Assign law enforcement officers for the enforcement of this Ordinance;
- b. Coordinate with the PNP, LTO, Tuguegarao City Police District, barangay officials and other deputized law enforcement officers to harmonize deployment and field operations within the City;
- c. Train law enforcement officers on the enforcement of this Ordinance, in coordination with the LTO; and
- d. Cause the installation of road signs as provided in this Ordinance.

Section 1.2.2. Planning and Coordination.

- a. Serve as chair of the Road Safety Working Group;
- b. Convene the Road Safety Working Group once every quarter or as necessary;
- c. Spearhead the development of the Tuguegarao City Road Safety Action Plan and the review and updating thereof every five (5) years;
- d. Conduct regular planning and coordination meetings with relevant offices and agencies to discuss and coordinate on issues related to road safety;
- e. Act as depository of local laws, rules and regulations related to road safety including resolutions adopted by barangays and other local offices or agencies;
- f. Periodically review road safety laws and regulations and submit recommendations to the City Council to improve road safety in the City;
- g. Conduct capacity-building trainings, seminars and workshops on road safety;
- h. Coordinate with the LTO for integration with the LTO information technology system in relation to the uploading of information on drivers and owners who fail to settle fines and other penalties under this Ordinance. Where integration with the LTO information technology system has not yet been established, the POSO shall submit a quarterly report to the Regional LTO containing the relevant information; and
- i. Submit an annual budget plan for road safety to the City Council.

Section 1.2.3. Monitoring and Evaluation.

- a. Collect road crash data including road crash fatalities, injuries and other relevant information in accordance with Article II, Section 5.1 of this Ordinance and submit such data annually to the Mayor and the Committee on Public Safety of the City Council;
- b. Monitor the implementation of this Ordinance and the Tuguegarao City Road Safety Action Plan in coordination with the Road Safety Working Group and submit an annual report to the Mayor and the Committee on Transportation of the City Council;
- c. Conduct periodic evaluations of the impact of this Ordinance and the Tuguegarao City Road Safety Action Plan on the number of road crashes, road crash injuries and fatalities, and other outcomes as may be determined by the Road Safety Working Group.

Section 1.2.4. Information, Education, and Communication (IEC) Campaign and Other Tasks.

- a. Conduct public information, education and communication campaigns on the enforcement of this Ordinance, the Tuguegarao City Road Safety Action Plan and road safety in general, in coordination with the City Information Office; and
- b. Perform other tasks as may be assigned by the City Mayor for the purpose of implementing this Ordinance.

Section 2. Road Safety Working Group. The POSO shall convene the Road Safety Working Group within thirty (30) days from the effectivity of this Ordinance and every quarter thereafter.

Section 2.1. Mandate. The Road Safety Working Group shall develop, monitor and evaluate the implementation of this Ordinance and the Tuguegarao City Road Safety Action Plan.

Section 2.2. Composition. The Road Safety Working Group shall be composed of the following members:

- a. Head of the Public Order and Safety Office
- b. Chairperson of the Transportation Committee of the City Council
- c. City Engineer
- d. Head of the City Planning and Development Office
- e. Head of the Disaster Risk Reduction and Management Office
- f. Head of the Traffic Management Unit of the Tuguegarao City Police Office
- g. President of the Liga ng mga Barangay

The Road Safety Working Group may, when necessary, call on the participation of the following offices in the Road Safety Working Group, with respect to technical matters falling within their jurisdiction and/or areas of expertise:

- a. City Engineer's Office
- b. Public Affairs (Barangay Affairs) Office
- c. Business Permits and Licensing Office
- d. City Franchising Board
- e. Tricycle Regulation Unit
- f. City Legal Office
- g. City Administrator's Office

The Road Safety Working Group may coordinate with other local offices and national government agencies as necessary for the implementation of this Ordinance and the Tuguegarao City Road Safety Action Plan.

Section 2.3. Coordination. The Road Safety Working Group shall meet every quarter. Within fifteen (15) days from the effectivity of this Ordinance, all members of the Road Safety Working Group shall submit to the POSO the names of one (1) permanent and two (2) alternate representatives who shall be responsible for participating in all meetings of the Road Safety Working Group on behalf of their department or office. The POSO shall be notified in writing of any changes in the assigned representatives at least ten (10) days prior to the next quarterly meeting.

Section 3. Budget. The POSO shall submit an annual budget plan to the City Council. The annual budget plan shall specify the equipment, human resources and other costs that are necessary for the implementation of this Ordinance. The budget allotted for the operations of the Road Safety Working Group shall be included in the POSO's budget plan.

Section 4. Tuguegarao City Road Safety Action Plan.

Section 4.1. Content. Within six (6) months from the effectivity of this Ordinance, the Road Safety Working Group shall develop the Tuguegarao City Road Safety Action Plan which shall contain specific details and information on the following:

- a. Vision
- b. Interim (5-year) targets
- c. Objectives
- d. Strategies
- e. Activities
- f. Projected outcomes
- g. Expected outputs
- h. Responsible office or person
- i. Estimated budget

Section 4.2. Evaluation. The POSO shall submit an annual report to the City Mayor and the City Council on the implementation of this Ordinance and the Tuguegarao City Road Safety Action Plan.

Every five (5) years, the Road Safety Working Group shall review the impact of the Tuguegarao City Road Safety Action Plan and update the same as needed. The Road Safety Working Group shall submit a written report on the outcomes of the Tuguegarao City Road Safety Action Plan to the City Mayor and the City Council within three (3) months from the end of the five (5)-year period of the Tuguegarao City Road Safety Action Plan.

Section 5. Road Crash Data Collection.

Section 5.1. Data Collection through the Data for Road Incident Visualization Evaluation and Reporting (DRIVER) System. Unless otherwise provided by the DOTr, the POSO shall use the DRIVER System for encoding road crash data. Within fifteen (15) days from the effectivity of this Ordinance, the POSO shall coordinate with the DOTr on the use of the DRIVER System.

The POSO shall assign a specific division within its offices that shall be in charge of collection, monitoring and analysis of road crash data. The assigned division shall have at least two (2) analysts who shall be granted access to the DRIVER System for purposes of encoding and uploading road crash data.

Section 5.2. Minimum data to be collected. The responding and/or reporting officer shall record the data prescribed by the DOTr for the use of the DRIVER System.

Section 6. Coordination with National Government Agencies.

Section 6.1. Coordination on Road Safety and Traffic Policies. The POSO shall align its road safety and traffic policies with the policies, rules and regulations of the DOTr, LTO, PNP and the PNP-Highway Patrol Group (HPG). The POSO shall ensure that the relevant national government agencies are duly notified of policies in Tuguegarao City by furnishing them with copies of this Ordinance, the Tuguegarao City Road Safety Action Plan, other relevant ordinances and/or resolutions, and succeeding issuances.

Section 6.2. Coordination on Deployment of Law Enforcement Officers. The POSO shall regularly monitor the deployment of law enforcement officers on national roads passing through the City. The POSO shall ensure that the City has an adequate number of law enforcement officers and that an adequate number of law enforcement officers are deployed in critical areas. For this purpose, the POSO shall regularly secure copies of the deployment schedule and deployment plan of the LTO, PNP and PNP-HPG.

Section 7. Citizen's Reports.

Section 7.1. Road Safety Reporting System. The POSO shall establish and operate a road safety reporting system where citizens may directly file their complaints and/or requests regarding any concern related to road safety including, but not limited to, the following:

- a. Repair, maintenance or improvement of city and barangay roads including the installation of street lights, road signs and other road furniture;
- b. Road obstructions, road hazards and other encroachments on roads and sidewalks; or
- c. Any violation of this Code by a private person or entity, or public official tasked with enforcement of this Code.

Section 7.2. Minimum Information on Reporting Form. The POSO shall make available in its main office and satellite posts reporting forms that shall contain the following minimum information:

- a. Name of reporter;
- b. Nature of report, complaint or request;
- c. Background information about the report, allowing photos or supporting evidence to be attached;
- d. Location; and,
- e. Desired outcome of the reporter.

Section 7.3. Initial Report of Action Taken. The POSO shall respond to the report filed within fifteen (15) working days from receipt thereof with an initial report of actions taken.

ARTICLE III. SAFER ROADS AND MOBILITY

Section 1. Road Inventory and Classification.

Section 1.1. Road Inventory. The City Engineering Office shall be responsible for updating the local road inventory every three (3) years or whenever a local road is converted to a national road and vice versa. The City Engineering Office shall submit annual reports on any conversions or changes made to the road inventory to the POSO.

Section 1.2. Road Classification. The City Engineering Office shall be responsible for updating the local road inventory to reflect the accurate classification of roads every time a local road is reclassified. The City Engineering Office shall report on any conversions or changes made to the road classifications in the road inventory to the Road Safety Working Group.

The classification of roads shall be reviewed every three (3) years.

Section 2. Road Audit. The City Engineering Office shall, in coordination with the Department of Public Works and Highways (DPWH), conduct a complete road audit of all roads within the City's jurisdiction to identify road hazards and other obstructions, encroachments and the demarcation of sidewalks on local roads and national roads passing through the City, and to ensure that all roads are installed with appropriate road signages and road furniture, in compliance with the DPWH Manual on Highway Safety Design Standards.

Within three (3) months from the effectivity of this Ordinance and every three (3) years thereafter, the City Engineering Office shall submit a report on the road audit and the recommended action to the Road Safety Working Group.

Section 3. Traffic and Road Safety Impact Assessment. All new construction projects, road works and similar activities including the establishment of terminals for public utility vehicles conducted adjacent to public roads shall be required to undergo a Traffic and Road Safety Impact Assessment by the City Engineering Office. Prior to the commencement of any construction activity, roadwork or other similar activities, the project contractor and/or project manager shall submit a certificate of assessment issued by the City Engineering Office to the Lead Agency. No building permit shall be issued without first complying with the requirement of conducting a Traffic and Road Safety Impact Assessment.

The Traffic and Road Safety Impact Assessment shall also include a Traffic and Road Safety Management Plan to ensure that road safety risks will be minimized or avoided in the conduct of construction activities, road works and similar activities. The Traffic and Road Safety Management Plan shall be strictly followed in the performance of the construction activity, roadwork or similar activities. Non-compliance with the approved Road Safety Management Plan shall be cause for suspension of the said construction activity, roadwork or other similar activities.

Section 4. Road Design, Maintenance and Improvement.

Section 4.1. Road Design. New roads shall comply with the design standards prescribed under the latest DPWH Design Guidelines, Criteria and Standards Manual. The City Engineering Office shall be responsible for ensuring compliance with the DPWH standards.

All local roads shall bear appropriate instructional signages.

Section 4.1.1. Prohibition of Removal, Defacement, Obstruction or Unauthorized Alteration or Installation of Road Signs. The removal, defacement or any unauthorized alteration or installation of road signs is prohibited. The POSO shall be authorized to cause the automatic removal of any obstruction on road signs.

Section 5. Road Maintenance.

Section 5.1. Maintenance of National Roads. The City Engineering Office shall coordinate with the DPWH for the maintenance and repair of national roads passing through the City. Nothing in this Ordinance shall prevent the POSO from conducting urgent and necessary repairs on said national roads, subject to coordination with the DPWH.

Section 5.2. Maintenance of Local Roads. The City Engineering Office shall be responsible for the maintenance and repair of city and barangay roads and shall ensure that all such roads are safe.

The Barangay Chairperson shall coordinate with the City Engineering Office for the maintenance and repair of barangay roads.

Section 6. Road Improvement.

Section 6.1. Improvement of National Roads. The POSO shall recommend road improvement activities and other road design measures that are necessary to ensure road safety on national roads to the City Engineering Office. The City Engineering Office shall be responsible for coordinating with the DPWH for the improvement of national roads passing through the City. Nothing in this Ordinance shall

prevent the City Engineering Office from conducting improvement activities and adopting road design measures on such national roads, in coordination with the DPWH.

Section 6.2. Improvement of Local Roads. The POSO shall recommend road improvement activities and other road design measures that are necessary to ensure road safety on local roads to the City Engineering Office. The City Engineering Office shall be responsible for implementing said road improvement activities and road design measures. Nothing in this Ordinance shall prevent the City Engineering Office from conducting road improvement and activities pursuant to its regular functions.

Section 6.3. Road Safety Infrastructure, Road Signs and Road Furniture. The City Engineering Office shall ensure that all city and barangay roads have necessary road infrastructure, furniture, markings, rumble strips, speed bumps and other traffic-calming devices, and other measures to promote road safety for all types of road users and to prevent speeding or reckless driving.

The City Engineering Office shall also be responsible for the installation of signages, lamp posts, CCTV network posts, billboards, painting of sidewalks, pedestrian lanes and similar markings, installation of waiting sheds and other road furniture, replacement of light bulbs, and the undertaking of similar road safety measures, subject to the approval of the City Planning and Development Office, and in coordination with the barangays.

The POSO may recommend the installation or construction of other road infrastructure, furniture, signages and other measures to the City Engineering Office, when necessary to improve road safety.

All road signs and road furniture must be in accordance with the DPWH Manual on Highway Safety Design Standards and/or other accepted international design standards. The City Engineering Office shall remove and replace all road signs and road furniture that fail to comply with the DPWH standards. All measures implemented shall comply with policies on "green" or cost-efficient, environment-friendly engineering.

Section 7. Sustainable Urban Planning and Zoning. The POSO shall render the necessary support to the City Planning and Development Office in implementing zoning regulations. The POSO shall closely coordinate with the City Planning and Development Office to ensure that zoning regulations are in line with road safety policies and will not create road safety risks.

Section 8. Inclusive Mobility. Within three (3) months from the effectivity of this Ordinance, the POSO, in coordination with the City Engineering Office, shall submit the proposed number and location of additional pedestrian lanes, sidewalks, bicycle lanes, and other road improvements for PWDs and other groups with special needs.

Section 8.1. Pedestrian Lanes.

Section 8.1.1. Frequency. Within three (3) months from the effectivity of this Ordinance, the POSO, in coordination with the City Engineering Office, shall identify all city roads with high pedestrian volume and cause the installation of pedestrian lanes with appropriate signages on said roads. The POSO shall prioritize school zones in installing pedestrian lanes and shall, whenever practicable, install elevated or trapezoidal pedestrian lanes for speed management purposes.

Within the same period, the Punong Barangays of all barangays in Tuguegarao City shall identify all barangay roads with high pedestrian volume and submit their respective findings and recommendations to the POSO. The recommendations must specify road signages and other road furniture needed to improve the safety of pedestrians on said barangay roads.

Every intersection, school zone, market place, place of worship, government agency or office, and all other places as may be determined by the Road Safety Working Group, shall have pedestrian lanes, crosswalks or footbridges, as may be deemed necessary by the City Engineering Office and subject to compliance with the appropriate DPWH standards.

Section 8.1.2. Right of Way of Pedestrians. The driver of any motor vehicle shall yield the right of way to a pedestrian crossing within a crosswalk or pedestrian crossing, except at intersections where the movement of traffic is being regulated by a law enforcement officer or by traffic signal.

A driver approaching a pedestrian crossing shall slow down and stop, as necessary, to allow

pedestrians to cross within the crosswalk.

Section 8.1.3. Prohibition on Using, Straddling or Obstructing Pedestrian Lanes. A driver shall not permit any portion of his or her vehicle to obstruct any portion of the pedestrian lane. At no time shall any vehicle use, straddle or obstruct the designated pedestrian lane.

This provision shall apply to all motor vehicles including motorcycles and electronic bikes.

Section 8.2. Bicycle Lanes.

Section 8.2.1. Installation of Bicycle Lanes. Within three (3) months from the effectivity of this Ordinance, the POSO shall, in consultation with the stakeholders, identify priority areas for the installation of bicycle lanes and submit its recommendations to the City Planning and Development Office.

The City Planning and Development Office, in coordination with the POSO and the City Engineering Office, shall cause the installation of bicycle lanes on such roads identified by the POSO and the City Engineering Office.

Priority shall be given to roads that connect the City center to school zones, places of worship and recreation.

Section 8.2.2. Minimum Requirements of Bicycle Lanes. The bicycle lanes shall be exclusively dedicated to bicycles. At the minimum, the bicycle lanes shall be appropriately marked and shall comply with the DPWH Manual on Highway Safety Design Standards.

The POSO, in coordination with the City Engineering Office, shall install appropriate road signs, barriers and other safety features to ensure the safety of bicyclists on bicycle lanes, in accordance with the DPWH Manual on Highway Safety Design Standards and/or other accepted international design standards.

Section 8.2.3. Continuing Program for Installation of Bicycle Lanes. The City Engineering Office shall set and indicate reasonable targets for the number of kilometers of bicycle lanes to be installed every year in the Tuguegarao City Road Safety Action Plan.

Section 8.2.4. Prohibition on Using, Straddling or Blocking Bicycle Lanes. No driver shall permit any portion of his or her vehicle to block any portion of the bicycle lane. At no time shall any vehicle use, straddle or obstruct the designated bicycle lane.

This provision shall apply to all motor vehicles including motorcycles, tricycles and electronic bikes.

Section 8.3 Road Design and Better Transport Alternatives for Persons with Disability and Other Groups with Special Needs. Within three (3) months from the effectivity of this Ordinance, the City Planning and Development Office, City Engineering Office and City Social Welfare and Development Office, in coordination with the POSO, shall submit proposed plans for road design improvements and better transport alternatives that will cater to persons with disability (PWDs) and other groups with special needs such as pregnant women, senior citizens and children.

These measures may include the widening of sidewalks to accommodate wheelchairs and the provision of ramps, shuttle services and other facilities provided under Batas Pambansa Blg. 344 or the Accessibility Law which will increase the accessibility of establishments and promote the mobility of PWDs and other special need groups.

Section 8.3.1. Prohibition against Parking on Designated Parking Slots for Persons with Disability and Other Groups with Special Needs. It shall be prohibited to park on designated parking slots for PWDs and other groups with special needs.



Section 8.4 Use of Sidewalks.

Section 8.4.1 Prohibition against use of sidewalks by motor vehicles. Sidewalks shall be for the exclusive use of pedestrians. It shall be prohibited for motor vehicles to traverse sidewalks or use the same for any other purposes including parking.

Section 8.4.2 Prohibition against blocking of sidewalk for parking or other purposes. Blocking or obstructing any portion of a sidewalk is prohibited. Placing goods or items on the sidewalk, parking vehicles in a manner that obstructs the sidewalk, use of sidewalks for post-harvest activities and sleeping or squatting thereon are likewise prohibited.

Section 8.4.3. Sidewalk-Clearing Operations. The POSO shall regularly conduct sidewalk-clearing operations. Any obstructions on sidewalks that are not otherwise authorized by the proper authorities shall be removed immediately, without prejudice to applicable penalties. Within sixty (60) days from the effectivity of this ordinance, building and establishment owners shall remove any object or installation including, but not limited to, parking facilities, painted parking slots, delineators and/or tire guards that encroach on or obstruct sidewalks. Encroaching objects or materials not removed by the building or establishment owner shall be removed by the POSO and shall subject them to fines and other appropriate penalties.

Section 8.4.4. Temporary Sidewalks. The POSO shall designate temporary sidewalks in the event of obstruction of sidewalks due to authorized road improvement or construction activities. The temporary sidewalks shall be properly marked.

Section 9. Road-Clearing Operations. The POSO, in coordination with the City Engineering Office, shall regularly conduct road-clearing operations to remove objects or materials that obstruct the free flow of vehicular traffic and pedestrian passage.

All building and establishment owners shall be responsible for the removal of any object or installation including, but not limited to, parking facilities, painted parking slots, delineators and/or tire guards that encroach on public roads. Encroaching objects or materials not removed by the building or establishment owner shall be removed by the POSO and shall subject them to fines and other appropriate penalties.

Section 9.1. Prohibition against the Use of Roads for Post-Harvest Activities. No road shall be used for post-harvest activities. Post-harvest activities shall be conducted in the manner prescribed under RA 7607.

Section 10. Traffic Control Devices. The POSO shall be responsible for the management of all traffic devices, lights, controls or signals on public roads, whether installed by the City Government or private entities.

The operation of traffic lights installed by private entities on public roads shall be coordinated with the POSO.

No person shall, without authority from the POSO, install, alter, remove or control any traffic control sign or traffic light on any public road.

Section 10.1. Prohibition of Removal, Defacement, Obstruction or Unauthorized Alteration or Installation of Traffic Control Devices. The removal, defacement obstruction or any unauthorized alteration or installation of traffic control devices are prohibited. The POSO shall be authorized to cause the automatic removal of any obstruction on traffic control devices.

Section 11. Capacity Building and Knowledge Transfer. The POSO, working jointly with the City Engineering Office, with the support of the DPWH and other agencies or institutions, shall organize regular capacity building trainings and workshops on road safety for its personnel and other stakeholders. Priority shall be given to the following themes:

- a. Safer road design
- b. Safe infrastructure design
- c. Low-cost safety engineering
- d. Traffic impact assessment

- e. Safety impact assessment
- f. Safety auditing
- g. Themes as may be determined by the Road Safety Working Group

ARTICLE IV. SAFER VEHICLES

Section 1. Minimum Vehicle Safety Standards for Tricycles. The POSO, in coordination with the Tricycle Regulation Unit, shall (i) set and review minimum vehicle safety standards for tricycles applying for franchises in Tuguegarao City and (ii) recommend policies to the City Council to promote the safety of tricycle riders.

Section 2. Minimum Vehicle Safety Standards for Vehicles Passing Through Tuguegarao City. All vehicles including bicycles, electric bicycles and All Terrain Vehicles (ATVs) passing through Tuguegarao City shall be required to comply with the minimum vehicle standards prescribed by the LTO. In addition, motor vehicles passing through the City must have:

- a. Functioning headlights, tail lights and signal lights in compliance with LTO standards;
- b. Headlights turned on from 6:00 PM to 6:00 AM, as well as when traversing tunnels, or when necessary due to the weather or other forces of nature; and
- c. Functioning wipers on the windshield, where applicable.

Section 3. Vehicle Safety Standards for Transporting Goods. In transporting goods, vehicles, including tricycles, must be equipped with the necessary facilities to secure their cargo and to ensure that the said cargo will not fall or be dislodged while in transit. The weight of the cargo must not exceed the weight capacity of the tricycle or vehicle, as provided in its manufacturer's manual. The length and width of the cargo must not exceed the confines of the tricycle carriage or vehicle so as to cause any untoward consequences in the transportation of the same.

In transporting hazardous goods and other materials, the vehicle must be equipped with the necessary facilities to secure the cargo and prevent any untoward consequences the transportation of the same may entail, including consequences due to the nature of the hazardous object.

The owner and/or driver of the vehicle shall be responsible for removing fallen cargo from the road to avoid creating a road hazard.

Section 4. Vehicle Safety Standards for Animal-Drawn Carriages and Traditional Motor Vehicles.

Section 4.1. Minimum Design Standards for Animal-Drawn Carriages and Traditional Motor Vehicles. The POSO shall determine the minimum vehicle requirements for animal-drawn carriages (*calesas*), traditional motor vehicles including agricultural implements, and similar vehicles including, but not limited to, the following minimum requirements:

- a. The carriage attached to the animal or the body of the traditional motor vehicle shall be well-lit from 6:00 PM to 6:00 AM, as well as when traversing tunnels, or as required by the weather; and
- b. The carriage, including the parts connected to the animal or the body of the traditional motor vehicle, shall have appropriate reflectorized stickers to ensure night visibility.

Section 4.2. Limitations on Route. The POSO shall determine the route of all animal-drawn carriages and traditional motor vehicles in the City.

In addition to limitations on the route of animal-drawn carriages under relevant issuances, animal-drawn carriages shall be prohibited from plying national roads and any road with a speed limit higher than 40 kilometers per hour (kph) except in the following instances:

- a. When the animal-drawn carriages have been permitted under an existing permit to ply a road with a speed limit higher than 40 kph;
- b. On designated intersections, solely for the purpose of crossing;
- c. When an intersection has been blocked for purposes of traffic management and replaced by a u-turn, solely for the purpose of crossing and only if permitted under the permit for the animal-drawn carriage; and

- d. When the animal-drawn carriage is *en route* to its garage, provided that it is not carrying any passenger.

Provided that, animal-drawn carriages that are permitted to ply national roads under a particular permit shall be required at all times to traverse the outermost lane of the road that is not dedicated as a bicycle lane, and shall at all times be prohibited from overtaking or counterflowing. Failure to observe this provision shall constitute a violation of this section.

ARTICLE V. SAFER ROAD USERS

Section 1. Speeding.

Section 1.1. What Constitutes Speeding. Any of the following acts constitute speeding and are penalized under this Ordinance:

- a. Driving a motor vehicle on any road in this City at a rate of speed greater than that permitted by this Ordinance.
- b. Driving a motor vehicle on any road in this City at a speed that is not appropriate for the width, traffic, grades, crossing, curvatures, visibility or other conditions of the road as to endanger the safety of road users and their property.
- c. Driving a motor vehicle on any road in this City at a speed greater than that which will permit the vehicle to stop within the assured clear distance ahead in order to prevent a road crash.

Section 1.2. Default Speed Limits. Subject to Section 1.4 and unless otherwise provided herein, the speed limit for all city roads within Tuguegarao City shall be 30 kph for all motor vehicles. The speed limit for all barangay roads or collector roads shall be 20 kph.

Section 1.3. Crowded Streets. Based on the actual road condition and the road user mix, barangays may recommend to the Public Order and Safety Office the setting and enforcement of safer speed limits for barangay roads and crowded streets within their jurisdiction when necessary.

Within thirty (30) days from effectivity of this Ordinance, barangays shall submit a list of crowded streets to the Public Order and Safety Office. The Public Order and Safety Office shall review and submit the list to the City Council with recommendations on the enactment of an ordinance imposing a speed limit of 20 kph on such roads.

Section 1.4. Speed Limits for Specific Roads. The following speed limits shall apply to the roads and motor vehicles identified below and other similar motor vehicles:

Road Classification (RA 4136)	Roads covered	Cars / Motorcycles / and similar motor vehicles	Trucks / Buses / Tricycles and similar motor vehicles
A. National Roads			
Through Street (N1)	Cagayan Valley Road (Formerly Maharlika Highway)	40 kph	30 kph
Crowded Street (N1)	500m radius of Carig Elementary School, Cagayan Valley Medical Center 500m radius of Penge-Ruyu Elementary School, Montessori de Cagayan, and Tuguegarao City Central Van Terminal Cor. Pattau Road Diversion Cor. Pallua Diversion Road Cor. Caritan Diversion Road Tuguegarao Tanza Junction Libag Elementary School		
Through Street (N1)	Cagayan-Apayao Road (Tuguegarao Sect)	40 kph	30 kph

Crowded Street (N1)	500m radius of Tuguegarao West Central School St. Paul Hospital Tuguegarao Intersection Buntun Diversion Junction Buntun-Catangaman Road Shell Junction-Buntun	20 kph	20 kph
City Street (N1)	Tuguegarao Cadre Road (RECOM Section)	30 kph	30 kph
Crowded Street (N2)	500m radius of Tuguegarao West Central School St. Paul Hospital Tuguegarao Intersection Buntun Diversion Junction Buntun-Catangaman Road Shell Junction-Buntun	20 kph	20 kph
City Street (N1)	Tuguegarao Cadre Road (RECOM Section)	30 kph	30 kph
Crowded Street (N2)	Tuguegarao Diversion Road I (College Ave. and Mabini Section) Tuguegarao Diversion Road II (Junction CVR-Caritan-San Gabriel-Junction CAR)	20 kph	20 kph
City Street (N2)	Tuguegarao Airport Road	30 kph	30 kph
Through Street (N2)	Tuguegarao By-pass Road (Capitol-DepEd)	40 kph	30 kph
City Street (N3)	Cagayan Regional Government Center Road Network	30 kph	30 kph
Crowded Street (N3)	Dalan Paggayaya	20 kph	20 kph
B. Provincial Roads			
City Street (P)	Rizal Street (old Provincial Hospital Site)	30 kph	30 kph
Crowded Street (P)	500m radius of Tuguegarao City People's General Hospital 500m radius of Rizal Park	20 kph	20 kph
City Street (P)	Provincial Jail-Rizal Street	30 kph	30 kph
Crowded Street (P)	Streets Within Provincial Capitol	20 kph	20 kph
C. City Streets			
Crowded Street (C)	Gonzaga Street	20 kph	20 kph
Crowded Street (C)	Gomez Street	20 kph	20 kph
Crowded Street (C)	Washington Street	20 kph	20 kph
Crowded Street (C)	Lecaros Street	20 kph	20 kph
Crowded Street (C)	Streets around Tuguegarao Public Market	20 kph	20 kph
Crowded Street (C)	Linao Road (crossing)	20 kph	20 kph
Crowded Street (C)	Inside City Proper	20 kph	20 kph
Crowded Street (C)	Andal Street	20 kph	20 kph
Crowded Street (C)	Adducul Street	20 kph	20 kph
Crowded Street (C)	Atal Street	20 kph	20 kph
Crowded Street (C)	Maramag Street	20 kph	20 kph
Crowded Street (C)	Bagay Road	20 kph	20 kph
Crowded Street (C)	Arellano Street	20 kph	20 kph

All school zones, as identified under City Ordinance No. 14-2019 or "An Ordinance Setting Speed Limit of 20kph For All Kinds of Motor Vehicles 100 Meters Before and After School Premises within Tuguegarao City and Imposing Necessary Penalties Thereof", shall have a speed limit of 20 kph.

Section 1.5. Exceptions. The speed limits prescribed above shall not apply to drivers in the following circumstances, provided that these exceptions shall not be construed to allow unnecessary fast driving or to endanger the life, health or property of any person:

- a. The driver of a motor vehicle carrying a physician or health worker who is responding to an emergency call;
- b. The driver of a hospital ambulance or emergency vehicle on the way to and from the location of a road crash or other emergencies;
- c. Any driver bringing a wounded, injured or sick person for emergency treatment to a hospital, clinic or any other similar places;
- d. The driver of a motor vehicle belonging to the Armed Forces while in use for official purposes in times of riot, insurrection or invasion;
- e. The driver of a motor vehicle when he/she is in pursuit of a criminal;
- f. A law enforcement officer who is trying to apprehend a person in violation of traffic laws;
- g. The driver operating a motor vehicle of a fire department while responding to an emergency.

Section 1.6. Installation of Speed Limit Signs. The POSO shall, in coordination with the City Engineering Office, install appropriate speed limit signs on roads within the City as set under Section 1.4 hereof.

For purposes of enforcement, the default speed limit of 30 kph shall apply on roads without speed limit signs.

For National Roads, the POSO shall coordinate with the DPWH Regional Office on the installation of appropriate speed limit signs. The speed limit signs shall conform to the standards prescribed by the DPWH Manual on Highway Safety Design Standards.

Within three (3) months from the effectivity of this Ordinance, the POSO shall identify priority roads for the installation of speed limit signs.

Section 1.7 Information Dissemination on Applicable Speed Limits. The POSO shall ensure that information dissemination on applicable speed limits on roads within Tuguegarao City is conducted.

Section 1.8. Prohibition against Drag Racing/Speed Contests. It shall be unlawful for any person to engage in, or to aid any motor vehicle including tricycles and motorcycles, drag racing/speed contests or exhibition of speed, on any public or private street upon which City has been authorized to impose traffic regulations, except as permitted by special ordinance of the Sangguniang Panlungsod.

Motor vehicles used in unlawful drag racing/speed contests shall be immediately impounded and shall not be released until proof of payment of fines and service of the penalty is presented.

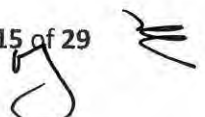
Section 2. Drink- and Drug-Driving.

Section 2.1. Drink-Driving. It shall be prohibited for any person to drive a motor vehicle while under the influence of alcohol.

Section 2.2. Drug-Driving. It shall be prohibited for any person to drive a motor vehicle while under the influence of dangerous drugs and other similar substances.

A driver is presumed to be driving under the influence of dangerous drugs and other similar substances if it is reasonably apparent based on his/her gestures or behavior that his/her motor and mental faculties are impaired due to the ingestion or intake of incapacitating substances as those prohibited by law, such that he/she exposes himself/herself or other persons to the risk of a crash.

Section 2.3. Random Breath and Drug Testing in Terminals. The POSO shall conduct random breath and drug testing in tricycle, jeepney, taxi, AUV and bus terminals.



Section 2.3.1. Action by operator on drivers. The operator of jeepney, taxi, AUV and bus terminals shall immediately suspend any driver who fails the random breath and/or drug testing from driving any public utility vehicle from its terminal.

Drivers who test positive for use of drugs shall be prohibited from driving any public utility vehicle until such time that he/she completes rehabilitation as certified by a DOH-accredited treatment and rehabilitation center or DOH-accredited physician in charge of his/her treatment, in accordance with Republic Act no. 9165, otherwise known as, the "Comprehensive Dangerous Drugs Act of 2002," without prejudice to disciplinary penalties which the operator may impose in accordance with its rules and regulations.

Drivers who exceed the established BAC after a breath test shall be suspended for the day, without prejudice to disciplinary penalties which the operator may impose in accordance with its rules and regulations.

Section 2.3.2. Closure of Terminal. Terminals found to have drivers who exceed the BAC or who test positive for the use of drugs shall be immediately ordered closed, until the erring driver/s are suspended in accordance with Section 2.3.1.

When, upon the conduct of a random test, a terminal is found to have drivers who exceed the BAC or who test positive for the use of drugs a second time, the permit of the terminal shall be suspended and the terminal shall be ordered closed for three (3) months. On the third offense, the terminal's permit shall be revoked in accordance with City Ordinance No. 45-2017 or "*An Ordinance Regulating the Establishment, Operation and Maintenance of Public/Private Transport Terminals Within the Territorial Jurisdiction of Tuguegarao City, Cagayan and Providing Penalties Thereof.*"

Section 2.3.3. Penalties for Tricycles. When, upon the conduct of a random test, a tricycle driver is found to exceed the BAC, the franchise of the tricycle shall be suspended for one (1) month. On the second offense, the franchise of the tricycle shall be suspended for three (3) months. On the third offense, the franchise of the tricycle shall be revoked.

In case the tricycle driver tests positive for the use of drugs, the franchise of the tricycle shall be immediately revoked.

Section 2.4. Random Sobriety Checkpoints. The POSO shall organize random sobriety checkpoints within the City. Random sobriety checkpoints shall have appropriate signages to inform the public that random sobriety checks are being conducted. In the event that a driver's BAC level, after being subjected to a breath analyzer test, exceeds the established BAC limit, the driver shall be assisted in parking at a nearby designated parking area and shall be prohibited from driving until such time that he/she is able to comply with the allowed BAC. If the driver refuses to comply, he/she shall be apprehended for violation of this Ordinance.

Random sobriety checks shall be recorded using video cameras, body cameras or mobile phone cameras. Law enforcement officers conducting random sobriety checks shall be provided with a deployment order for such purpose, indicating the protocols for the selection of vehicles, and shall have an identification card with 2x2 photograph.

Section 2.5. Responsible Beverage Service Programs and Designated Driver Program. All establishments selling liquor within Tuguegarao City shall be required to adopt a responsible beverage service program. Establishments may adopt any of the following programs or submit, for approval of the POSO, any form of responsible beverage service program:

- a. Implementation of a designated driver program (e.g. providing a list of alternative transportation or ride service programs to customers or offering discounts for non-alcoholic drinks to designated drivers);
- b. Providing server training courses on identifying intoxication and preventing intoxicated patrons from further drinking and driving;
- c. Limiting discounts for cheap drinks and other promotions, including during designated "happy hours";
- d. Posting signs or notices within the commercial establishment notifying patrons that the bar reserves the right to refuse service to visibly intoxicated persons; or

- e. Posting other information, education and communication campaign materials on drink-driving within the commercial establishment.

Applicants for liquor licenses within Tuguegarao City shall be required to submit a sworn affidavit describing the Responsible Beverage Service Program of the commercial establishment as a condition for the issuance or renewal of the liquor license.

It shall be strictly prohibited to use or allow the use of responsible beverage service programs for advertising of alcohol products or involve any sponsorship, partnership or endorsement from the alcohol industry.

Section 3. Mandatory Use of Motorcycle Helmets. As identified under City Ordinance No. 3-23 or "An Ordinance Requiring Motorcycle Drivers/Passengers to Wear Head Gear or Helmet and Providing Penalties for Violation Thereof", all motorcycle drivers and passengers shall wear standard safety helmets. It shall be prohibited to drive or ride a motorcycle without wearing a properly fastened, standard safety helmet.

Barangays, private subdivisions and commercial establishments within the City are prohibited from issuing rules or regulations that prohibit the use of motorcycle helmets except during security inspections.

Section 3.1. Standard helmets and proper use thereof. Helmets shall comply with the standards approved by the Department of Trade and Industry and must bear an Import Commodity Clearance sticker. It shall be properly fastened under the motorcycle rider's chin. Failure to properly fasten the helmet shall be considered a violation of this Ordinance.

Section 4. Children's Safety aboard Motor Vehicles.

Section 4.1. Children's Safety aboard Motorcycles.

Section 4.1.1. Appropriate-sized helmets. Children aboard motorcycles shall wear appropriately-sized and standard protective helmets. For purposes of this section, a "child" shall be defined as children aged 0-18.

Section 4.2. Prohibition. Children shall not be allowed to ride motorcycles on any road within Tuguegarao City unless the following conditions are present:

- a. The child's feet must be able to comfortably reach the footrest of the motorcycle;
- b. The arms of the child can reach around and grasp the waist of the motorcycle driver;
- c. The child is mentally capable to appreciate the need to hold on to the rider; and
- d. Only one (1) child is riding the motorcycle.

Section 4.2. Children's Safety aboard Passenger Vehicles.

Section 4.2.1. Prohibition of Children in Front Seats of Private Vehicles, PUVs and TNVs. No child shall be allowed to sit in the front seats of private vehicles and public utility vehicles such as jeepneys, buses, AUVs and TNVs. For purposes of this section, a "child" shall be defined as children aged 0-12.

Section 5. Restrictions on Motorcycle Use.

Section 5.1. Limit on the Number of Passengers of Motorcycles. Motorcycle drivers are prohibited from carrying another person on the motorcycle backseat unless the motorcycle is designed to carry more than one (1) person. A motorcycle carrying more than one (1) person shall be considered overloaded in the event that the driver fails to show proof, such as a manufacturer's manual, that the motorcycle was designed to carry more than one (1) person.

Section 5.2. Prohibition on Use of Motorcycles for Carrying Passengers for a Fee. It shall be prohibited to use motorcycles to carry passengers for a fee.

Section 5.3. Limit on Motorcycle Cargo. Any cargo being transported using a motorcycle shall be secured firmly and should not cause the motorcycle to be unstable. Load dimensions should not go

beyond one (1) meter from the center of the motorcycle side to side and should not be higher than the helmet of the rider, *provided that*, a cargo that exceeds the height of the driver may be carried on a motorcycle if the same is designed to be carried by the driver, and is strapped securely to the driver.

Section 5.4. Prohibition on Minors to Drive Motorcycles. Minors are prohibited from riding motorcycles within the city of Tuguegarao at any time of day unless otherwise issued with a Student Permit or Non-Professional Driver's License and accompanied by a Professional Driver, in accordance with City Ordinance No. 18-2002 or "An Ordinance Prohibiting Minors to Drive Motorcycles within the City of Tuguegarao" and/or any other ordinances which can be used for this code.

Section 6. Mandatory Seatbelt Use for Drivers and Passengers. The driver and front seat passengers of a public or private motor vehicle are required to wear or use their seat belt devices while inside a vehicle with running engine on any road or thoroughfare; *Provided that*, for private vehicles, except for jeeps, jeepneys, vans, buses and such other private vehicles as may be determined in the Implementing Rules and Regulations of Republic Act No. 8750, otherwise known as the "Seat Belts Use Act of 1999," front and back seat passengers are likewise required to use their seat belt devices at all times.

In the case of public motor vehicles, the driver shall be required to immediately inform and require the front seat passengers upon boarding a vehicle of running engine to wear the prescribed seat belts. Any passenger who refuses to wear seat belts shall not be allowed to continue riding the vehicle.

For special public service vehicles such as school services and other similar vehicles, seat belt devices should be provided and used by both drivers and front seat passengers and the first row passengers immediately behind the driver at all times while inside a vehicle with running engine.

For jeepneys, the driver and front seat passenger shall be required, at the minimum, to use a pelvic restraint or lap belt installed in the vehicle.

Section 7. Anti-Distracted Driving.

Section 7.1. Prohibition on the Use of Mobile Devices while Driving. Drivers are prohibited from using mobile communications or entertainment devices while driving, whether in motion or temporarily stopped at a red light, in accordance with City Ordinance No. 05-2009 or the "Ordinance Banning the Use of Cellular Phones while Driving/Operating a Motor Vehicle in Tuguegarao City,;" *Provided that*, the hands-free use of mobile communications devices and other navigation devices for communication and navigation shall be permitted; *Provided further that*, the placement of the mobile communications device or the hands-free device does not interfere with the field of view of the driver; *Provided further that*, answering of phone calls and setting-up of the navigation device shall only be allowed when the vehicle is not in motion and is parked at an area appropriate for parking.

Section 7.1.1. Exceptions. The provisions of this Section shall not apply in the following instances:

- a. Using a mobile phone for emergency purposes including, but not limited to, an emergency call to a law enforcement agency, health care provider, fire department or other emergency services, agency or entity, *provided that* the vehicle is not in motion; and
- b. Using a mobile phone while operating an emergency vehicle such as an ambulance, a fire truck and other vehicles providing emergency assistance in the course and scope of his or her duties.

Section 7.2. Prohibition on Obstruction of the Driver's Field of View. The driver's field of view shall, at all times, remain unobstructed. No item or object shall be placed on the front windshield or on the dashboard, in such a manner as to obstruct the driver's field of view.

Section 8. Pedestrian Safety. Rules and regulations governing the safety of pedestrians shall be governed by City Ordinance No. 09-2017 or "An Ordinance Adopting the New Traffic Rules and Regulations of Tuguegarao City" and this Ordinance and other rules and regulations implemented by the City Government in relevant issuances.

Section 8.1. Duties of Pedestrians. Pedestrians have the following duties under City Ordinance No. 09-2017:

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

Section 8.2. Restrictions on Pedestrians. Pedestrians are prohibited from doing the following acts which shall constitute the offense of jaywalking:

- a. Standing on any portion of the road while waiting to board a vehicle;
- b. Proceeding from a footway toward a vehicle that has not fully stopped for the purpose of boarding it;
- c. Alighting from or boarding a moving vehicle;
- d. Alighting from or boarding a vehicle at an area where loading and unloading is prohibited;
- e. Remaining on a pedestrian crossing or marked cross-walk longer than is necessary for the purpose of passing through the thoroughfare with reasonable dispatch;
- f. Loitering on a footway or sidewalk so as to inconvenience, obstruct, hinder or prevent the free passage of any other pedestrians;
- g. Using mobile communications or entertainment devices while crossing any street or road.

Section 9. General Driving Rules. General driving rules and regulations shall be governed in accordance with City Ordinance No. 09-2017 and this Ordinance, and other rules and regulations implemented by the City Government in relevant issuances.

Section 9.1. Overtaking. When overtaking a moving vehicle, the driver shall turn on the appropriate signal light and safely pass to the left of that vehicle. He/she shall not switch lanes or drive in front of the moving vehicle until his/her vehicle is safely clear; *Provided, that*, where a thoroughfare has two or more marked lanes, a vehicle may overtake and pass to the right of a moving vehicle, if traffic conditions permit him/her to do so safely.

The driver of a vehicle being overtaken shall not increase the speed of his/her vehicle until it has been completely passed by the overtaking vehicle and shall yield in favor of the latter.

Section 9.2. Giving Way at Intersections. A driver approaching or passing through an intersection shall exercise special care and, where appropriate, shall drive at a reduced speed. Except where traffic control signals are in place, the driver of a vehicle that is approaching an intersection shall give way to the vehicle that entered the intersection first; *Provided that*, where the two vehicles entered the intersection at the same time, the vehicle on the left shall give way.

Section 9.3. Giving Way in Rotundas. In a roundabout or rotunda, the first vehicle to enter takes precedence over a vehicle approaching or about to enter the rotunda.

Within the rotunda, drivers must give way to vehicles intending to leave the nearest exit point.

Section 9.4. Prohibition against Counter Flowing. No driver shall be allowed to drive his/her vehicle in the direction opposite to the flow of traffic that he/she is traversing at any time and for any purpose, unless he/she is expressly authorized by a law enforcement officer.

Section 9.5. Parking Near Curves. No person shall park or leave a vehicle unattended on or near a crest, corner or curve of the road.

Section 9.6. Prohibition against Blocking the Yellow Traffic Box. No driver shall allow his/her vehicle to straddle or block the yellow traffic box at any time. Any vehicle straddling or blocking the yellow traffic box shall suffer the next higher penalty provided under Article VII, Section 3 hereof.

Section 10. Traffic Management. The use of roads shall be in accordance with City Ordinance No. 09-2017, and other rules and regulations promulgated by the City Government in relevant issuances.

ARTICLE VI. POST-CRASH CARE

Section 1. Emergency Hotline. The Tuguegarao City Government, through its Command Center, maintains an emergency hotline that shall receive calls seeking emergency response. The City DRRMO shall be responsible for dispatching emergency responders to sites of emergency and coordinating with hospitals and the POSO for the purpose of responding to the emergency.

Section 1.1. Information Campaign on Emergency Hotline. The POSO, in coordination with the City DRRMO and the City Information Office, shall conduct an information campaign on the City Emergency Hotline.

Section 1.2. Procedure for Dispatching Emergency Responders. The procedure for dispatching emergency responders shall be as follows:

- a. A call made to the City Emergency Hotline shall be received by a trained call-taker from the Command Center who is responsible to document and record all vital information regarding the emergency such as, but not limited to, the following:
 - i. Type of emergency;
 - ii. Information on the victim/s and person/s involved;
 - iii. Type of injury, if any, and the severity;
 - iv. Address;
 - v. Telephone number;
 - vi. First aid provided, if any;
 - vii. Contact information of caller, with consent.
- b. The call-taker shall alert and coordinate with the relevant local offices or departments of the emergency who have stationed officers at the Command Center and DRRMO center (e.g. POSO /PNP/volunteer organizations providing emergency services, etc.).
- c. The call-taker shall immediately endorse the call to the nearest emergency responder such as the barangay emergency rescue team.
- d. The emergency responders shall confirm their capacity and availability to respond. Should they be unavailable, the call-taker shall endorse the matter to the DRRMO.
- e. The call-taker and the relevant office or department shall dispatch the emergency responders.
- f. The call-taker and relevant office or department shall closely monitor the status of the emergency responders.
- g. The call-taker shall record the incident.

Section 1.3. Barangay Emergency Rescue Teams. There shall be a sub-station of the City DRRMO with a functioning barangay emergency rescue team for each of the four clustered barangays based on the classification of the POSO:

- a. Poblacion barangays;
- b. Northern barangays;
- c. Eastern barangays;
- d. Western barangays;

Section 1.3.1. First Response. The barangay emergency rescue team covering the area where an emergency occurred shall be considered the first responder to the emergency.

Section 1.3.2. Resources for Emergency Response. The barangay emergency rescue team shall be responsible for maintaining all its equipment and shall submit an annual inventory of its emergency response equipment with information on the status of the equipment.

The City DRRMO shall, from time to time, audit the equipment of the barangay emergency rescue teams that consistently fail to provide a satisfactory response to emergencies.

Section 1.3.3. First Aid Training. All members of the barangay emergency rescue team shall undergo regular training on rendering first-aid response and relief, basic life support and extrication. The POSO, in coordination with the CDRRMO, the Department of Health, and the barangay, shall be in charge of the training and the corresponding certification of the barangay emergency rescue team members.

Section 1.4. Mandatory First Aid Training for Law Enforcement Officers. All law enforcement officers shall undergo training on first aid response and relief, basic life support and extraction. The POSO, in coordination with the CDRRMO and Department of Health, shall be responsible for organizing first aid response and relief training and certification for law enforcement officers.

Section 1.5. First Responder Training for Communities and Volunteer Organizations. The DRRMO shall provide regular free first aid response and relief training, basic life support and extraction every year, and invite communities, barangay volunteers, volunteer organizations and other stakeholders. The DRRMO is likewise authorized to provide free first responder trainings to communities and other stakeholders and volunteers upon their written request.

Section 2. Coordination with Hospital Trauma Care Providers. The DRRMO shall coordinate with the City Health Officer in developing and disseminating a directory of hospital trauma care providers. The POSO shall build a coordination network between the emergency responders and hospital trauma to strengthen the emergency response of the City.

Section 3. Road Crash Investigation. The POSO shall investigate fatal crashes occurring within Tuguegarao City for purposes of policy development. Findings from the investigation shall be submitted to the Road Safety Working Group and/or the appropriate office for proper action.

Section 4. Monitoring and Evaluation of Response Time. The Command Center and DRRMO shall monitor and evaluate the efficiency of the City's post-crash response through the monitoring and recording of response times from the time the call was received to the time that relief is rendered.

The DRRMO shall identify and recognize the barangay emergency rescue team with the fastest and most frequent response times and the barangay emergency rescue team that consistently fails to respond to emergencies, and shall make recommendations on incentives to improve response times.

Section 5. Annual Report on Post-Crash Response. The Command Center shall submit an annual report to the POSO and the Road Safety Working Group on the number of road safety emergency calls received, response times of DRRMO, and the response time and frequency of response of barangay emergency rescue teams.

ARTICLE VII. FINES AND PENALTIES

Section 1. Penalties for violations under Article III.

Violations under Article III shall warrant the following fines and penalties:

Section No.	Violation	First Offense	Second Offense	Third and Succeeding Offenses
Section 4.1.1.	Defacement, alteration, obstruction or unauthorized installation of road signs	Fine of P2,000.00	Fine of P3,500.00 or 1 hour Community Service	Fine of P5,000.00 with 3 months imprisonment at the court's discretion
Section 8.1.3.	Prohibition on using, straddling or blocking pedestrian lanes	Fine of P500.00	Fine of P1,000.00 or 1 hour Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion
Section 8.2.4.	Prohibition on using, straddling or blocking bicycle lanes	Fine of P500.00	Fine of P1,000.00 or 1 hour Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion
Section 8.3.1.	Prohibition against parking on designated parking slots for persons with disability and other groups with special needs	Fine of P500.00	Fine of P1,000.00 or 1 hour Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion
Section 8.4.1	Prohibition against use of sidewalks by motor vehicles	Fine of P2,000.00	Fine of P3,500.00 or 1 hour Community Service	Fine of P5,000.00 with 3 months imprisonment at the court's discretion
Section 8.4.2	Prohibition against blocking of sidewalk for parking or other	Fine of P500.00	Fine of P1,000.00 or 1 hour Community	Fine of P2,000.00 with 30 days imprisonment at

	purposes		Service	the court's discretion
Section 9.1	Prohibition against the use of roads for post-harvest activities	Fine of P500.00	Fine of P1,000.00 or 1 hour Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion
Section 10.1	Defacement, alteration, obstruction or unauthorized installation of road signs	Fine of P2,000.00	Fine of P3,500.00 or 1 hour Community Service	Fine of P5,000.00 with 3 months imprisonment at the court's discretion

Section 2. Penalties for violations under Article IV.

Violations under Article IV shall warrant the following fines and penalties:

Section No.	Violation	First Offense	Second Offense	Third and Succeeding Offenses
Section 1.1	Failure to maintain the vehicle design standards for tricycles during the duration of the franchise	Fine of P2,000.00	Fine of P3,500.00 with recommendation to LTFRB for suspension of franchise	Fine of P5,000.00 with 3 months imprisonment at the court's discretion and recommendation to LTFRB of revocation of franchise and recommendation for revocation of license
Section 1.2.	Prohibition on use of tricycles without a franchise and/or mayor's permit	Fine of P2,000.00 or 1 hour Community Service	Fine of P3,500.00 or 2 hours Community Service	Fine of P5,000.00 with 3 months imprisonment at the court's discretion
Section 1.3.	Limit on number of passengers of tricycles	Fine of P500.00 or 1 hour Community Service	Fine of P1,000.00 or 2 hours Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion and recommendation for revocation of license
Section 1.4.	Limitation on route of tricycles	Fine of P2,000.00	Fine of P3,500.00 with recommendation for suspension of franchise	Fine of P5,000.00 with 3 months imprisonment at the court's discretion and recommendation for revocation of license
Section 2.	Failure to maintain the minimum safety standards for private vehicles passing through Tuguegarao city	Fine of P500.00 or 1 hour Community Service	Fine of P1,000.00 or 2 hours Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion
Section 3.	Failure to maintain the vehicle safety standards for vehicles transporting goods	Fine of P500.00 or 1 hour Community Service	Fine of P1,000.00 or 2 hours Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion
Section 4.1.	Failure to maintain the minimum design standards for animal-drawn carriages and traditional motor vehicles	Fine of P500.00 or 1 hour Community Service	Fine of P1,000.00 or 2 hours Community Service	Fine of P2,000.00 with 30 days imprisonment at the court's discretion
Section 4.2	Limitation on route of animal-drawn carriages and traditional motor vehicles and passengers	Fine of P2,000.00	Fine of P3,500.00 with recommendation for suspension of franchise Seminar	Fine of P5,000.00 with 3 months imprisonment at the court's discretion and recommendation for revocation of license

Section No.	Violation	First Offense	Second Offense	Third and Succeeding Offenses
Section 1.	Speeding	Fine of P2,000.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P3,500.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P5,000.00 with 6 months imprisonment at the court's discretion and recommendation for revocation of license
Section 1.8.	Prohibition against street racing	Fine of P2,000.00 or 1 hour Community Service, attendance in a Road Safety Seminar and immediate impoundment of motor vehicle	Fine of P3,500.00 with 2 hours Community Service, attendance in a Road Safety Seminar and immediate impoundment of motor vehicle	Fine of P5,000.00 with 3 months imprisonment at the court's discretion and recommendation for revocation of license
Section 2.	Drink and drug driving	Fine of P2,000.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P3,500.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P5,000.00 with 6 months imprisonment at the court's discretion and recommendation for revocation of license
Section 3.	Mandatory use of motorcycle helmets	Fine of P500.00 or 1 hour Community Service, with impoundment and attendance in a Road Safety Seminar	Fine of P1,000.00 or 2 hours Community Service, with impoundment and attendance in a Road Safety Seminar	Fine of P2,000.00 with 3 months imprisonment at the court's discretion with impoundment and recommendation for revocation of license
Section 4.	Children's safety aboard motor vehicles	Fine of P2,000.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P3,500.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P5,000.00 with 6 months imprisonment at the court's discretion and recommendation for revocation of license
Section 5.	Restrictions on Motorcycle Use	Fine of P500.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P1,000.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P2,000.00 with 3 months imprisonment at the court's discretion and recommendation for revocation of license
Section 5.2.	Prohibition on use of motorcycles for carrying passengers for a fee	Fine of P2,000.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P3,500.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P5,000.00 with 6 months imprisonment at the court's discretion and recommendation for revocation of license
Section 6.	Mandatory use of seatbelts for drivers	Fine of P500.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P1,000.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P2,000.00 with 3 months imprisonment at the court's discretion and recommendation for revocation of license
Section 7.	Anti-distracted driving	Fine of P2,000.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P3,500.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P5,000.00 with 6 months imprisonment at the court's discretion and recommendation for revocation of license
Section 8.2	Restrictions on pedestrians	Fine of P500.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P1,000.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P2,000.00 with 3 months imprisonment at the court's discretion
Section 9.4	Prohibition against counterflowing	Fine of P2,000.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P3,500.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P5,000.00 with 6 months imprisonment at the court's discretion and recommendation for revocation of license
Section 9.6.	Prohibition against blocking the yellow traffic box	Fine of P2,000.00 or 1 hour Community Service, and attendance in a Road Safety Seminar	Fine of P3,500.00 or 2 hours Community Service, and attendance in a Road Safety Seminar	Fine of P5,000.00 with 6 months imprisonment at the court's discretion and recommendation for

Section 3. Penalties for violations under Article V. Violations under Article V shall warrant the following fines and penalties:

Section 4. Impoundment. The penalty of impoundment shall entail seizure and confiscation of the vehicle and storage of the same in the authorized impounding area. Failure to settle the necessary fines and redeem the impounded vehicle may subject the same to public auction.

Section 5. Imprisonment. The POSO, with the assistance of the Office of the City Legal Officer, shall be responsible for the filing of cases with the appropriate court for the third and subsequent violations of this Ordinance which, subject to the discretion of the presiding judge, may result in the imposition of the penalty of imprisonment.

Section 6. Community Service. Community service may be performed, at the option of the offender, in lieu of payment of fines. Community service may include any kind of activity as determined by the POSO that will redound to the benefit of the community and the City. The offender shall report to the office of the POSO for community service assignments and compliance.

Section 7. Confiscation of License. The confiscation of the offending driver's license shall be a concurrent penalty. For third offenses, the POSO shall make a recommendation to the LTO for the revocation of the offender's license and ban against the driver for reapplication. The POSO shall ensure connectivity with the LTO information technology system for coordination on the recording of violations and imposition of penalties.

ARTICLE VIII. ENFORCEMENT AND ADJUDICATION

Section 1. Uniform Enforcement Procedure. There shall be a uniform minimum enforcement procedure for violations of this Ordinance.

Section 1.1. Violations of Drivers.

- a. Upon detection of a violation, the law enforcement officer shall flag the offending driver or motor vehicle down or, if he/she is stationary, calls his/her attention immediately.
- b. Upon apprehension, the law enforcement officer shall inform the offending driver of the violation and demand the presentation of his/her driver's license, the motor vehicle certificate of registration and official receipt of registration.
- c. The law enforcement officer shall confiscate the driver's license and issue a Traffic Citation Ticket to the offender, which shall serve as the driver's temporary driver's license for five (5) days from the date of issuance.
- d. The law enforcement officer shall indicate the following information in the Traffic Citation Ticket:
 - i. name and address of the driver;
 - ii. driver's license number and date and place of issuance;
 - iii. issuing agency of the driver's license;
 - iv. name and address of the motor vehicle owner;
 - v. registering agency of the motor vehicle;
 - vi. certificate of registration number;
 - vii. violation committed.
- e. For subsequent violations, the law enforcement officer shall confiscate the previously issued Traffic Citation Ticket and issue a new one indicating both the previous and current violations.
- f. The driver shall have five (5) days within which to settle the fine and comply with the attached penalties, or to file a protest in accordance with Section 3 herein. An additional surcharge of five percent (5%) for each day of delay or failure to pay the appropriate fine shall be imposed until the full amount of fine and surcharge is paid.
- g. Failure to file a protest within the period shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against the driver and/or registered owner of the motor vehicle.

Section 1.2. Violations of Other Individuals. Pedestrians and other individuals who violate this Ordinance shall be immediately apprehended and taken immediately to the nearest office or satellite office of the POSO to pay the appropriate penalty or file a protest in accordance with Section 3 hereof.

The law enforcement officer may likewise file a complaint against the offender before the proper court or office.

Section 1.3. Violations of Business Establishments or Legal Entities. In case of violations of business establishments or legal entities, the law enforcement officer shall demand the presentation of the Mayor's permit or Building Permit, where necessary, and indicate the details found thereon in the Traffic Citation Ticket. Should the offender not be engaged in any business requiring a permit, his/her name and address shall be ascertained and indicated in the Traffic Citation Ticket. The offender shall have five (5) days to settle the fine or file a protest in accordance with Section 3 hereof. In case of failure to settle the fine, the name of the business establishment shall be forwarded to the BPLO.

Failure to settle fines under this Code shall be ground for non-renewal of Business Permits.

Section 2. Enforcement Procedure for Special Cases.

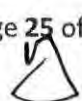
Section 2.1. Speed Enforcement Procedure. The enforcement of speed limits in the City shall be uniformly conducted in accordance with the following procedure:

Section 2.1.1. Violation detected using speed guns.

- a. Upon detection of a speeding violation using speed guns, the law enforcement officer shall flag the offending driver or motor vehicle down.
- b. Upon apprehension, the law enforcement officer shall inform the offending driver of the violation and show him/her the speed detected by the speed gun. The law enforcement officer shall demand the presentation of the driver's license of the offending driver and motor vehicle certificate of registration and official receipt of registration.
- c. The law enforcement officer shall confiscate the driver's license and issue a Traffic Citation Ticket against the offender, which shall serve as the driver's temporary driver's license for five (5) days from the date of issuance.
- d. The law enforcement officer shall indicate the following information in the Traffic Citation Ticket:
 - i. name and address of the driver;
 - ii. driver's license number and date and place of issuance;
 - iii. issuing agency of the driver's license;
 - iv. name and address of the motor vehicle owner;
 - v. registering agency of the motor vehicle;
 - vi. certificate of registration number;
 - vii. violation committed.
- e. For subsequent violations, the law enforcement officer shall confiscate the previously issued Traffic Citation Ticket and issue a new one indicating both the previous and current violations.
- f. The driver shall have five (5) days within which to settle the fine or to file a protest in accordance with Section 3 herein. An additional surcharge of five percent (5%) for each day of delay or failure to pay the appropriate fine shall be imposed until the full amount of fine and surcharge is paid.
- g. Failure to file a protest within the period shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against driver and/or the registered owner.

Section 2.1.2. Violation detected using speed enforcement cameras.

- a. Upon detection of a speeding violation using speed enforcement cameras, the Public Order and Safety Office shall issue a notice to the registered owner of the motor vehicle *via* registered mail.
- b. The notice shall indicate the speed limit of the road where the violation was committed and shall include a photograph of the vehicle with the speed detected by the camera at the time of violation shown legibly.



- c. The registered owner shall be presumed to be the driver of the motor vehicle unless he/she can prove that the motor vehicle was driven by another person.
- d. The registered owner shall have five (5) days from the date of receipt of the notice within which to settle the fine indicated in the notice or to file a protest in accordance with Section 3 herein. Failure to file a protest within the period shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against the registered owner.
- e. In case of a protest based on the identity of the driver, the registered owner shall have the duty to provide under oath the name of the driver of the motor vehicle, his/her known address and other details as may be required by the POSO. Except in cases where the protest is based on stolen vehicles, no protest based on the identity of the driver shall be allowed unless the alleged driver at the time of violation is identified.

Upon a finding that the registered owner is not the driver of the motor vehicle at the time of the violation, the POSO shall send a notice to the driver, as identified by the registered owner, subject to the requirements herein.

Section 2.2. Drink-Driving Enforcement Procedure. The enforcement of this section shall be uniformly conducted in accordance with the following procedure:

Section 2.2.1. Violation.

- a. The law enforcement officer shall cause the driver suspected of driving under the influence of alcohol to undergo any or a combination of the following preliminary field sobriety tests, prior to the initial test for blood alcohol concentration:
 - i. Walk a straight line test;
 - ii. Finger to nose test;
 - iii. Stand on one leg test;
 - iv. Horizontal gaze nystagmus ("follow the penlight").
- b. In the event that the suspected driver fails any of the preliminary sobriety tests, or when there is strong reason to believe that he or she is intoxicated, the law enforcement officer is mandated to subject him or her to the BAC breath test with a portable breath analyzing device or any modification thereof.
- c. In the event that a suspected driver's BAC level exceeds the BAC limit, he or she shall be immediately cited for violation of this Ordinance.
- d. The law enforcement officer shall inform the offending driver of the violation and demand the presentation of the driver's license of the offending driver and the motor vehicle certificate of registration and official receipt of registration.
- e. The law enforcement officer shall confiscate the driver's license and issue a Traffic Citation Ticket to the offender, which shall serve as the driver's temporary driver's license for five (5) days from the date of issuance.
- f. The law enforcement officer shall indicate the following information in the Traffic Citation Ticket:
 - i. name and address of the driver;
 - ii. driver's license number and date and place of issuance;
 - ii. agency of the driver's license;
 - iii. name and address of the motor vehicle owner;
 - iv. registering agency of the motor vehicle;
 - v. certificate of registration number;
 - vi. violation committed.
- g. For subsequent violations, the law enforcement officer shall confiscate the previously issued Traffic Citation Ticket and issue a new one indicating both the previous and current violations.
- h. It shall be the duty of the law enforcement officer to detain the driver in an authorized holding area or bring him or her to the nearest police station until such time that he or she is able to comply with the allowed BAC level. If the driver is unaccompanied when he/she is apprehended, the motor vehicle shall be impounded in the authorized impounding area.



- i. The driver shall have five (5) days within which to settle the fine and comply with the attached penalties or to file a protest in accordance with Section 3 herein. An additional surcharge of five percent (5%) for each day of delay or failure to pay the appropriate fine shall be imposed until the full amount of fine and surcharge is paid.
- j. Failure to file a protest within the period shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against the driver and/or registered owner.

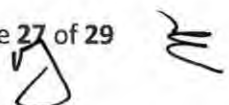
Section 2.2.2. Random Sobriety Checkpoint.

- a. During random sobriety checks at authorized checkpoints, the law enforcement officer shall flag down every tenth (10th) passing motor vehicle. The law enforcement officer shall explain that a random sobriety check is being conducted pursuant to this Ordinance, inform the driver that the proceedings are being recorded by video and request the driver to undergo a BAC breath test with a portable breath analyzing device or any modification thereof.
- b. In the event that the driver's BAC exceeds the established BAC limit, he/she shall be asked to park at a nearby designated parking area and shall be prohibited from driving until such time that he or she is able to comply with the allowed BAC level. If he or she refuses to comply, he/she shall be requested to alight the vehicle and shall be apprehended for violation of this Ordinance.
- c. Random sobriety checkpoints shall have appropriate signages. The conduct of random sobriety checks shall be recorded using video cameras, body cameras and/or mobile phone cameras.
- d. Law enforcement officers deployed for random sobriety checkpoints shall have a deployment order signed by the head of the Public Order and Safety Office and shall wear an identification card with their name and 2x2 photograph. The deployment order shall state the protocol for the random sobriety checkpoint.
- e. Law enforcement officers shall record the plate number of all vehicles flagged down, and the name, license number and plate number of the driver of vehicles who registered a BAC level of 0.05% or such level of intoxication as established jointly by the DOH, NPC, and DOTr.

Section 2.3. Drug-Driving Enforcement Procedure. The enforcement of this section shall be uniformly conducted in accordance with the following procedure:

Section 2.3.1. Violation.

- a. If the law enforcement officer has probable cause to believe that a person is driving under the influence of dangerous drugs and/or other similar substances, that person shall be immediately apprehended for violation of this Ordinance.
- b. The law enforcement officer shall inform the offending driver of the violation and demand the presentation of the driver's license of the offending driver, the motor vehicle certificate of registration and official receipt of registration.
- c. The law enforcement officer shall confiscate the driver's license and issue a Traffic Citation Ticket to the offender, which shall serve as the driver's temporary driver's license for five (5) days from the date of issuance.
- d. The law enforcement officer shall indicate the following information on the Traffic Citation Ticket:
 - i. name and address of the driver;
 - ii. driver's license number and date and place of issuance;
 - iii. issuing agency of the driver's license;
 - iv. name and address of the motor vehicle owner;
 - v. registering agency of the motor vehicle;
 - vi. certificate of registration number;
 - vii. violation committed.
- e. For subsequent violations, the law enforcement officer shall confiscate the previously issued Traffic Citation Ticket and issue a new one indicating both the previous and current violations.
- f. It shall be the duty of the law enforcement officer to detain the driver in an authorized holding area or bring the driver to the nearest police station to be subjected to a drug



screening test and, if necessary, a drug confirmatory test as mandated under Republic Act No. 9165. If the driver is unaccompanied when he/she is apprehended, the motor vehicle shall be impounded in the authorized impounding area.

- g. The driver shall have five (5) days within which to settle the fine and comply with the attached penalties or to file a protest in accordance with Section 3 herein. An additional surcharge of five percent (5%) for each day of delay or failure to pay the appropriate fine shall be imposed until the full amount of fine and surcharge is paid.
- h. Failure to file a protest within the period shall be deemed a waiver of the right to protest and shall result in the automatic resolution of the violation against the driver and/or registered owner.

Section 3. Protest Adjudication. The Traffic Adjudication Office created under the POSO shall have jurisdiction over protests in relation to this Ordinance. The process of filing a protest is as follows:

- a. Within five (5) days from the issuance of the Traffic Citation Ticket, the driver or registered owner may file a protest with the Traffic Adjudication Office, attaching therein all evidence which he/she may wish to present.
- b. The Traffic Adjudication Office shall conduct an investigation and hearing, and shall have the authority to issue summons to law enforcement officers, drivers, and registered owners of motor vehicles, and receive evidence in relation to the protest.
- c. Within thirty (30) days from the filing of the protest, the Traffic Adjudication Office shall decide on the protest and inform the driver and/or registered owner of its decision.

In case of the dismissal of the protest, the driver or registered owner shall have five (5) days within which to settle the fine indicated in the decision. Otherwise, the driver or registered owner shall be issued a clearance by the Public Order and Safety Office, indicating that the driver/registered owner has been cleared of the violation, cancelling the Traffic Citation Ticket and directing the appropriate office to return the confiscated license.

Section 4. Effect of Failure to Settle Fines and Serve Penalties. The fines imposed for violations of this Ordinance shall be paid at the City Treasurer's Office. In the event of failure to settle the fines or penalties within the period provided in this Ordinance, the POSO shall, after ninety (90) days from the time the fine or penalty becomes due, file a complaint before the appropriate court for the enforcement of said fines or penalties. The POSO shall also submit the information of the offending driver and registered owner to the LTO and LTFRB, requesting the said offices to hold in abeyance the registration or issuance of franchise of the motor vehicle involved in the violation until such time that the fine is settled and/or the penalty is served.

ARTICLE IX. MISCELLANEOUS PROVISIONS.

Section 1. Budget and Appropriation. The amount of Ten Million Pesos (Php 10,000,000.00) from the general fund of the Tuguegarao City Government is hereby appropriated for the first year of implementation of this Ordinance, with the following priority procurement:

1. Procurement of laser speed guns
2. Procurement of laser speed cameras
3. Procurement of breath analyzers
4. Procurement of drug testing kits
5. Body cameras
6. Training of law enforcement officers
7. Manufacture and installation of road signs
8. Information, education, and communication (IEC) materials
9. Publication of IEC materials
10. Additional human resources
11. Printing of Traffic Citation Ticket
12. IT requirements for connectivity with the LTO information technology system
13. Purchase of other related equipment and conduct of other related activities

All fines collected pursuant to this Ordinance shall be earmarked for implementation of road safety ordinances and policies, in addition to the budget to be appropriated from the general fund for subsequent years, which shall not be less than the amount of the prior year's appropriation.

Other items required to be procured for the implementation of this Ordinance or the Tuguegarao Road Safety Action Plan shall be submitted by the Public Order and Safety Office or responsible office or agency as part of their budget plan for the succeeding years.

Section 2. Procurement. The Office of the Mayor is hereby authorized to cause the procurement of the items enumerated in the preceding section in accordance with the above budget program and in compliance with Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act."

Section 3. Information, Education and Communication Campaign. The POSO, in coordination with the City Information Office, shall conduct a continuing information, education and communication (IEC) campaign on the implementation of this Ordinance and other enforcement activities. The IEC campaign shall be launched six (6) months prior to the implementation of this Ordinance.

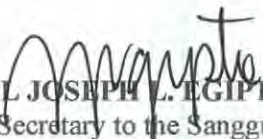
Section 4. Repealing Clause. All ordinances, resolutions, executive orders, memorandum circulars and administrative orders or parts thereof which are inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

Section 5. Separability Clause. If any provision of this Ordinance is declared void or unconstitutional, the remaining portions shall not be affected and shall remain in full force and effect.


Section 6. Effectivity. This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation and after the posting of copies of this Ordinance in a bulletin board at the City Hall and in at least two (2) conspicuous locations within the City for a period of fifteen (15) days. The Secretary to the Sanggunian shall cause the posting of the ordinance not later than five (5) days after its approval.

X-X-X

I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:


JOEL JOSEPH L. EGIPITO, Ph.D.
Secretary to the Sanggunian

ATTESTED:


HON. BIENVENIDO C. DE GUZMAN II
City Vice Mayor
Presiding Officer
Date: _____

APPROVED:


HON. ATTY. JEFFERSON P. SORIANO
City Mayor
Date: 11/21/19

al