

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

15th CONGRESS

HOUSE BILL NO. 3748

Introduced by Representatives

ROMAN T. ROMULO and EMMELINE Y. AGLIPAY

EXPLANATORY NOTE

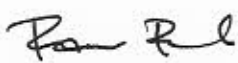
This proposed Bill seeks to provide a single traffic ticketing system that would respect the mandate of national and local government units, and at the same time be recognized by the different traffic enforcement authorities.

The harmonization of the laws and the seemingly overlapping authorities with respect to traffic enforcement is required to better serve the public interest. Presently, there are a number of traffic laws which have caused confusion and burdened the transportation sector and the commuting public. Specifically, these laws are Sections 29 and 62 of Republic Act No. 4136, otherwise known as the "Land Transportation and Traffic Code", Section 458(5)(vi) and (vii) of Republic Act No. 7160, otherwise known as the "Local Government Code of the Philippines", Section 5(f) of Republic Act No. 7924, entitled "An Act Creating The Metropolitan Manila Development Authority, Defining Its Powers And Functions, Providing Funds Therefore And For Other Purposes", and Executive Order No. 712, Series of 2008. It must be stressed, however, that all these laws are aimed at one objective: to provide for an efficient and operational traffic law.

With the passage of this Bill, there would be a single traffic violation ticket used and honored all over the country, which ticket may be redeemed and paid in any local Land Transportation Office. There would also be a consolidated system of monitoring traffic violations across local government units. This move would translate to smoother traffic flow and ease and convenience in enforcing and following traffic laws and ordinances. Most importantly, considering the meager earnings of the public utility drivers, this Bill would relieve them of the double fines and penalties that are incident to a disjointed traffic ticketing system.

Through the passage of this Bill, a uniform single traffic ticketing system to be used by the different traffic enforcement authorities nationwide shall be established, thereby ensuring order and coordination in the implementation of traffic laws, as well as appropriate measures to promote the interests of all motorists, drivers, owners, and operators of public utility and private vehicles.

For these reasons, the passage of this bill is earnestly sought.


REP. ROMAN T. ROMULO
Lone District of Pasig City


REP. EMMELINE Y. AGLIPAY
DIWA Party-List

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HOUSE BILL NO. 3748

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ROMAN T. ROMULO and EMMELINE Y. AGLIPAY

AN ACT ESTABLISHING A SINGLE TRAFFIC TICKETING SYSTEM

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

Section 1. Title. – This Act shall be known as the “**Single Traffic Ticketing Act of 2010.**”

Section 2. Declaration of Policy. – It is hereby declared the policy of the State to maintain peace and order and to promote the general welfare of the people. It is the policy of the state to ensure the autonomy of local governments and to promote efficiency and fairness in the implementation of the traffic laws and ordinances.. Hence, a uniform single traffic system shall be implemented nationwide.

SECTION 3. Definition of Terms. –

- a. Deputizing Agent- shall refer to the Land Transportation Office (LTO), which has the authority to deputize the Philippine National Police (PNP), Local Government Units (LGUs) and the Metro Manila Development Authority (MMDA) with respect to the confiscation of licenses, in accordance with Section 29 of Republic Act No. 4136 or the Land Transportation and Traffic Code.
- b. Duly deputized agent – shall refer to the MMDA, the City Mayor as well as the Local Traffic Enforcers, and/or the PNP.
- c. License Validity Strip (LV Strip)- shall refer to a hologram strip, which is attached to a Driver's License as an identifying mark of the validity of the license. Whenever a traffic violation is committed, the LV strip is to be removed by the traffic enforcer. It shall be replaced only upon satisfaction of the corresponding fines and penalties incident to the violation/s. A driver's license without a LV Strip creates the presumption that there was a previous traffic violation whose penalties have not yet been satisfied.
- d. Local Government Units (LGUs)- shall refer to 1) the *Sangguniang Panlungsod* or the City Councils, which have been empowered by Section 458(5)(vi) and (5)(vii) of Republic Act No. 7160, otherwise known as the Local Government Code, to enact ordinances for the regulation of traffic within their jurisdiction; and 2) the *Sangguniang Bayan* or the Municipal Council, which have been empowered by Section 447(5)(vi) of Republic Act No. 7160, otherwise known as the Local Government Code, to enact ordinances for the regulation of traffic within their jurisdiction.
- e. Traffic Enforcement Authority – shall refer to LTO, MMDA, the LGUs and the PNP.

- f. Uniform Traffic Violation Receipt (UTVR) – shall refer to the receipt that is printed, issued and distributed by the LTO to the traffic enforcement agencies and their duly deputized agents. The UTVR shall contain a list of general violations under the Land Transportation and Traffic Code, as well as the checklist of local traffic ordinances.

SECTION 4. Uniform Traffic Violation Receipt.—All UTVRs issued to the different traffic enforcement agencies shall be centrally monitored by the LTO.

All LGUs shall provide the LTO with a list of traffic violations applicable to their respective localities. The LTO shall print separate UTVRs per local government unit, in accordance with the list of traffic violations and corresponding fines submitted by the latter. The LTO shall ensure that all UTVRs, regardless of local government unit, are uniformly formatted and centrally numbered.

The LTO shall be the sole government office or agency authorized to print, issue and distribute a UTVR to the traffic enforcement authorities. The UTVR shall be in triplicate such that the apprehended driver, the traffic enforcement authority and the LTO shall have their respective copies.

SECTION 5. License Validity Strip (LV Strip).— An LV Strip is to be attached by the LTO to the driver's license upon renewal thereof. The LV Strip shall be valid for the same period as the validity of the driver's license. Each time the LV Strip is replaced by the LTO as a consequence of a previous traffic violation that has already been settled, it shall be valid only for the remaining validity period of the existing driver's license.

The absence of an LV Strip creates a presumption that the LV Strip was removed by a traffic enforcer as a consequence of a traffic violation committed by the driver. A damaged, lost or accidentally detached LV Strip should be replaced immediately.

If a driver is caught driving without an LV Strip attached to his driver's license and without presenting a UTVR, he or she shall be considered as driving without a license, and he or she shall be punished accordingly.

The LTO shall, within three (3) months from the effectivity of this Act produce LV Strips for distribution to all local LTOs nationwide. All drivers are given a grace period of one (1) year from the availability of the LV Strips to have the said Strips attached to their driver's licenses. The single traffic ticketing system under Section 6 of this Act shall be implemented after the one (1) year grace period.

SECTION 6. Single Traffic Ticketing System. – The Single Traffic Ticketing System shall have the following procedure:

1. *Verification of the Driver's License LV Strip.*— Upon violation of any traffic law, or any regulation pursuant thereto; or any local traffic ordinance; or of any rules and regulations consistent with national laws, the driver shall be asked by the duly deputized traffic enforcer to display his driver's license.

The traffic enforcer shall check whether the driver's license has an LV Strip. If the driver's license has an LV Strip, the LV Strip shall be removed by the traffic enforcer.

The absence of an LV Strip on a driver's license creates a presumption that the driver has a previous traffic violation whose attendant fines or penalties have not yet been satisfied. The traffic enforcer shall demand that the UTVR of the previous traffic violation be shown by the driver.

2. *Assessment of the penalties applicable.*— Based on the UTVR presented, the traffic enforcer shall determine whether the period to pay the fines or penalties incident to the previous traffic violation has already expired.

If such period has already expired, there shall be an additional penalty of One Thousand Pesos (PhP 1,000.00). The LTO shall have the authority to periodically increase the additional penalty for failure to pay previous UTVR fines, upon consultation with the public and concerned stakeholders of the transport sector.

3. *Issuance of the UTVR.*—The particular offense and corresponding fines and penalties which are printed on the UTVR will be marked by the traffic enforcer. If the duly deputized traffic enforcer is the MMDA or the PNP, the particular offense and corresponding fines and penalties that can be marked are only those found in National Laws. If the duly deputized traffic enforcer is the LGU through the Local Traffic Enforcers, the particular offense and corresponding fines and penalties that can be marked are only those found in the local traffic ordinance or the local traffic code of their respective LGU.

The UTVR shall be recognized as valid by all the traffic enforcement authorities and their duly deputized agents for a period of three (3) working days from the time the violation was made, as indicated in the UTVR.

If there are additional penalties applicable due to the failure to pay the previous traffic penalties incident to an expired UTVR, these additional penalties shall be identified on the UTVR.

4. *Encoding of the UTVRs into the Single Traffic Ticketing System of the LTO.*— At the end of the working shift of the duly deputized traffic enforcement agent, all UTVRs shall be brought to the respective offices for encoding in a common system operated and monitored by the LTO.

Section 7. Multiple Traffic Violations.—Additional UTVRs shall only be issued by another duly deputized agent where the traffic violation committed is of a different nature and can be counted separately.

The additional penalty of One Thousand Pesos (PhP 1,000.00) which has accrued due to a failure to pay previous UTVR fines shall accumulate until they are paid or upon the renewal of the driver's license.

Section 8. Fines and Penalties Imposed. – Fines and penalties shall be in accordance with those provided under any traffic law, or any regulation pursuant thereto; or any local traffic ordinance; or of any rules and regulations consistent with national laws that are imposed by the apprehending Traffic Enforcement Authority; *Provided That:* when the traffic enforcement authority is the LTO, MMDA or the PNP, the fines and penalties shall be based on national laws, while if the traffic enforcement officer is the LGU or the Local Traffic Enforcement Officers, the fines and penalties shall be based on their local traffic codes or local traffic ordinances.

The traffic violator shall pay the fines and penalties identified in the UTVR in any LTO nationwide within three (3) days. *Provided That:* Section 9 of this Act shall apply in determining the share of the traffic enforcement agencies from the fines and penalties collected.

Section 9. Share of the Traffic Enforcement Authority from the Fines and Penalties Imposed. – The share of the traffic enforcement authority from the fines and penalties collected shall be distributed in the following manner.

- a. Between the LTO and concerned LGU
 - i. LTO –Fifty percent (50%)
 - ii. LGU where the driver was apprehended – Fifty percent (50%);
- b. Between the LTO and MMDA or the PNP
 - i. LTO – Seventy percent (70%);
 - ii. MMDA – Thirty percent (30%)

Section 10. *Budget and Revolving Fund.*— Section 7 of Republic Act No. 8794 provides for a Special Local Road Fund which shall be used for traffic management, among others. Local Government Units shall allocate parts of their Special Local Road Fund provided in Section 7 of Republic Act No. 8794 or the Road User's Tax Law for the implementation and development of a Single Traffic Ticketing System. For this purpose, they may assign parts of the Special Local Road Fund to the LTO for printing of the UTVRs.

All fines collected by the LTO, LGUs and the MMDA shall be part of a revolving fund for the implementation and maintenance of the single traffic ticketing system.

Section 11. *Deputization of Traffic Enforcement Authorities.*—The LTO shall within one (1) week from the effectivity of this Act, deputize the traffic enforcement authorities and their officers to confiscate licenses when so warranted by other existing national traffic laws and regulations.

Section 12. *Implementing Rules and Regulations.*—The Department of Transportation and Communications (DOTC), in consultation and coordination with the LTO, the MMDA and the LGUs, shall promulgate the rules and regulations necessary to effectively implement the provisions of this Act within ninety (90) days from its effectivity.

Section 13. *Separability Clause.*—If any part of provision of this Act shall be held unconstitutional or invalid, other provisions hereof that are not affected thereby shall continue to be in full force and effect.

Section 14. *Repealing Clause.*—Sections 29 of Republic Act No. 4136, otherwise known as the "Land Transportation and Traffic Code"; Section 7 of Republic Act No. 8794 or the Road User's Tax Law" and Section 5 (f) of Republic Act No. 7924, entitled "An Act Creating The Metropolitan Manila Development Authority, Defining Its Powers And Functions, Providing Funds Therefor and For Other Purposes" are to the extent inconsistent with this Act, modified accordingly. All laws, rules and regulations, and executive order which are inconsistent with this Act are repealed or modified accordingly.

All provisions of traffic ordinances insofar as they have specified a deputizing agent aside from the LTO, are modified accordingly.

SECTION 15. *Effectivity Clause.*—This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved.